

SELECT BOARD
6:00 p.m. May 27, 2020
Needham Town Hall
Agenda

Under Governor Baker’s emergency “Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20”, issued March 12, 2020 and in effect until termination of the emergency, meetings of public bodies may be conducted virtually provided that adequate access is provided to the public.

To listen and view this virtual meeting on a phone, computer, laptop, or tablet, download the “Zoom Cloud Meeting” app in any app store or at www.zoom.us. At the above date and time, click on “Join a Meeting” and enter the meeting 892 491 43529 or click the link below to join the webinar: <https://us02web.zoom.us/j/89249143529>.

1.	6:00	Public Hearing: Eversource Energy Grant of Location- Park Avenue <ul style="list-style-type: none"> • Maureen Carroll, Eversource Energy Representative
2.	6:05	Public Safety Project Update <ul style="list-style-type: none"> • Steve Popper, Director of Design & Construction • Ken Sargent, Project Manager • Stuart Chandler, Chair, Permanent Public Building Committee
3.	6:15	Naming of Community Room – Public Safety Building <ul style="list-style-type: none"> • John Schlittler, Chief of Police
4.	6:20	Children’s Hospital Zoning Presentation <ul style="list-style-type: none"> • Robert T. Smart, Jr., Esq. • Timothy Sullivan - Partner, Goulston & Storrs • Lisa Hogarty, Senior Vice President of Real Estate Planning and Development, Children’s Hospital • Joshua Greenberg, Vice President, Government Relations, Children’s Hospital • Sean Manning, Director, VHB
5.	6:50	Town Manager <ul style="list-style-type: none"> • Approve PILOT Agreement and Host Community Agreement between the Town and Boston Children’s Hospital • Town Meeting Planning • Town Manager’s Report
6.	7:15	Board Discussion <ul style="list-style-type: none"> • Committee Reports

CONSENT AGENDA *=Backup attached

1.	Approve the extension of Needham Downtown and Needham Heights parking permit expiration dates to September 1, 2020.
2.*	Approve open session minutes of May 12, 2020.
3.	Accept a \$400 donation made to the Needham Health Division's Gift of Warmth program from the Christ Church in Needham.
4.	Accept a \$100 donation made to the Needham Health Division's Traveling Meals program from Jerald Owen, a Needham resident.
5.*	Water and Sewer Abatement Order #1291



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/27/2020

Agenda Item	Public Hearing: Eversource Energy Grant of Location –Park Avenue
Presenter(s)	Maureen Carroll, Eversource Energy Representative

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>Eversource Energy requests permission to install approximately 36 feet of conduit in Park Avenue. This work is necessary to provide underground electric service to 24 Park Avenue, Needham, MA.</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 SELECT BOARD
<p><u>Suggested Motion:</u></p> <p>Move that the Select Board approve and sign a petition from Eversource Energy to install approximately 36 feet of conduit in Park Avenue. This work is necessary to provide underground electric service to 24 Park Avenue, Needham, MA.</p>	
3.	BACK UP INFORMATION ATTACHED
<p>(Describe backup below)</p> <ul style="list-style-type: none">a. Grant of Location Petition Review Sheet from DPWb. Letter of Applicationc. Petitiond. Ordere. Petition Plansf. Notice Sent to Abuttersg. List of Abuttersh. Photos	

**TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT**

P.O. Box 920364 NEEDHAM, Ma. 02492 Telephone: (781) 455-7550
www.needhamma.gov/dpw

TO: Nikki Witham, Selectmen Office
FROM: Judy Laffey, DPW Office
DATE:
RE:

For Selectmen Meeting of
Abutters list & labels at Assessors Office.

Please email confirmation date & time of hearing

GRANT OF LOCATION PETITION REVIEW

DATE OF FIELD REVIEW: 5/7/20 REVIEWER: RW
SITE LOCATION: 24 PARK AVE UTILITY REQUESTING: EVERSOURCE

Conduit Work Area Description

- A Sidewalk/Grass Strip Crossing Only Peer Review _____
- B Work Within Paved Road Perpendicular Crossing Peer Review RW/TAR
- C Work Within a Plaza Area/Landscaped Island/Parallel Along Roadway
Peer Review _____ Div. Head Review _____
- D Other Peer Review _____ Div. Head Review _____

- | | |
|--|--|
| <input checked="" type="checkbox"/> Petition Plan Consistent with Field Review | <input type="checkbox"/> Old Pole Removed |
| <input type="checkbox"/> Diameter of Conduit | <input type="checkbox"/> Cables Transferred to New Pole |
| <input type="checkbox"/> Depth of Conduit | <input type="checkbox"/> New Riser on Pole |
| <input type="checkbox"/> Utility Conflicts | <input type="checkbox"/> Visible Trench Patch across Road/Sidewalk |
| <input checked="" type="checkbox"/> Crossing Perpendicular to Road | <input checked="" type="checkbox"/> Abutters List Complete |
| <input checked="" type="checkbox"/> Public Road | <input checked="" type="checkbox"/> Photos Included |
| <input checked="" type="checkbox"/> Double Pole | |

Department Head _____

COMMENTS:

No visible trenching and conduit at time of inspection; dig safe markings are pending.

Okay to proceed. TAR



200 Calvary Street
Waltham, Ma 02453

May 5, 2020

Select Board
Town Hall
1471 Highland Avenue
Needham, MA 02192

RE: Park Avenue
Needham, MA
W/O #2381943

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 36 feet of conduit in Park Avenue.

The reason for this work is to provide electric service to 24 Park 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,

A handwritten signature in cursive script that reads "Richard M. Schifone".

Richard M. Schifone, Supervisor
Rights and Permits

RMS/kj
Attachments

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

To the **Select Board** 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 **Tyler Thibault, dated May 5, 2020**, and filed herewith, under the following public way or ways of said Town:

Park Avenue - **Easterly from pole 95/5, at Mercer Road,
a distance of 36 ± feet - conduit**

W/O #2381943

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

By: Richard M. Schifone
Richard M. Schifone, Supervisor
Rights & Permits

Dated this 5th day of May

Town of **NEEDHAM** Massachusetts

Received and filed _____ 2020

**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:

**Park Avenue - Easterly from pole 95/5, at Mercer Road,
a distance of 36 ± feet - conduit**

W/O #2381943

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 **Tyler Thibault, dated May 5, 2020**, 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 Select Board or such officer or officers as it may appoint to supervise the work.

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

CERTIFICATE

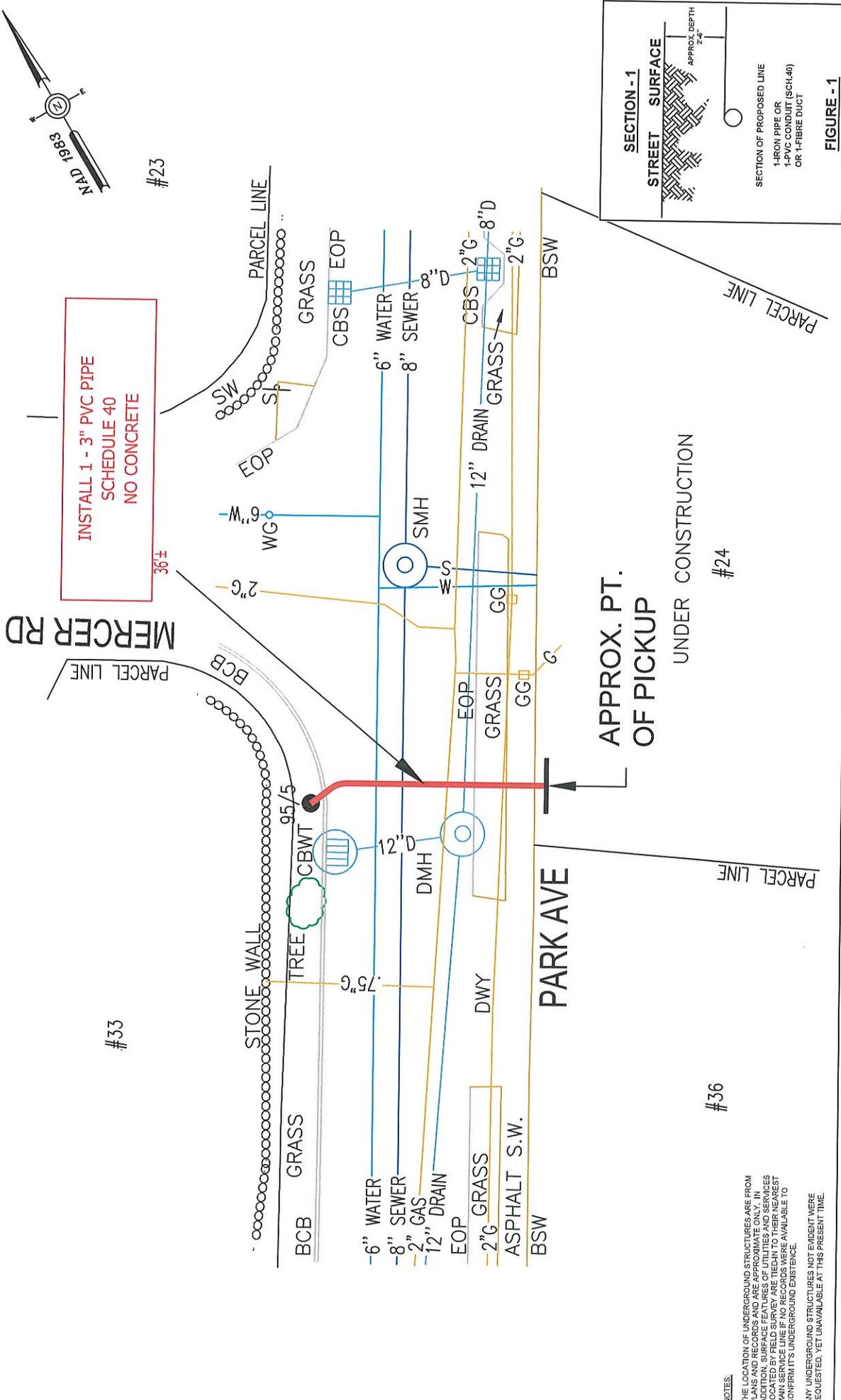
We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven 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 _____ 2020 at _____ in said Town.

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

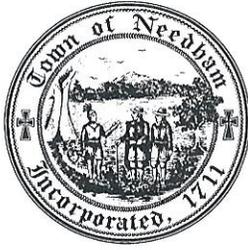
CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Select Board** of the Town of **NEEDHAM**, Massachusetts, duly adopted on the _____ day of _____, 2020 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



<p>BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS MADE FOR THE ACCURACY OF THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY, NOR ITS RESPECTIVE OFFICERS, EMPLOYEES, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OF, INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION, TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.</p> <p>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 ITS INTENDED PURPOSES ARE PROHIBITED.</p>	
C# 88-20	Work Order # 2381943
Surveyed by: GAR/GC/BP	Research by: JC/SC
Plotted by: BP	Proposed Structures: TL
Approved: T. THIBAUT	Scale 1"=20'
P#	SHEET 1 of 1
<p>MASS. LAW REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233</p>	
<p>NSSTAR EVERSOURCE ELECTRIC d/b/a 1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125</p>	
<p>Plan of PARK AVENUE NEEDHAM Showing PROPOSED CONDUIT LOCATION</p>	



Under Governor Baker's emergency "Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20," issued March 12, 2020 and in effect until termination of the emergency, meeting of public bodies may be conducted virtually provided that adequate access is provided to the public.

The Select Board will hold this public hearing as part of its virtual meeting on Tuesday, May 27, 2020 at 6:00 p.m. No in-person meeting will take place at the Needham Town Hall, 1471 Highland Avenue, Needham, MA.

To listen, view and participate in this virtual meeting on your phone, computer, laptop, or tablet, download the "Zoom Cloud Meeting" app in any app store or at www.zoom.us. Zoom meeting ID information will be posted on the Select Board's agenda at www.needhamma.gov on May 22, 2020, alternatively you may call 781-455-7500 ext. 204.

NOTICE

To the Record

You are hereby notified that a virtual public hearing will be held **at 6:00 p.m. on May 27, 2020** upon petition of Eversource Energy dated **May 5, 2020** to install approximately 36 feet of conduit in Park Avenue. This work is necessary to provide underground electric service to 24 Park Avenue, Needham MA.

A public hearing is required and abutters should be notified.

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

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

SELECT BOARD

Dated: May 18, 2020

24 PARK AVE

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
MASTERTON, JAMES T. JR.		33 SPRING RD	NEEDHAM HTS	MA	02494	1990680002800000	33 SPRING RD
CHRISTENSON, BRADLEY M. &	CHRISTENSON, ALICE B.	27 SPRING RD	NEEDHAM HTS	MA	02494	1990680002900000	27 SPRING RD
DUELFER, ARLENE G. &	ALLEN, SUZANNE	21 SPRING RD	NEEDHAM HTS	MA	02494	1990680003000000	21 SPRING RD
KNOWLES, JOSEPH &	KNOWLES, LAUREN D.	87 GREENDALE AVE	NEEDHAM	MA	02492	1990680003300000	87 GREENDALE AVE
PRESCOTT, LESLIE S. +	HEALEY, MATTHEW C.	12 PARK AVE	NEEDHAM	MA	02494	1990680004100000	12 PARK AVE
MOORE, ALEXANDRA &	MOORE, BRIAN	36 PARK AVE	NEEDHAM HTS	MA	02494	1990680004400000	36 PARK AVE
WATTINNE, DANIEL C. &	WATTINNE, LISA G.	33 PARK AVE	NEEDHAM HTS	MA	02494	1990680005300000	33 PARK AVE
MAIO, PETER W. &	MAIO, VALERIE	15 PARK AVE	NEEDHAM	MA	02494	1990710005700000	15 PARK AVE
STIER, SHARI D		23 PARK AVE	NEEDHAM HTS	MA	02494	1990710005800000	23 PARK 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.









**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/27/2020

Agenda Item	Public Safety Project Update
Presenter(s)	Steve Popper, Director of Design & Construction Ken Sargent, Project Manager Stuart Chandler, Chair, Permanent Public Building Committee

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	The Project Team will provide the Board with an update on the status of the Public Safety Building and Fire Station #2.
2.	VOTE REQUIRED BY SELECT BOARD
	Discussion only.
3.	BACK UP INFORMATION ATTACHED
	a. Public Safety Project Update to Needham Select Board (Contract #16PFC169D)

Public Safety Project Update to Needham Select Board

Contract # 16PFC169D

Date: May 27, 2020

Schedule: (all subject to delays due to COVID)

- 8/6/20: Fire HQ – Substantial completion
- 8/1/20: Dispatch & Communications system – substantial completion
- 9/3/21: Fire station 2 – substantial completion
- 1/14/22: Police HQ – substantial completion

Construction Update

Fire HQ: 90% complete. Current work effort is focused on the final stages of the building interior and exterior. Target is to have Fire HQ ready by August.

Fire station #2: Work has commenced. Focus of current work is removal of existing FS#2 building, excavating site, preparing for utilities, and constructing the core foundation.

Communications Systems: Work has commenced. Towers are being installed, and communications equipment to follow. Target is to have new communications system operational by July.

Temporary Fire#2 & Police Facility:

- FS#2: Fire equipment and staff moved to temporary Hillside facility and operational.
- Police HQ: facility complete and moving police department to Hillside. Target is to get police fully moved over by 8/1/20

Police HQ: Work has not commenced. Existing Police HQ building to be demolished starting in the fall.

Budget Update:

<i>Original Budget</i>	<i>Approved Requested Changes</i>	<i>Revised Budget</i>	<i>Anticipated Cost Log</i>	<i>Contingency Balance</i>
\$66.41M	\$2.01M	\$68.42M	\$595K	\$1.36M

- 98% of the project has been bought out, thus we have mitigated surprises of contract
- There are <90 submittals to complete out of 1,500 issued.
- Change orders approved are due to design requirements, unforeseen issues, and user requirements.
- There has been a rigorous and thorough design review across all 3 phases of the project (Fire HQ, F#2, & PHQ)
- The largest unknown remaining may be any underground issues at PD HQ which may be uncovered during excavation in late fall '20.



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/27/2020

Agenda Item	Naming of Public Safety Complex Community Room
Presenter(s)	John Schlittler, Chief of Police

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>Chief Schlittler will propose that the Board consider naming the community room of the new Public Safety Complex in honor of police officers Francis Oliver Haddock and Forbes Alexander McLeod, who lost their lives in service to the Town of Needham.</p> <p>In accordance with the Board's policy, a proposal to name a facility must be reviewed at one meeting and voted no sooner than the next regular meeting in order to allow for public comment.</p>	
2.	VOTE REQUIRED BY SELECT BOARD
<p>Discussion only.</p>	
3.	BACK UP INFORMATION ATTACHED
<p>a. Letter from Chief Schlittler dated May 13, 2020 b. Select Board Naming Policy dated May 11, 2010</p>	



John J. Schlittler
 Chief of Police
 781-455-7570, ext. 217
 jschlittler@needhamma.gov

Needham Police Department

99 School Street
 Needham, MA 02492
 Telephone (781) 455-7570
 Fax (781) 453-9496



Town Manager Kate Fitzpatrick

Kate,

Everyday as I enter the parking lot of the Needham Police Station, I am greeted with the vision of construction on the new Public Safety Complex which is scheduled for completion in early 2022. I often think of the legacy of the men and women who proudly served this community since its inception in 1711. It is important to honor and memorialize those who have given so much to this town and in the case of Needham Police Officers Francis Oliver Haddock and Forbes Alexander McLeod they did so with their lives. Having the ability to repay the debt of these ultimate sacrifices seem impossible but we must try. In fact, there is no greater call in life than when a man or woman, lays down his, or her life in the service of others.

As we transition to the new public safety complex, I want to ensure that we remember the past and honor those who served before us. Although we plan to incorporate a hall of honor in our roll call room, I believe that Officers Francis Oliver Haddock and Forbes Alexander McLeod deserve to be honored and remember in a place that our entire community can share and understand the magnitude of their sacrifice. We recognize the essential role they provided in safeguarding the rights and freedoms of the citizens of Needham. We as a community should never forget the contributions and sacrifices that these two noble and brave officers made as they carried out their duties on February 2, 1934.

I had privilege to say a few words during the recent re-dedication of Haddock and McLeod memorial in September of 2019. I ended that speech with the following:

"Officers Francis Oliver Haddock and Forbes Alexander McLeod, I thank you on behalf of a grateful community for your service, dedication and sacrifice. We as a department will strive to continue to honor your legacies and build upon the foundation that you built. Understand that your memory lives on and you continue to inspire present and future officers who will continue to walk the beat with you beside them".

I can think of no better way to honor Officers Francis Oliver Haddock and Forbes Alexander McLeod than to name the community room within the new public safety complex after them. This seems like a small gesture to safeguard that future generations will understand and be able to reflect on their commitment, service and sacrifice to the town of Needham.

Respectfully,

A handwritten signature in blue ink that reads "John J. Schlittler". The signature is written in a cursive style with a large initial "J" and a distinct "S".

Chief John J. Schlittler

Town of Needham Board of Selectmen

Policy Number:	BOS-DIS-003
Policy:	Naming of Facilities and Placement of Materials
Date Approved:	April 13, 2005
Date Revised:	May 11, 2010
Approved:	 Chairman, Board of Selectman

Policy:

1. The Board of Selectmen is responsible for the naming (or renaming) of any facilities located on parcels of land under the jurisdiction of the Board. A facility is defined as a building, portion of a building, driveway, intersection, walkway, or other parcel or portion of a parcel of land and places or natural features contained therein. Once a facility has been named, renaming will be approved only in extraordinary circumstances.
2. The Board of Selectmen is responsible for approval of the placement of memorial objects, artwork, signs or other fixtures on parcels of land under the jurisdiction of the Board. Examples include, but are not limited to, plaques, memorial or ornamental signs, sculptures, banners, benches, trees or other plantings, fountains, detached structures, and walls.

Procedure:

1. A proposal to name a facility must be submitted in writing to the Board of Selectmen and must include a summary outlining the merits of the proposal. The proponent or his or her designee will present the request to the Board of Selectmen at a regularly scheduled meeting. The Board will vote on the proposal no sooner than the next regularly scheduled meeting, after allowing a period of time for public comment. The Board of Selectmen may appoint a committee to assist with its review of any proposal.
2. A proposal for the placement of a memorial object, piece of artwork, sign, or other fixture must be submitted in writing to the Board of Selectmen and must include a summary outlining the merits of the proposal. The Board will vote on the proposal at a regularly scheduled meeting.
3. The Board of Selectmen shall review existing facility names to avoid duplication, confusing similarity or inappropriateness.
4. Approval of the placement of a memorial object, artwork, sign or other fixture will only be made after a determination by the Board of Selectmen that the proposal will not: limit physical access to the site; endanger the peace or safety of the public; interfere with any utility or access thereto; be limited by unacceptable special restrictions, conditions or

covenants; or create a significant budgetary obligation on the Town for which no provision has been made.

5. Donation of funds, memorial objects, artwork, signs, fixtures, or in-kind services must be formally accepted by the Board of Selectmen in accordance with Massachusetts General Laws.
6. Requests for naming of facilities or placement of memorials on land not under the jurisdiction of the Board will be referred to the appropriate Board.



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/27/2020

Agenda Item	Children's Hospital
Presenter(s)	Robert T. Smart, Jr., Esq. Timothy Sullivan - Partner, Goulston & Storrs Lisa Hogarty, Senior Vice President of Real Estate Planning and Development, Children's Hospital Joshua Greenberg, Vice President, Government Relations, Children's Hospital Sean Manning, Director, VHB

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	<p>Mr. Smart and Mr. Sullivan will provide the Board with an overview of the proposed zoning filed by citizens' petition and the proposed development project. Ms. Hogarty, Mr. Manning and Mr. Greenberg will be available to answer any specific questions.</p>
2.	VOTE REQUIRED BY SELECT BOARD
	<p>Presentation Only</p>
3.	BACK UP INFORMATION ATTACHED
	<p>a. Boston Children's Hospital Proposed Zoning, May 27, 2020</p>



Boston Children's Hospital



HARVARD MEDICAL SCHOOL
TEACHING HOSPITAL

Boston Children's Hospital Proposed Zoning Amendment

Needham Select Board
May 27, 2020





Agenda

- **Proposed Zoning Amendment**
 - New special permit use in the New England Business Center
- **Planning Board Review**
- **Proposed Agreements**
 - Agreement Regarding Payments in Lieu of Taxes
 - Host Community Agreement
- **Additional Economic/Community Benefits**
- **Questions and Comments**

Proposed Zoning Amendment

New England Business Center



Summary of Proposed Zoning Amendment

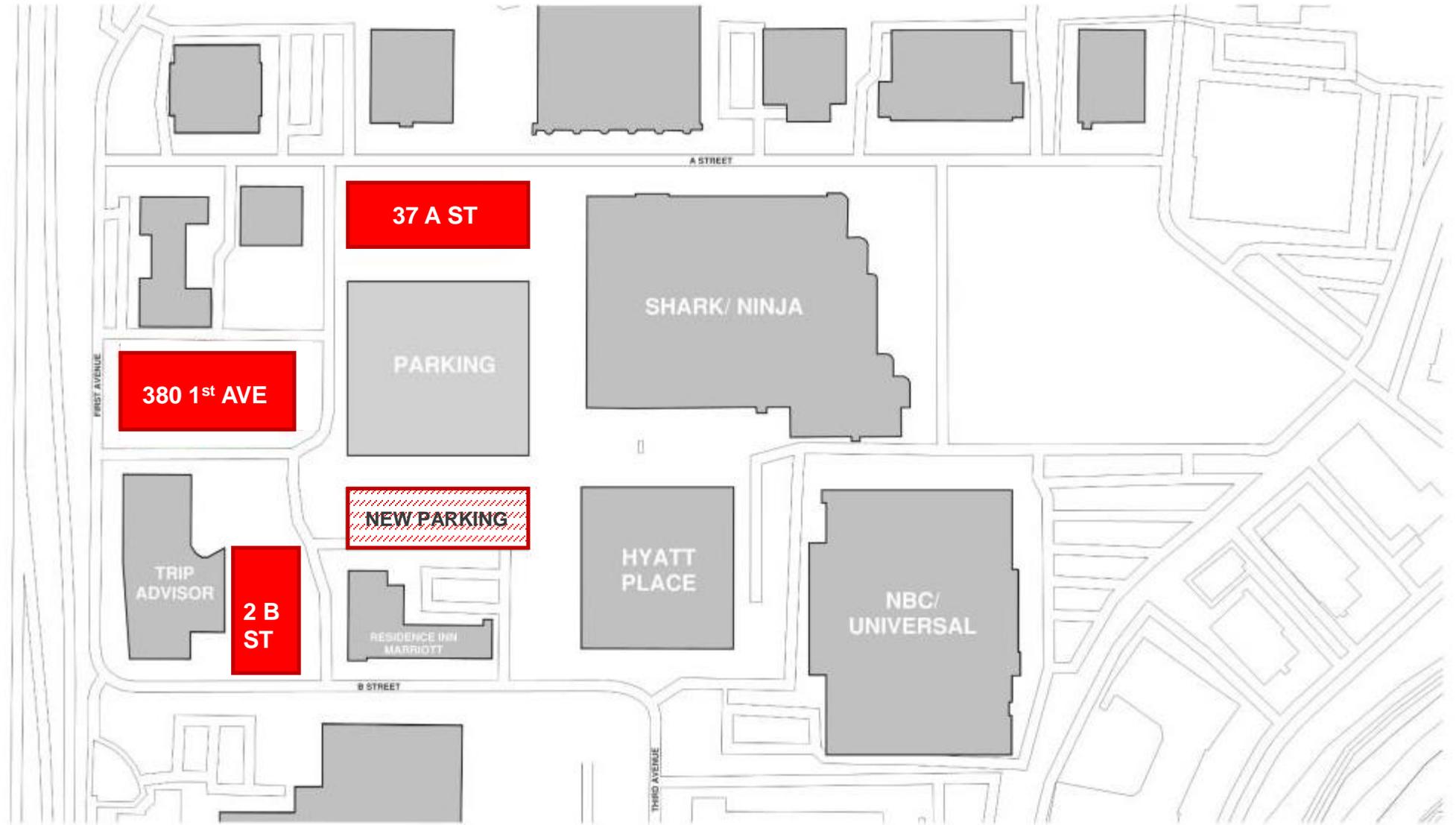
1. Define Pediatric Hospital
2. Create a new “Pediatric Medical Facility” use allowed by special permit in the New England Business Center
 - Must be owned, operated or managed by a Pediatric Hospital
3. Establish a parking requirement of one (1) parking space per 290 square feet of floor area in a Pediatric Medical Facility

Planning Board Review

New England Business Center



Approved Site Plan



Estimated Parking Requirements Summary

Metric	Estimated Parking Supply ¹	
	Spaces	Rate (spaces/1,000sf)
Proposed Zoning Standard ²	1,559	3.45
Operational Assessment	1,484	3.28
Satellite Campus/ Comparable Assessment	1,298	2.87

Note:

1. Includes 380 1st Avenue, 37 A Street and 2 B Street, for a total development envelope of 452ksf.
2. One (1) parking space per 290 SF of floor area in a Pediatric Medical Facility

Anticipated Trip Generation Comparison

- Actual (counted) trips generated by Founder's Park (constructed buildings as of October 2019) are significantly lower than the approved trip generation estimates
- With Boston Children's Hospital in place and Founder's Park fully constructed:
 - AM Peak Hour trips will be similar to the approved trip generation estimates (1% increase)
 - PM Peak Hour trips will be slightly higher than the approved trip generation estimates (6% increase)
- Actual Project trips of Boston Children's Hospital facilities and unconstructed Founder's Park buildings are also expected to be lower than the Institute of Transportation Engineers (ITE) Trip Gen estimates used in this analysis

Peer Review

- BETA Group, Inc. was engaged by the Town as a Peer Review Consultant to review Parking and Trip Generation materials
- BETA concluded that the proposed parking ratio is acceptable and that the Trip generation information is accurate

Proposed Agreements

Agreement Regarding Payment in Lieu of Taxes (PILOT)

- **Children's will make an annual PILOT payment to the Town**
 - Equal to the amount that would be otherwise due to the Town in property taxes for office use
 - Adjusted each year based on the percentage increase or decrease in the overall tax levy of the Town (may increase up to 4%)

- **Agreement effective upon issuance of building permit**
 - Percentage of payment amount due each year during construction period is equal to the percentage of completion of construction of the Project on June 30th
 - Full PILOT amount shall commence upon final certificate of occupancy for the Project

- **Vacant building sites taxed as vacant land in the Town's usual manner; PILOT payments required if and when development of a site proceeds**

Host Community Agreement (HCA)

➤ Early payments in recognition of Town's emerging challenges

- \$200,000 upon building permit issuance
- \$200,000 upon reaching 50% completion of the Project

➤ Annual Community Benefits Payments

- \$200,000 annually, commencing on certificate of occupancy

- All payments adjusted to account for State DPH Determination of Need Health Funding Payments made by Children's to the Town or organizations providing youth services within the Town (if approved by Select Board)
- All payments are made to the Town in support of the Town's youth services and in lieu of personal property tax payments
- Agreement sets forth proposed Transportation Demand Management and Sustainable Design Measures anticipated for the Project
- Children's will consider recommendations from Needham High School regarding qualified applicants for its "COACH" summer internship program

Additional Economic/Community Benefits

Prospective Needham Economic and Community Benefits



- Food, lodging and associated town revenues
- Needham site would be an innovation hub for Boston Children's clinical research and education
- Patient volume: attracting patients and families regionally, nationally and internationally
- Current Boston Children's employees:
250+ Needham residents work system-wide, including 50 physicians
- Strong track record of community benefits support to local partners
- Commitment to civic engagement in local youth-serving efforts
- Local health planning and funding related to state Determination of Need

Proposed Needham Satellite – Construction Impacts

- Construction for the proposed Needham location, planned to take place from 2022-2025, would mean to the town of Needham....
 - **\$130M** in economic impact
 - **680 jobs**
 - **\$1.2M** in state and local tax revenue

STUDY PROFILE

Methodology: IMPLAN

Geographies: Town of Needham, Mass. (ZIP codes 02492 and 02494) and the Commonwealth of Massachusetts

Data Source: Impacts generated are based on information prepared by Tripp Umbach for Boston Children's Hospital in connection with Tripp Umbach's analysis of the economic impacts of Boston Children's plans for a location in Needham as of March 13, 2020.

Proposed Needham Satellite – Annual Operations

- Beginning in 2025, operations of the Boston Children’s Needham site would mean...
- **\$52M** in increased economic activity in Needham
 - **\$28M** in direct impacts in pay, benefits, medical equipment, etc.
 - **\$24M** in indirect and induced impacts with additional spending in restaurants, hotels, rental housing, grocery stores, etc.
- **455 jobs** supported or sustained locally
 - **200 direct jobs** such as doctors, nurses and support staff, etc.
 - **255 indirect and induced jobs** such as servers, gas station attendants, real estate agents, etc.

STUDY PROFILE

Methodology: IMPLAN

Geographies: Town of Needham, Mass. (ZIP codes 02492 and 02494) and the Commonwealth of Massachusetts

Data Source: Impacts generated are based on information prepared by Tripp Umbach for Boston Children’s Hospital in connection with Tripp Umbach’s analysis of the economic impacts of Boston Children’s plans for a location in Needham as of March 13, 2020.

Conclusion



- Zoning Amendment to allow a Pediatric Medical Facility in the New England Business Center by special permit
- Significant community and economic benefits consistent with the Town's goals for the New England Business Center
- We request approval of the PILOT and HCA

Questions and Comments



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/27/2020

Agenda Item	Approve PILOT Agreement and Host Community Agreement between the Town and Boston Children's Hospital
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>The Town Manager will recommend that the Select Board vote to approve the PILOT Agreement and Host Community Agreement between the Town and Boston Children's Hospital.</p>	
2.	VOTE REQUIRED BY SELECT BOARD
<p><i>Suggested Motion:</i> that the Board vote to approve and sign the PILOT Agreement and Host Community Agreement between the Town and Boston Children's Hospital.</p>	
3.	BACK UP INFORMATION ATTACHED
<ul style="list-style-type: none">a. PILOT Agreement between the Town and Boston Children's Hospital.b. Host Community Agreement between the Town and Boston Children's Hospital.	

AGREEMENT REGARDING PAYMENT IN LIEU OF TAXES

May __, 2020

This Agreement Regarding Payment in Lieu of Taxes (the “Agreement”) is entered into by and between the Town of Needham (the “Town”), a municipal corporation located in Norfolk County, Massachusetts, acting by and through its Select Board, and [The Children’s Hospital Corporation, a Massachusetts charitable corporation] having its principal office at 300 Longwood Avenue, Boston, MA 02115 (the “Children’s”).

BACKGROUND

Reference is made to the following facts which constitute the background to this Agreement:

A. WHEREAS, a condominium has been created under that certain Master Deed of Center 128 Condominium (the “Condominium”) dated July 19, 2012 and recorded with the Norfolk County Registry of Deeds (the “Registry”) on August 2, 2012 at Book 30268, Page 511 (together with certain plans of the Condominium recorded with the Registry on August 2, 2012 at Plan Book 616, Pages 11 and 12) (as amended, and hereafter amended from time to time, collectively, the “Master Deed”) affecting certain real property described on Exhibit A-1 attached hereto (the “Condominium Land”) and depicted on the site plan attached as Exhibit A-2 hereto;

B. WHEREAS, the Condominium Land is located in the New England Business Center Zoning District (the “NEBC”);

C. WHEREAS, the Condominium Land is subject to the terms of Major Site Plan Special Permit issued by the Needham Planning Board on October 16, 2012 recorded with the Registry on November 14, 2012 at Book 30675 Page 353, as amended by that certain First Amended and Restated Major Site Plan Special Permit issued by the Needham Planning Board on April 2, 2013 and recorded with the Registry on April 30, 2013 at Book 31283, Page 474, as amended by that certain Major Project Site Plan Special Permit Amendment dated September 17, 2013 and recorded with the Registry on October 7, 2013 at Book 31806, Page 465, as amended by that certain Major Project Site Plan Special Permit Amendment dated January 6, 2015 and recorded with the Registry on January 20, 2015 at Book 32847, Page 371, as further amended by that certain Major Project Site Plan Special Permit Amendment dated April 28, 2015 and recorded with the Registry on May 5, 2015 at Book 33101, Page 234, as further amended by that certain Amendment Decision Major Site Plan Special Permit dated November 10, 2015 and recorded with the Registry on March 8, 2016 at Book 33905, Page 36, and as further amended by that certain Major Project Site Plan Special Permit Amendment dated April 25, 2016 and recorded with the Registry on April 28, 2016 at Book 34048, Page 590

(collectively, as amended and hereafter amended from time to time, the “Special Permit”);

D. WHEREAS, certain medical related uses are not currently permitted under the NEBC zoning now in effect or under the terms of the Special Permit;

E. WHEREAS, Children’s desires to acquire the rights to develop the portion of the Condominium Land that remain undeveloped under the terms of the Special Permit, which are identified as the Building 1 Site, the Building 2 Site and the Building 4 Site on the plan attached hereto as Exhibit B (each a “Building Site” and, collectively, the “Property”);

F. WHEREAS, pursuant to a citizens’ petition filed pursuant to M.G.L. c. 39, §10, Children’s caused to be placed on the warrant of the Town’s 2020 Annual Town Meeting an article to amend the Town’s Zoning Bylaw (the “Article”);

G. WHEREAS, the primary purpose of the Article is to allow a “Medical Facility, Pediatric,” (as that term is defined in the Article) as a special permit use in the NEBC;

H. WHEREAS, a favorable vote on the Article by Town Meeting would allow Children’s to seek, from the Planning Board, approval of an amendment to the Special Permit (the “SP Amendment”) to allow for the construction and use of a Pediatric Medical Facility on the Condominium Land;

I. WHEREAS, notwithstanding the ability to develop each Building Site as a Pediatric Medical Facility after adoption of the proposed zoning amendment, Children’s plans to proceed with the development and use of the Building 1 Site as a Pediatric Medical Facility of approximately 240,000 square feet (the “Project”) as soon as practicable, and represents to the Town that it has no immediate plans to develop the Building 2 Site or Building 4 Site—which are presently vacant—as a Pediatric Medical Facility, or otherwise;

J. WHEREAS, the Town will provide continuing services to the Property as are generally provided in the Town, whether the Property is owned by Children’s or its successors or assigns, and regardless if said owner is an entity exempt from the payment of real estate taxes under the laws of the Commonwealth of Massachusetts. Such services include, but are not limited to, ongoing police and fire services, inspection services and access to public ways for utilities and municipal services;

K. WHEREAS, the Town is supportive of the Article and the Project;

L. WHEREAS, Children’s voluntarily entered into that certain Host Community Agreement with the Town dated on or about the date hereof (the “HCA”) to memorialize Children’s agreement to voluntarily make annual payments to the Town in

support of the Town's youth health initiatives in lieu of making personal property tax payments; and

M. WHEREAS, Children's is willing to voluntarily enter into this agreement to make financial contributions to the Town in the form of a payment in lieu of taxes ("PILOT") in the amount set forth herein to ensure that the Town receives payments equivalent to the real estate taxes that would be generated from the Property notwithstanding that such Property is or may be owned by an entity or organization that is or may be exempt from paying local real estate property taxes.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Town and Children's hereby agree as follows:

1. If Children's or any successor(s) in interest to Children's (or an affiliate of Children's) as an owner of the Property or any part thereof, regardless of the manner, method or form by which such owner received or acquired its ownership interest of the Property or any part thereof, is exempt from the payment of real estate taxes under Massachusetts Laws Chapter 59, the PILOT payment paid by Children's or such successor or affiliate, as the case may be, shall be equal to the amount that would be otherwise due to the Town in property taxes under M.G.L. Chapter 59, which shall be calculated as follows:

- a) The PILOT payment amount for the Project shall be calculated by the Town Assessor as the product of a commercial valuation for ordinary office use multiplied by the commercial real estate tax rate per thousand dollars of valuation. The Town Assessor shall calculate this valuation in a manner that is consistent with the approach used to value comparable commercial properties in the Town (whether office buildings or undeveloped land), and using consistent means and methods including but not limited to income capitalization as well as underlying valuation assumptions such as rental revenue per square foot, expense ratios, capitalization rates and the like. Attached hereto as Schedule 1 is the projected assessed value for the Project.
- b) The PILOT payment so derived for year two and all subsequent years shall be adjusted based on the percentage increase or decrease in the overall tax levy of the Town for the applicable fiscal year; provided, however, that the PILOT payment shall not increase by more than 4 % in any year.

The restrictions set forth in this paragraph shall apply for as long as the entity owning the Property continues to be exempt from such property taxation and shall also apply to any lease by an owner of the Property within the NEBC to a tax-exempt entity if the legal effect of such lease would otherwise be to exempt the owner or lessee of the leased Property from the payment of local real estate taxes. Upon conveyance of the Property, or any part thereof, to a successor in interest subject to the terms of this Agreement, the

prior owner shall not have any liability for payments in lieu of taxes with respect to the period after the date of conveyance of its ownership interest.

2. This Agreement shall become effective only upon the issuance of a building permit for a Pediatric Medical Facility use at the Property; provided, however, the PILOT amount during the period of time between issuance of a building permit and issuance of a final certificate of occupancy for the Project shall be calculated by multiplying the full PILOT amount by a percentage equal to the percentage of completion of construction of the Project complete on June 30th prior to the then current fiscal year (i.e., if the Project is 50% complete, Children's shall pay 50% of the PILOT). The requirement to pay the full PILOT amount shall become effective in the fiscal year following the issuance of the final certificate of occupancy for the Project.

3. The Building 2 Site and the Building 4 Site, both presently vacant, shall be taxed as vacant land in the Town's usual manner; provided, however, that, in the event that Children's proceeds with development of a facility on either the Building 2 Site or the Building 4 Site for a tax-exempt purpose, Children's shall, upon issuance of a building permit, make PILOT payments on such facility and its Building Site in an amount determined in accordance with the provisions of Paragraph 1 and in accordance with the timing described in Paragraph 2.

4. The parties acknowledge that the Town will not receive separate payments attributable solely to the parking structures on the Condominium Land because the assessed valuation allocated to such parking structures is deducted from the primary improvement valuation so as to combine to equal the full improvement valuation and, therefore, included in the amounts received from PILOT payments under this Agreement and/or real estate taxes from the already developed portions of the Condominium Land.

5. If, and to the extent that, any such owner of the Property makes PILOT payments to Town pursuant to this Agreement, such owner shall have the right to seek an abatement or reduction in such payment and/or in the valuation upon which the payment is based for any reason as set forth in Chapter 59 of the Massachusetts General Laws (other than by claim of exemption). If such abatement or reduction is denied by the Town, such owner or lessee shall the right to submit such claim to arbitration before the American Arbitration Association, which shall review the request for a reduction in payment and/or in the valuation upon which the payment is based pursuant to the standards of the Appellate Tax Board, as closely as is practicable. The Town and such owner or lessee agrees to be bound by the determination of the arbitrator.

6. The forgoing obligations shall run with the land comprising the Property, as more particularly described on Exhibit A-1 attached hereto, and shall automatically terminate with respect to any Building Site on the date upon which the Building Site is no longer owned by a tax-exempt entity, but shall automatically become reinstated if a tax-exempt entity acquires ownership of the Building Site. Any party seeking to acquire an ownership interest in any Building Site for use as for a tax-exempt purpose shall acknowledge in writing its obligations under this Agreement and provide such

acknowledgement to the Town prior to the transfer to it of any ownership interest in any Building Site.

7. Children's shall inform the Town if Children's, its nominee, or any affiliated entity, purchases or ground leases any additional property within the Town.

8. Children's shall, not later than March 31st of each year, provide the Town with an inventory of all of the various uses located at the Property, and shall identify in the inventory any such uses that are not exempt from the payment of local real estate property taxes. The payments that Children's is required to make pursuant to this agreement shall be reduced based on the amount of real estate property taxes that the Town collects from the Property.

9. The first PILOT payment that Children's is required to make pursuant to this Agreement shall be reduced by an amount equal to the total aggregate design and construction costs for any new off-site traffic mitigation required as a condition to an approval of the SP Amendment (the "SP Amendment Mitigation"). To the extent such costs of the SP Amendment Mitigation exceeds the first PILOT payment amount due under this Agreement, subsequent PILOT payments shall not be further adjusted.

10. Children's, for itself and its successors and assigns, covenant and agree that the restrictions set out in this Agreement (i) touch and concern the Property, (ii) are for the purpose of facilitating orderly and harmonious development of property to be located in the Town, (iii) are held in gross by the Town as a restriction held by a governmental body under M.G.L. Chapter 184, sec. 26 and not for the benefit of any land in the Town, (iv) are now and shall continue to be of actual and substantial benefit to the Town, (v) do not impede the reasonable use of the Property for which it is most suitable, and (vi) are enforceable in perpetuity or for the longest term permitted by law and in any event for one hundred years. Children's further covenants that, as an "other restriction held by a governmental body" as that term is used in M.G.L. Chapter 184, sec. 26, such restrictions are not subject to the limitations on enforceability of restriction in M.G.L. Chapter 184, sec. 26 – 30. Nevertheless, if recording of a notice is ever needed to extend the time period for enforceability of such restrictions, Children's hereby appoints the Select Board of the Town as Children's agent to execute and record such notice and agrees that Children's shall execute and record such notice upon request.

11. The Planning Board may choose to condition its approval of the SP Amendment on compliance with the terms of this Agreement. Children's, for itself and any successors or assigns that hold any interest in the Property, hereby consents and waives any and all objections to the Planning Board's requiring compliance with this Agreement as a condition of the Special Permit (as amended by the SP Amendment), or to any requirement to include this Agreement in the Certificate of Title for the Property (if and to the extent accepted by the Registry).

12. All notices or requests required or permitted hereunder shall be in writing and addressed, if to the Town as follows:

Kate Fitzpatrick, Town Manager
Town of Needham
1471 Highland Avenue
Needham, MA 02492
Telephone: (781) 455-7500
Email: kfitzpatrick@needhamma.gov

with a copy to:

J. Raymond Miyares
Christopher H. Heep
Miyares and Harrington LLP
40 Grove Street Suite 190
Wellesley, MA 02482
Telephone: (617) 489-1600
Email: ray@miyares-harrington.com
cheep@miyares-harrington.com

If to Children's to:

The Children's Hospital Corporation
c/o Boston Children's Hospital
300 Longwood Avenue
Boston, Massachusetts 02115
Attention: Lisa Hogarty
Email: Lisa.Hogarty@childrens.harvard.edu

with copies to:

The Children's Hospital Corporation
c/o Boston Children's Hospital
300 Longwood Avenue
Boston, Massachusetts 02115
Attention: Office of General Counsel
Email: marykaitlin.oconnor@childrens.harvard.edu

Goulston & Storrs PC
400 Atlantic Avenue
Boston, Massachusetts 02110
Attention: Timothy Sullivan, Esq.
Telephone: (617) 574-4179
Email: tsullivan@goulstonstorrs.com

Each of the Parties shall have the right by notice to the other to designate additional parties to whom copies of notices must be sent, and to designate changes in address. Any notice shall have been deemed duly given if mailed to such address postage prepaid, registered or certified mail, return receipt requested, on the date the same is received or when delivery is refused, or if delivered to such address by hand or by nationally recognized overnight courier service, fees prepaid, when delivery is received or when delivery is refused, or if transmitted by facsimile or other electronic means with confirmatory original by one of the other methods of delivery herein described, on the date so transmitted by facsimile or other electronic means.

13. Failure by Children's to perform any term or provision of this Agreement shall not constitute a default under this Agreement unless and until Children's fails to commence to cure, correct or remedy such failure within thirty (30) days of the receipt of written notice of such failure from the Town to Children's and thereafter fails to complete such cure, correction or remedy within sixty (60) days of receipt of such written notice or, with respect to defaults which cannot reasonably be cured, corrected or remedied within such sixty (60) day period, within such additional period of time as is reasonably required to remedy such default, provided that Children's exercises due diligence in the remedying of such default.

14. This Agreement shall be binding upon the Parties and their successors and assigns, and shall run with the land.

15. Each Party agrees from time to time, upon not less than twenty one (21) days' prior written request from the other, to execute and deliver a statement in writing certifying that this Agreement is in full force and effect (or if there have been any modifications, setting them forth in reasonable detail), and that there are no uncured defaults of either Party under this Agreement, in form reasonably acceptable to and which may be relied upon by any prospective purchaser, tenant, mortgagee or other party having an interest in the Project.

16. Whenever the consent or approval of any party is required under this Agreement, such consent or approval shall not unreasonably be withheld, delayed or conditioned. Such approval shall be deemed given if no written response is received within ten (10) business days of the request for approval having been so delivered; provided, however, that, in the event that the Town Manager or his/her designee provides notice within such ten (10) business day period that additional time is needed for the Town to provide such written response not to exceed twenty (20) additional business days, the requested approval shall not be deemed given if a written response is received as soon as practicable but not later than the expiration of the time specified in such notice.

17. This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.

18. This Agreement sets forth the entire agreement of the Parties with respect to the subject matter thereto. The failure of any party to strictly enforce the provisions hereof shall not be construed as a waiver of any obligation hereunder. This Agreement may be modified only in a written instrument signed by the Select Board and Children's. The Parties do not intend for any third party to be benefited hereby.

IN WITNESS WHEREOF, the parties have executed this instrument as of the day and year first set forth above.

TOWN:

By its Select Board

Maurice Handel, Chair

Matthew Borrelli, Vice Chair

John A. Bulian

Marianne Cooley

Daniel P. Matthews

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

On this ___ day of May, 2020, before me, the undersigned notary public, personally appeared _____

_____ and proved to me through satisfactory evidence of identification, which was _____ to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose as a member of the Select Board of the Town of Needham.

Notary Public:

My Commission Expires:

CHILDREN'S:

THE CHILDREN'S HOSPITAL
CORPORATION, a Massachusetts
charitable corporation

By:

Name:

Title:

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this ___ day of May, 2020, before me, the undersigned notary public, personally appeared _____ and proved to me through satisfactory evidence of identification, which was _____ to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as _____ of the Children's Hospital Corporation.

Notary Public:

My Commission Expires:

Schedule 1

PROJECTED ASSESSED VALUE

Projected Full Assessment Upon Completion

\$44,673,000

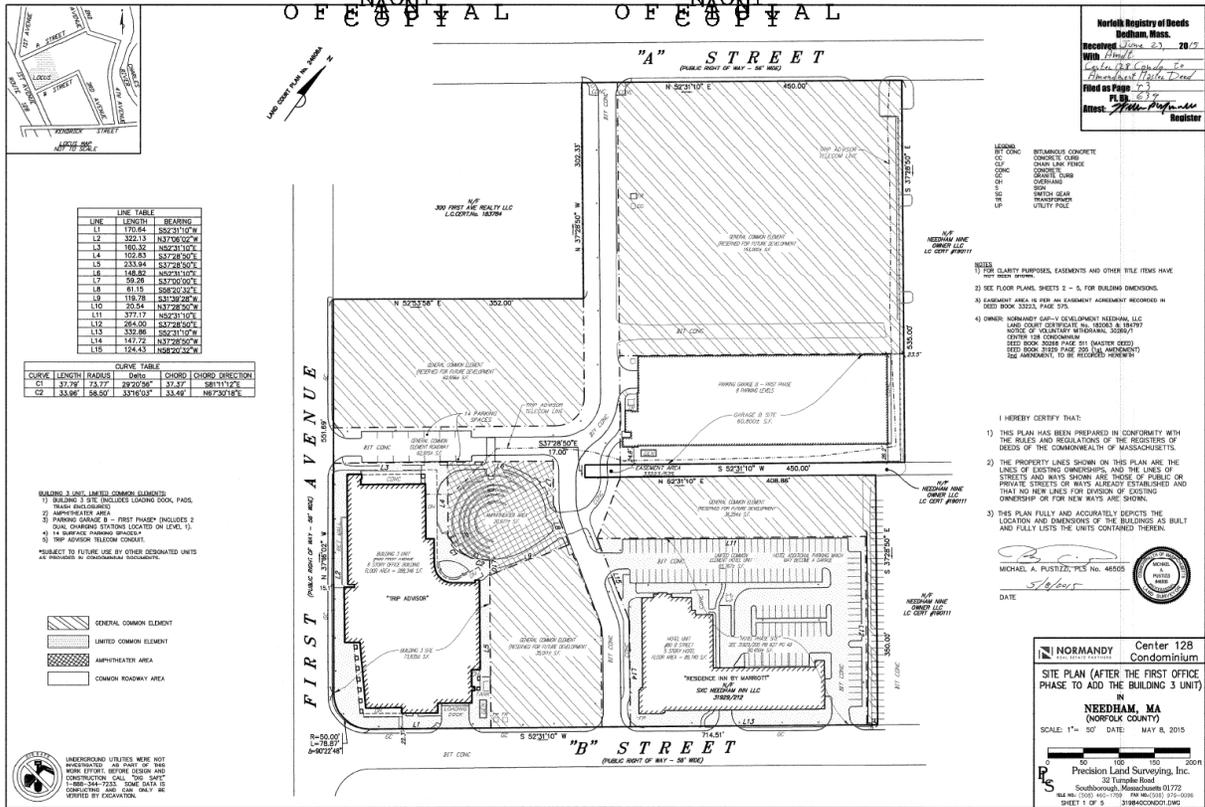
Based on 240,000 square feet of improvements + garages.

Exhibit A-1

A certain tract of land located on the northeasterly side of First Avenue, southerly side of A Street and northerly side of B Street, Needham, Norfolk County, Commonwealth of Massachusetts, being shown as **"Total lot area includes Lots 13, 14, 27, 28, D & E, 596.00 ± S.F. or 13.682 ± Ac."** on plan of land entitled "Phase 1 - Master Deed Site Plan of Center 128 Condominium in Needham, MA (Norfolk County)", Scale 1" = 50', prepared by Precision Land Surveying, Inc., 32 Turnpike Road, Southborough, Massachusetts 01772, dated July 2, 2012 and recorded August 2, 2012 in Norfolk County Registry of Deeds Plan Book 616, Plan 12.

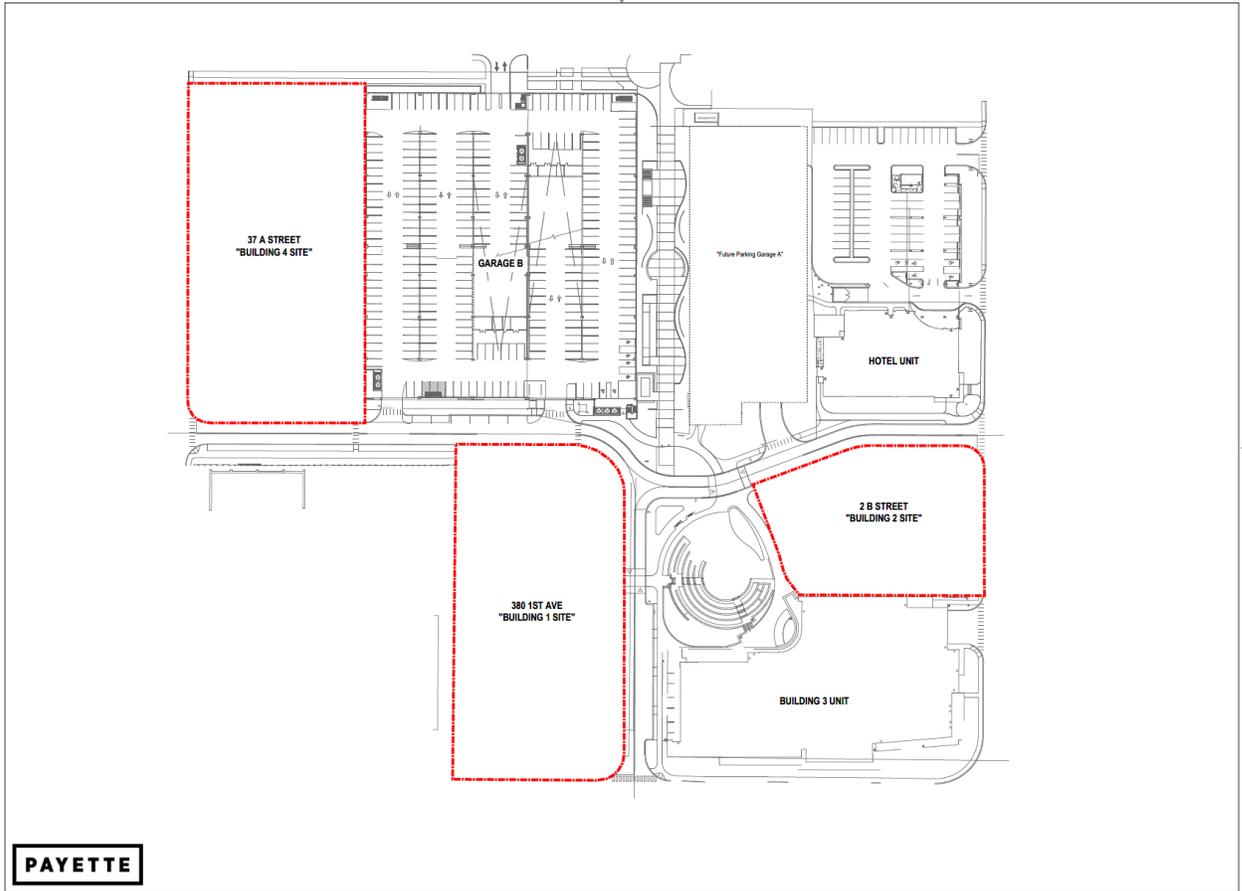
Together with the benefit of rights granted in deed dated October 16, 1953 from Gerald W. Blakeley, Jr., et al, Trustees of New England Industrial Center u/d/t dated September 12, 1952 and filed as Document No. 148530, to Kraft Foods Company, said Deed dated October 16, 1953 and recorded in Book 3217, Page 543 and filed as Document No. 158539. (Lot 14)

Exhibit A-2



639-43-2015

Exhibit B



HOST COMMUNITY AGREEMENT

May __, 2020

This Host Community Agreement (the “Agreement”) is entered into by and between the Town of Needham (the “Town”), a municipal corporation located in Norfolk County, Massachusetts, acting by and through its Select Board, and [The Children’s Hospital Corporation, a Massachusetts charitable corporation] having its principal office at 300 Longwood Avenue, Boston, MA 02115 (the “Children’s”). This Agreement represents the understanding between the Town and Children’s (the “Parties”) with respect to the commitments by Children’s in connection with the development of the Property (as defined below).

BACKGROUND

Reference is made to the following facts which constitute the background to this Agreement:

A. WHEREAS, a condominium has been created under that certain Master Deed of Center 128 Condominium (the “Condominium”) dated July 19, 2012 and recorded with the Norfolk County Registry of Deeds (the “Registry”) on August 2, 2012 at Book 30268, Page 511 (together with certain plans of the Condominium recorded with the Registry on August 2, 2012 at Plan Book 616, Pages 11 and 12) (as amended, and hereafter amended from time to time, collectively, the “Master Deed”) affecting certain real property described on Exhibit A-1 attached hereto (the “Condominium Land”) and depicted on the site plan attached as Exhibit A-2 hereto;

B. WHEREAS, the Condominium Land is located in the New England Business Center Zoning District (the “NEBC”);

C. WHEREAS, the Condominium Land is subject to the terms of Major Site Plan Special Permit issued by the Needham Planning Board on October 16, 2012 recorded with the Registry on November 14, 2012 at Book 30675 Page 353, as amended by that certain First Amended and Restated Major Site Plan Special Permit issued by the Needham Planning Board on April 2, 2013 and recorded with the Registry on April 30, 2013 at Book 31283, Page 474, as amended by that certain Major Project Site Plan Special Permit Amendment dated September 17, 2013 and recorded with the Registry on October 7, 2013 at Book 31806, Page 465, as amended by that certain Major Project Site Plan Special Permit Amendment dated January 6, 2015 and recorded with the Registry on January 20, 2015 at Book 32847, Page 371, as further amended by that certain Major Project Site Plan Special Permit Amendment dated April 28, 2015 and recorded with the Registry on May 5, 2015 at Book 33101, Page 234, as further amended by that certain Amendment Decision Major Site Plan Special Permit dated November 10, 2015 and recorded with the Registry on March 8, 2016 at Book 33905, Page 36, and as further amended by that certain Major Project Site Plan Special Permit Amendment dated April 25, 2016 and

recorded with the Registry on April 28, 2016 at Book 34048, Page 590 (collectively, as amended and hereafter amended from time to time, the “Special Permit”);

D. WHEREAS, certain medical related uses are not currently permitted under the NEBC zoning now in effect or under the terms of the Special Permit;

E. WHEREAS, Children’s desires to acquire the rights to develop the portion of the Condominium Land that remain undeveloped under the terms of the Special Permit, which are identified as the Building 1 Site, the Building 2 Site and the Building 4 Site on the plan attached hereto as Exhibit B (each a “Building Site” and, collectively, the “Property”);

F. WHEREAS, pursuant to a citizens’ petition filed pursuant to M.G.L. c. 39, §10, Children’s caused to be placed on the warrant of the Town’s 2020 Annual Town Meeting an article to amend the Town Zoning Bylaw (the “Article”);

G. WHEREAS, the primary purpose of the Article is to allow a “Medical Facility, Pediatric,” (as that term is defined in the Article) as a special permit use in the NEBC;

H. WHEREAS, a favorable vote on the Article by Town Meeting would allow Children’s to seek, from the Planning Board, approval of an amendment to the Special Permit (the “SP Amendment”) to allow for the construction and use of as a Pediatric Medical Facility on the Condominium Land;

I. WHEREAS, notwithstanding the ability to develop each Building Site as a Pediatric Medical Facility after adoption of the proposed zoning amendment, Children’s plans to proceed with the development and use of the Building 1 Site as a Pediatric Medical Facility of approximately 240,000 square feet together with Garage A (as defined in the Special Permit) (the “Project”) as soon as practicable, and represents to the Town that it has no immediate plans to develop the Building 2 Site or Building 4 Site—which are presently vacant—as a Pediatric Medical Facility, or otherwise;

J. WHEREAS, the Parties wish to enter into this Agreement to memorialize their mutual understandings and undertakings with respect to the Project and certain permits to be considered for the Project, as well as other agreements between Children’s and the Town on the terms and conditions hereinafter set forth. The provisions of this Agreement are available for consideration by the Planning Board in reviewing any application for an amendment to the Special Permit authorizing the Project (the “SP Amendment”).

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Needham and Children’s hereby agree as follows:

Undertakings by Children’s

1. **Amendment to Special Permit** - Promptly following the Massachusetts Attorney General's approval of the Article, Children's shall submit an application to the Planning Board seeking an SP Amendment authorizing construction and use of the Project (the "Amendment Application"). Upon approval, the SP Amendment shall set forth the terms and conditions governing the development of the Project. Compliance with the terms of this Agreement may be a condition to an approval of the SP Amendment and no changes to such condition may be implemented unless specifically agreed to, in writing, by the Select Board of the Town.

2. **Transportation Demand Management and Sustainable Design** - The Special Permit incorporates conditions, including mitigation requirements, applicable to the development of the Property. Children's will submit the Amendment Application to the Town's Planning Board, which shall include information pertaining to Children's commitments to Transportation Demand Management ("TDM") and sustainable building design measures in connection with the Project. To the extent not already required under the Special Permit Children's shall, in its Amendment Application to the Planning Board, propose to:

- a. Incorporate the following key provisions into the TDM programming it proposes in its Amendment Application: (i) providing transit subsidy to its staff and physicians; (ii) identifying an Employee Transportation Advisor who will coordinate with the 128 Business Council; (iii) providing a shuttle service connecting this campus to the Main Campus in Boston and/or other satellite facilities; (iv) providing dedicated or shared shuttle services between the Project and nearby key public transportation nodes (MBTA Green Line and Commuter Rail); (v) carpool assistance and incentives; (vi) guaranteed ride home provision; (vii) bicycling/walking incentives and amenities; (viii) telecommuting and compressed workweeks, when feasible; (ix) display in the Main Lobby of transportation-related information for employees, patients and visitors; and/or (x) promotional efforts.
- b. Minimize the environmental impact and energy footprint of the Project in the following ways: (i) using LEED as a guideline for the new construction, seeking LEED Silver as a baseline for the work and focusing on energy efficiency; (ii) focusing on an energy efficient building envelope that reduces energy loads by minimizing building heat losses and gains; (iii) focusing on energy efficient mechanical and electrical systems that utilize the energy expended in operating the building in the most effective way possible; (iv) to the extent possible in medical facilities, seeking to minimize the use of fossil fuels and maximize the use of renewable energy; (v) choosing materials that have low embodied energy and carbon in order to minimize greenhouse gas emissions; and (vi) choosing materials that minimize the use of highly fluorinated chemicals, antimicrobials, flame retardants, and vinyl, because those materials have long term environmental impacts.

3. **Community Benefit Payments** – In lieu of personal property tax payments, Children's shall make payments to the Town in support of the Town's youth services, including school-based initiatives.

- a. Payment Amounts and Timing –
- i. Within ten (10) business days following issuance of the building permit for the Project (the “First Payment Date”), Children’s shall make a payment to the Town of Two Hundred Thousand Dollars (\$200,000) (the “First Payment”) to support the Town’s youth health initiatives, subject to adjustments, if any, pursuant to Paragraph 3(b) below.
 - ii. Within ten (10) business days following the date upon which the architect for the Project has certified that the Project construction is fifty percent (50%) complete (the “Second Payment Date”), Children’s shall make a payment to the Town of Two Hundred Thousand Dollars (\$200,000) (the “Second Payment”) to support the Town’s youth health initiatives, subject to adjustments, if any, pursuant to Paragraph 3(b) below. Prior to issuance of a building permit for the Project, Children’s shall deliver a Project construction schedule to the Town for informational purposes.
 - iii. Commencing on July 1 of the fiscal year following the issuance of the final certificate of occupancy for the Project (the “Initial Annual Payment Date”), Children’s shall annually make a payment to the Town of Two Hundred Thousand Dollars (\$200,000) (an “Annual Payment”) to support the Town’s youth health initiatives subject to adjustments, if any, pursuant to Paragraph 3(b) below. Subsequent Annual Payments shall be made on or before the anniversary of the Initial Annual Payment Date (together with the Initial Annual Payment Date, collectively, the “Annual Payment Dates”).
 - iv. The First Payment Date, the Second Payment Date, and the Annual Payment Dates shall each be referred to herein as a “Payment Date” and, collectively, as “Payment Dates”. The First Payment, the Second Payment, and each Annual Payment shall each be referred to herein as a “Payment” and, collectively, as “Payments.”
- b. Adjustments – The first Payment amount due to the Town shall be reduced by an amount equal to the sum of all DON Health Funding Payments made by Children’s after the issuance of the SP Amendment and prior to the first Payment Date. To the extent that the aggregate amount of DON Health Funding Payments made by Children’s during that period exceeds the amount set forth in Paragraph 3(a) above, the amount of such exceedence shall be credited against subsequent Payments until such credit is exhausted. Thereafter, each Payment amount due to the Town shall be reduced by an amount equal to the sum of all DON Health Funding Payments made by Children’s during the period commencing on the prior Payment Date and ending on the day before the applicable Payment Date. To the extent that the aggregate amount of DON Health Funding Payments made by Children’s during that period

exceeds the amount set forth in Paragraph 3(a) above, the amount of such exceedence shall be credited against subsequent Payments until such credit is exhausted.

The term “DON Health Funding Payments” shall mean, in connection with Children’s current or future Determination of Need Community Health Funding Obligations, all payments made by Children’s to (i) the Town; or (ii) other non-profit organizations providing services within the Town, but only if such recipient and the purpose and amount of any such payment have been mutually approved by the Select Board and Children’s prior to the submission of any proposal to receive such payments.

4. **Summer Internship** – Children’s currently operates the “COACH” summer internship program, which provides summer employment opportunities for Boston-area high school students. For so long as the COACH internship program is operating, Children’s will consider recommendations from Needham High School regarding applicants who are teens from low-income households or underserved communities.

Undertakings by the Town

5. The Select Board shall support the adoption of the Article at the Town Meeting, and shall encourage other Town Boards and Departments also to support adoption of the Article. The Select Board shall, to the extent appropriate, cooperate with Children’s and shall encourage other Town Boards and Departments to cooperate with Children’s in issuing local and state permits and approvals required for the Project in a timely and expeditious manner, including, without limitation, the SP Amendment and any other approvals by the Planning Board, Conservation Commission, Department of Public Works or other Town Boards, Commissions and/or Departments. The Select Board shall also support and cooperate in MEPA review and other state permit review of the Project.

6. Without limitation of the foregoing, the Select Board shall, as necessary, grant Children’s such licenses to enter onto Town right of way abutting the Property to perform any mitigation or fulfill any other legal obligation associated with the Project.

Conditions to Agreement

7. The obligations set forth in Paragraphs 1-4 of this Agreement shall be contingent upon the following:

(a) The adoption by Town Meeting of the Article in the form as it appears in the 2020 Annual Town Meeting Warrant, with any amendments that are approved by Town Meeting, and approval of the Town’s adoption of the Article by the Massachusetts Attorney General’s office, with all challenge periods having passed, no challenges pending or, if such Article or Amendment is challenged, the same having been finally disposed of favorably to the Article or Amendment.

(b) The issuance of the SP Amendment in form and substance reasonably satisfactory to Children's, with all appeal periods having passed, no appeals pending, or if any such SP Amendment is appealed, the same having been finally disposed of favorably to Children's.

(c) The issuance of, in a form and substance satisfactory to Children's, all other state and local approvals applied for and required for the Project, with all appeals periods having passed, no appeals pending, or if any such permit or approval is appealed, the same having been finally disposed of favorably to Children's.

For the purposes of Subparagraphs 7(b) and (c), a permit or other approval issued for the Project shall be conclusively deemed to be reasonably satisfactory to Children's if Children's elects to commence construction of the Project.

8. Notwithstanding the foregoing, it is agreed that the obligations of the Town under Paragraphs 5-6 of this Agreement shall be in effect upon execution of this Agreement.

Miscellaneous

9. The Planning Board may choose to condition its approval of the SP Amendment on compliance with the terms of this Agreement. Children's, for itself and any successors or assigns that hold any interest in the Property, hereby consents and waives any and all objections to the Planning Board's requiring compliance with this Agreement as a condition of the Special Permit (as amended by the SP Amendment), or to any requirement to include this Agreement in the Certificate of Title for the Property (if and to the extent accepted by the registry).

10. All notices or requests required or permitted hereunder shall be in writing and addressed, if to the Town as follows:

Kate Fitzpatrick, Town Manager
Town of Needham
1471 Highland Avenue
Needham, MA 02492
Telephone: (781) 455-7500
Email: kfitzpatrick@needhamma.gov

with a copy to:

J. Raymond Miyares
Christopher H. Heep
Miyares and Harrington LLP
40 Grove Street Suite 190
Wellesley, MA 02482
Telephone: (617) 489-1600
Email: ray@miyares-harrington.com
cheep@miyares-harrington.com

If to Children's to:

The Children's Hospital Corporation
c/o Boston Children's Hospital
300 Longwood Avenue
Boston, Massachusetts 02115
Attention: Lisa Hogarty
Email: Lisa.Hogarty@childrens.harvard.edu

with copies to:

The Children's Hospital Corporation
c/o Boston Children's Hospital
300 Longwood Avenue
Boston, Massachusetts 02115
Attention: Office of General Counsel
Email: marykaitlin.oconnor@childrens.harvard.edu

Goulston & Storrs PC
400 Atlantic Avenue
Boston, Massachusetts 02110
Attention: Timothy Sullivan, Esq.
Telephone: (617) 574-4179
Email: tsullivan@goulstonstorrs.com

Each of the Parties shall have the right by notice to the other to designate additional parties to whom copies of notices must be sent, and to designate changes in address. Any notice shall have been deemed duly given if mailed to such address postage prepaid, registered or certified mail, return receipt requested, on the date the same is received or when delivery is refused, or if delivered to such address by hand or by nationally recognized overnight courier service, fees prepaid, when delivery is received or when delivery is refused, or if transmitted by facsimile or other electronic means with confirmatory original by one of the other methods of delivery herein described, on the date so transmitted by facsimile or other electronic means.

11. Failure by either Party to perform any term or provision of this Agreement shall not constitute a default under this Agreement unless and until such Party fails to commence to cure, correct or remedy such failure within thirty (30) days of the receipt of written notice of such failure from the non-defaulting party and thereafter fails to complete such cure, correction or remedy within sixty (60) days of receipt of such written notice or, with respect to defaults which cannot reasonably be cured, corrected or remedied within such sixty (60) day period, within such additional period of time as is reasonably required to remedy such default, provided that such Party exercises due diligence in the remedying of such default.

12. This Agreement shall be binding upon the Parties and their successors and assigns, and shall run with the land.

13. Each Party agrees from time to time, upon not less than twenty one (21) days' prior written request from the other, to execute and deliver a statement in writing certifying that this Agreement is in full force and effect (or if there have been any modifications, setting them forth in reasonable detail), and that there are no uncured defaults of either Party under this Agreement, in form reasonably acceptable to and which may be relied upon by any prospective purchaser, tenant, mortgagee or other party having an interest in the Project.

14. Whenever the consent or approval of any party is required under this Agreement, such consent or approval shall not unreasonably be withheld, delayed or conditioned. Such approval shall be deemed given if no written response is received within ten (10) business days of the request for approval having been so delivered; provided, however, that, in the event that the Town Manager or his/her designee provides notice within such ten (10) business day period that additional time is needed for the Town to provide such written response not to exceed twenty (20) additional business days, the requested approval shall not be deemed given if a written response is received as soon as practicable but not later than the expiration of the time specified in such notice.

15. This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.

16. This Agreement sets forth the entire agreement of the Parties with respect to the subject matter thereto. The failure of any party to strictly enforce the provisions hereof shall not be construed as a waiver of any obligation hereunder. This Agreement may be modified only in a written instrument signed by the Select Board and Children's. The Parties do not intend for any third party to be benefited hereby.

Executed under seal.

IN WITNESS WHEREOF, the parties have executed this instrument as of the day and year first set forth above.

TOWN:

By its Select Board

Maurice Handel, Chair

Matthew Borrelli, Vice Chair

John A. Bulian

Marianne Cooley

Daniel P. Matthews

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

On this __ day of May, 2020, before me, the undersigned notary public, personally appeared

_____ and proved to me through satisfactory evidence of identification, which was _____ to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose as a member of the Select Board of the Town of Needham.

Notary Public:

My Commission Expires:

CHILDREN'S:

THE CHILDREN'S HOSPITAL
CORPORATION, a Massachusetts
charitable corporation

By: _____

Name:

Title:

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this ___ day of May, 2020, before me, the undersigned notary public, personally appeared _____ and proved to me through satisfactory evidence of identification, which was _____ to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as _____ of the Children's Hospital Corporation.

Notary Public:

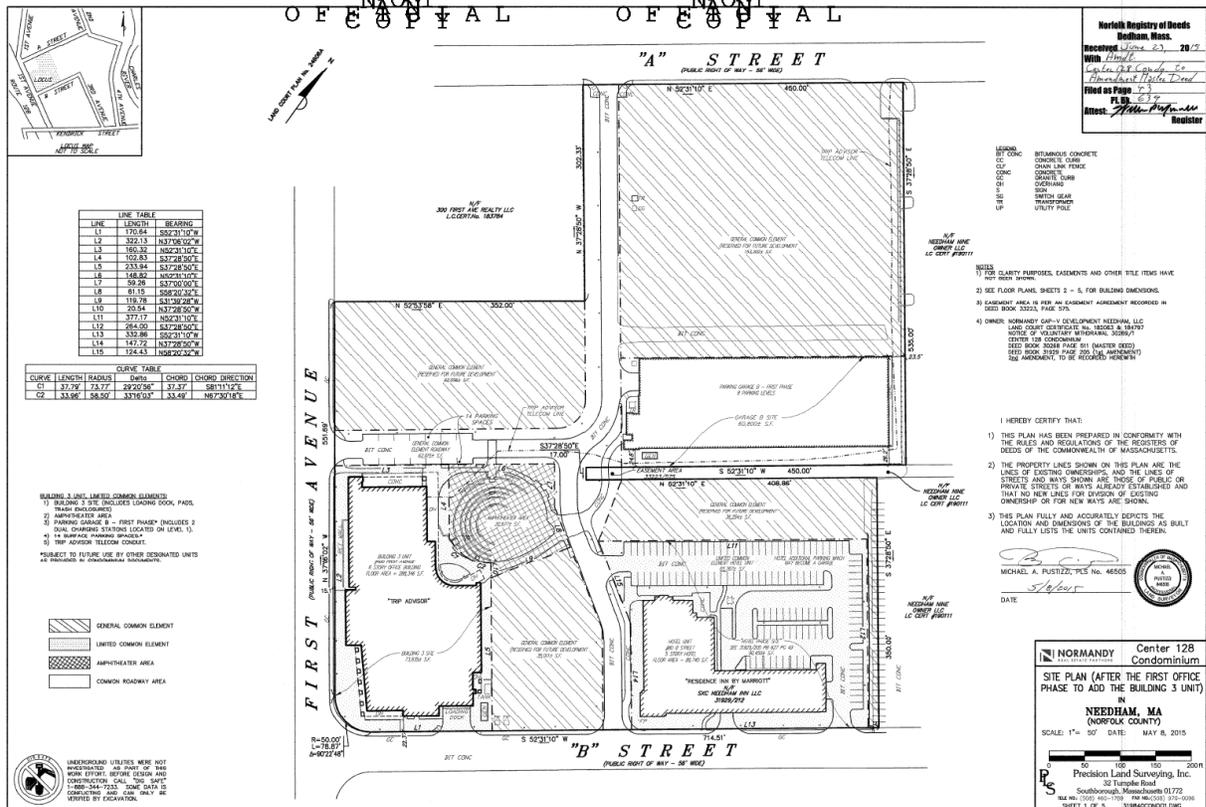
My Commission Expires:

Exhibit A-1

A certain tract of land located on the northeasterly side of First Avenue, southerly side of A Street and northerly side of B Street, Needham, Norfolk County, Commonwealth of Massachusetts, being shown as **"Total lot area includes Lots 13, 14, 27, 28, D & E, 596.00 ± S.F. or 13.682 ± Ac."** on plan of land entitled "Phase 1 - Master Deed Site Plan of Center 128 Condominium in Needham, MA (Norfolk County)", Scale 1" = 50', prepared by Precision Land Surveying, Inc., 32 Turnpike Road, Southborough, Massachusetts 01772, dated July 2, 2012 and recorded August 2, 2012 in Norfolk County Registry of Deeds Plan Book 616, Plan 12.

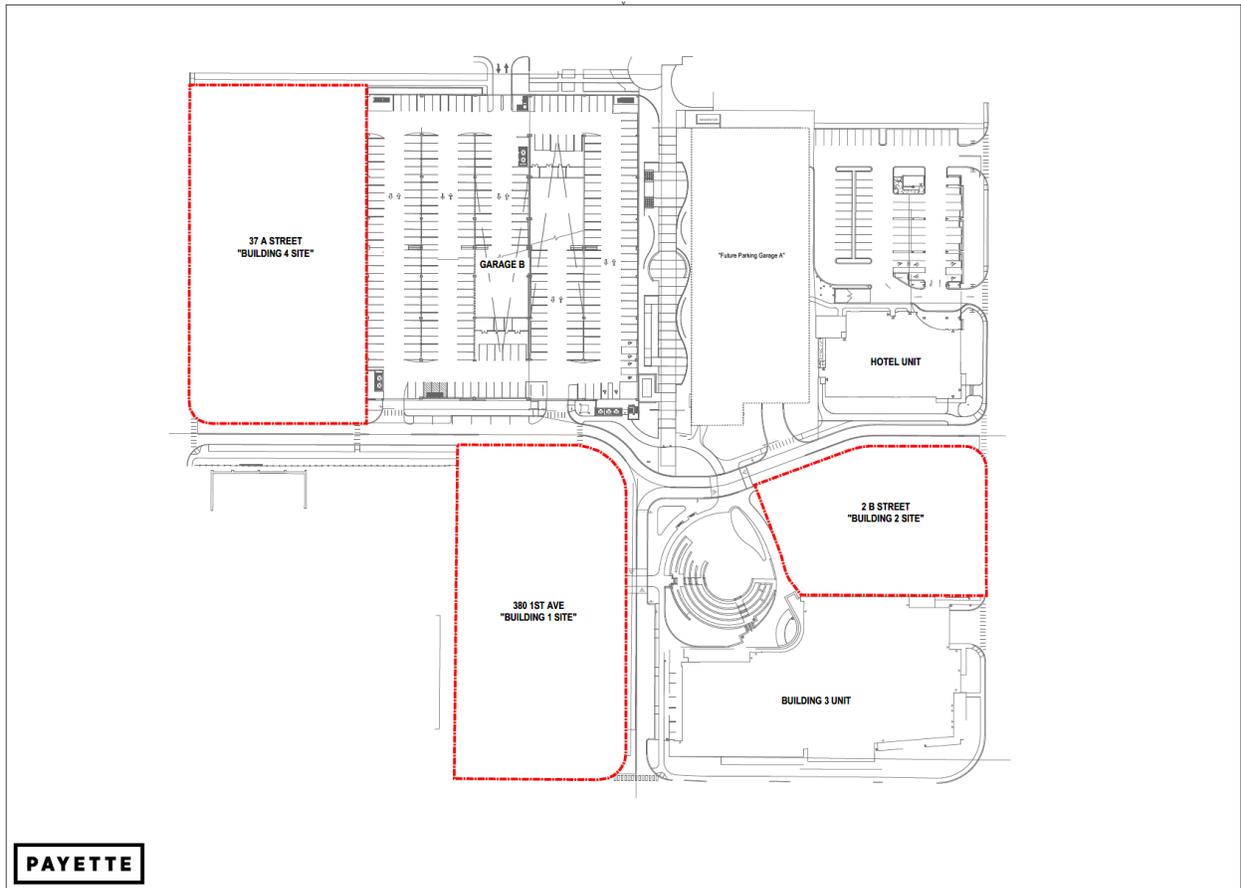
Together with the benefit of rights granted in deed dated October 16, 1953 from Gerald W. Blakeley, Jr., et al, Trustees of New England Industrial Center u/d/t dated September 12, 1952 and filed as Document No. 148530, to Kraft Foods Company, said Deed dated October 16, 1953 and recorded in Book 3217, Page 543 and filed as Document No. 158539. (Lot 14)

Exhibit A-2



639-43-2015

Exhibit B





**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/27/2020

Agenda Item	Town Meeting Planning
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>The Board will review articles on the Annual Town Meeting Warrant and the Special Town Meeting.</p> <p>The Town Manager will update the Board on Town Meeting planning.</p>	
2.	VOTE REQUIRED BY SELECT BOARD
<p><i>Suggested Motion:</i> That the Board vote to take the following action with respect to the 2020 Annual Town Meeting Warrant June 8, 2020 Special Town Meeting Warrant: _____.</p>	
3.	BACK UP INFORMATION ATTACHED
<p>a. Final Warrants provided under separate cover b. Status of Articles as of 5.20.2020 c. Motion to Amend Article 21 General Fund Cash Capital</p>	

Status of Articles 5.20.2020

#	Article	Status	BOS Position	FC Position	BOS	FC	CPC	Planning
1	Annual Town Election							
2	Committee and Officer Reports							
3	Establish Elected Officials' Salaries		Adopt	Adopt	Dan	Rick		
4	Fund Collective Bargaining Agreement – Needham Police Union		Adopt	Adopt	Dan	Rick		
5	Fund Collective Bargaining Agreement – Needham Police Superior Officers Association		Adopt	Adopt	Dan	Rick		
6	Fund Collective Bargaining Agreement – Needham Fire Union		Adopt	Adopt	Dan	Rick		
7	Appropriate for Needham Property Tax Assistance Program	Withdraw						
8	Appropriate for Compensated Absences Fund	Withdraw						
9	Appropriate for Public Facilities Maintenance Program		Adopt	Adopt	Matt	John		
10	Appropriate for Planning Consulting Assistance			RATM				
11	Appropriate for Parking Study	Withdraw						
12	Appropriate for Public Health Consulting Assistance	Withdraw			Marianne	Garrett		
13	Appropriate for National Pollutant Discharge Elimination System (NPDES) Permit Compliance		Adopt	Adopt	Marianne	Louise		
14	Appropriate the FY2021 Operating Budget		Adopt	Adopt		Tom		
15	Appropriate the FY2021 Sewer Enterprise Fund Budget		Adopt	Adopt	Matt	Josh		
16	Appropriate the FY2021 Water Enterprise Fund Budget		Adopt	Adopt	Matt	Josh		
17	Set the Annual Department Revolving Fund Spending Limits		Adopt	Adopt	John	Garrett		

Status of Articles 5.20.2020

#	Article	Status	BOS Position	FC Position	BOS	FC	CPC	Planning
	STM							
1	Appropriate for Traffic Consulting & Engineering			RATM		Barry		
2	Appropriate for Payment of Unpaid Bills of Prior Years		Adopt	RATM		Barry		

TOWN OF NEEDHAM
2020 ANNUAL TOWN MEETING

The following motion to amend is offered by _____
Signature of Town Meeting Member

ARTICLE 21:

MOVED: that the main motion under Article 21 be amended by deleting the sum "\$4,083,168" and inserting in place thereof the sum "\$3,939,433," and by deleting the items "Library Furniture \$84,168" and "Library Space Planning \$60,000"



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/27/2020

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

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	The Town Manager will update the Board on issues not covered on the agenda.
2.	VOTE REQUIRED BY SELECT BOARD
3.	BACK UP INFORMATION ATTACHED
	none



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 05/27/2020

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 SELECT BOARD
3.	BACK UP INFORMATION ATTACHED
	(Describe backup below) None

**Town of Needham
Select Board
Minutes for Tuesday, May 12, 2020
By Zoom Video Conference
<https://zoom.us/j/88122904309>**

6:00 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Maurice P. Handel. Those participating were Matthew D. Borrelli, Marianne B. Cooley, Daniel P. Matthews, John A. Bulian, and Town Manager Kate Fitzpatrick. Also participating were Dave Davison, Assistant Town Manager/Finance, Tim McDonald, Health and Human Services/Director, and Tiffany Zike, Public Health Nurse. Denise Garlick, State Representative was present remotely. Recording Secretary Mary Hunt recorded the meeting remotely.

Mr. Handel announced this open meeting is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020 due to the current state of emergency from the outbreak of the COVID-19 virus. He noted all public gatherings have been suspended as advised and directed by the Commonwealth. And, as such, suspending the requirement of the open meeting law to have all meetings in a public, accessible, physical location while encouraging and allowing members of all public bodies to participate remotely. Mr. Handel stated the meeting will not include public comment and the Needham Select Board and all attendees are convening by Zoom, as posted on the Town's website identifying how the public may join. He said all supporting documents used at this meeting are available on the Town's website www.needhamma.gov.

6:03 p.m. National Public Works Week Proclamation:
Mr. Borrelli read a proclamation recognizing the week of May 17th through May 23th, 2020 as National Public Works Week.

Motion by Mr. Borrelli that the Select Board approve and sign the Proclamation for National Public Works Week May 17th through May 23th, 2020.

Second: Mr. Bulian. Unanimously approved 5-0 by roll call vote.

Ms. Fitzpatrick commented the Town was recently notified by the American Public Works Association that Edward Olsen, Parks and Forestry Superintendent received the Professional Manager of the Year. She said the award is a great honor for Mr. Olsen and thanked him for his service to Needham.

Mr. Handel pointed out that public works employees are now considered First Responders.

6:05 p.m. Appointments and Consent Agenda:
Motion by Mr. Bulian that the Select Board vote to approve the Appointments and Consent Agenda as presented.

Appointments: No Appointments were made at this meeting.

Consent Agenda:

- 1. Accept donation of 4,200 KN95 masks with 1,200 earmarked for Beth Israel Deaconess Medical Center in Needham; and 400 Tyvek suits with 100 earmarked for Beth Israel Deaconess Medical Center in Needham from the City of Daxing, China.**
- 2. Approve display of 2020 Graduation Banner on Town Hall.**
- 3. Water and Sewer Abatement Order #1290**
- 4. Accept the following gifts received by the Needham Public Library for the period of January 1, 2020 to April 30, 2020: Faith Crisley donated the children's book, Henry Hikes to Fitchburg by D.B. Johnson in memory of her mother Greta Crisley (\$15.00); Ellen Fisher gave the Children's Room four Junie B. Jones books (\$4.99 each); Tom Harkins donated the puzzle Beers of New England (\$16.00); Michael Gottesman gave the library a copy of the CD Madonna – Madame X (\$10.00); Matthew and Greta Geist made a “thank you” donation of \$15.00 in honor of Children's Assistant Carolin Davis; Joanne Neale donated several toys for the STEAM Room (\$300.00); Sumner N. Milender gave the library a copy of The Wizard War: British Scientific Intelligence 1939-1945 by R.V. Jones (\$12.95); Ellen Knizeski made a donation in memory of her father, Bernie Ford (\$150); Thomas M. Kane donated a copy of his new book, The Witches of Crannock Dale, Book One: Mara of the League (\$12.00); Author Andy Havens gave the library copies of books One, Two, and Three of his The Side Ways series: Awake (\$10.00), Aware (\$12.00), Again (\$14.00); Tom Keating donated a copy of his books, Yesterday's Soldier: A Passage from Prayer to the Vietnam War (\$16.99); Janet Krawiecki gave the library a copy of Ann Patchett's new book, The Dutch House (\$27.99); Cathy and Barbara Collishaw made a donation in memory of Lean Rose Piccioli (\$36.00); Linda DeFruscio-Robinson gave the library a copy of her books, Transgender Profiles: Time for a change (\$24.95); and Storytime Crafts donated an autographed copy of Danny Dollar Millionaire Extraordinaire: The Lemonade Escapade by Ty Allan Jackson to the Children's Department (\$7.95).**
- 5. Approve a 20B Exemption for Rana Mana-Doerfer who is an employee at the Department of Public Works as a Department Specialist to engage in work with the Design and Review Board as a Recording Secretary.**
- 6. Accept the following donation made to the Needham Health Division's COVID19 fund: \$40 from Barbara Ryan, a Needham resident.**
- 7. Accept the following donation made to the Needham Health Division's Traveling Meals program: \$500 from Richard Sanders, a Needham resident.**
- 8. Accept the following donation made to the Needham Health Division's Gift of Warmth Fund: \$150 from Appleton Adams, a Needham resident.**
- 9. Approve open session minutes from April 9, 2020 and April 28, 2020.**

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

Mr. Handel acknowledged the donation of KN95 masks and Tyvek suits from Needham's sister city, Daxing, China.

6:06 p.m. Public Hearings: Eversource Grant of Locations
Maureen Carroll, Eversource Energy Representative discussed with the Board 2 Eversource Energy Grant of Locations.

1. South Street

Ms. Fitzpatrick said all paperwork is in order.

Mr. Handel invited public comment. No comments were heard.

Motion by Mr. Bulian that the Select Board approve and sign a petition from Eversource Energy to relocate two (2) poles on South Street. This work is necessary to provide underground transmission upgrades on South Street, Needham, MA.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

2. Hunnewell Street

Ms. Fitzpatrick said all paperwork is in order.

Mr. Handel invited public comment. No comments were heard.

Motion by Mr. Bulian that the Select Board approve and sign a petition from Eversource Energy to install approximately 8 feet of conduit in Hunnewell Street. This work is necessary to provide underground electric service to 262 Hunnewell Street, Needham, MA.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

6:10 p.m. Continue Public Hearing – Transfer of All Alcoholic Beverages License: Spiga LLC d/b/a Spiga located at 18 Highland Circle (originally scheduled 3/24/2020)

Motion by Mr. Bulian that the Select Board vote to continue this public hearing to its June 9, 2020 meeting.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

6:10 p.m. Public Hearing: Continue Community Stormwater Mitigation Assessment (from 4/14/20) - Cancelled

6:12 p.m. Annual Town Meeting/Citizen's Petition - Household Waste Disposal:
Joe Leghorn spoke with the Board about his Citizen's Petition - Article 31 in the 2020 Annual Town Meeting Warrant.

Mr. Leghorn showed the Board a picture of unsightly disposal bins, explaining the bins have remained on the street for several years. He said neighbors have

approached the homeowners to no avail. Mr. Leghorn said the concern is that people may rummage trash bins and there is an adverse effect on property values.

Mr. Handel noted the Citizen's Petition has been withdrawn from the 2020 Annual Town Meeting warrant and will be a topic in the next available Town Meeting. He thanked Mr. Leghorn for helping in the effort to make sure Town Meeting functions efficiently under the current circumstances.

Mr. Borrelli said there are personal property rights to contend with, and that the petition is not narrow enough to get at the crux of the issue. He said in principal he agrees something must be done.

Mr. Bulian asked Mr. Leghorn if private haulers have been part of the discussion? Mr. Leghorn said the Citizen's Petition was drafted to not impose any burden on the trash haulers. Mr. Bulian said he agrees barrels should not be in the public way, but a more robust public process is needed.

Ms. Cooley said she supports some regulation, noting other communities have private haulers that do not have bins at the street.

Mr. Matthews concurred with Ms. Cooley. He said the problem is bothersome, suggesting Mr. Leghorn look at how other communities regulate the issue. Mr. Matthews said a 30ft. setback must be reconsidered and that the petition seems to apply to all trash removal.

Discussion ensued on the health code, whole house clean outs, household waste, and writing a by-law.

The Board thanked Mr. Leghorn for the discussion.

6:45 p.m. State Budget Update:

Denise Garlick, State Representative provided the Board with an update on preliminary projections for the FY2021 State Budget.

Ms. Garlick thanked the Select Board for their service to Needham, and for their work to stabilize the Town during this difficult time. Ms. Garlick shared legislative actions that have taken place and said the House of Representatives is now able to vote remotely. She also commented on the current status of the budget, and her desire to enhance the town and state partnership. Two slides were shown to the Board including Legislative Relief for Towns and Residents, as well as Massachusetts Economic Indicators. Ms. Garlick said as Vice Chair of Ways and Means, at a revenue hearing in December of 2019 economic experts discussed the economic outlook for Massachusetts. She said at that time, predictions indicated a 3.4% increase in revenue for the Commonwealth. Ms. Garlick said in March, the same experts convened, admitting the predictions for the Commonwealth are now grim due to the pandemic. She noted a 6.1% decline in the Massachusetts GDP in

the first quarter. She said as of this week, more than 1 million residents of Massachusetts have filed for unemployment and experts are anticipating a \$4B-\$6B deficit in the \$43 billion Massachusetts budget. She compared the 2008 recession in Massachusetts which saw a budget deficit of \$2B. Ms. Garlick shared this is a serious time and more will be known as to the status of the Commonwealth once we reach July 15, 2020. She also said it is currently unknown how much the federal government may be able to help blunt the impact on the state deficit. Ms. Garlick concurred with Mr. Davison in saying this is a time to be informed, but not a time to be reactionary. Discussion ensued on town and state budgets, and federal resources. She commented it's likely the impact of the pandemic will be strong on the budget being built for FY2022.

Mr. Bulian asked if any surprises are anticipated for FY2020 thru June 30th, 2020? FY2021? FY2022? He asked when will the impact be felt? Ms. Garlick said it is anticipated some money will be recouped through FEMA.

Mr. Borrelli asked about real estate taxes to Needham, and possible discussion on the state level allowing municipalities to defer real estate taxes for businesses? Ms. Garlick said she wants to understand the needs and is open to discussing the issue further with Mr. Borrelli and to bring it to the state level.

The Board thanked Ms. Garlick for the update.

7:04 p.m.

COVID-19 Update:

Tim McDonald, Director of Health & Human Services and Tiffany Zike, Public Health Nurse provided the Board with an update on the Town's response to the COVID-19 pandemic.

Ms. Zike gave a brief overview of the Town's response to the crises. She said she is coordinating efforts of BID Needham hospital, nursing homes, assisted living facilities, group homes, and childcare facilities to make sure their services continue, and in providing enough personal protective equipment. She commented on collaboration with the state regarding contact tracing, and that a great effort has been put into monitoring, tracking, notifying, and educating people. Ms. Zike commented on the phased reopening of businesses, asking that any Town work that can be done virtually continue that way so that services that cannot be done virtually can open during phase one. She said services that are able to open will be on an appointment only basis for each Town building, noting staff will be limited. Ms. Zike said staff will be required to monitor their symptoms prior to entering Town buildings, face coverings will be required, and the Town will provide one face covering per employee. She said measures will be taken to decrease the chance of too many people in one area.

Mr. McDonald said state guidance is anticipated regarding pools, camps, and food service. He said Needham had increased the frequency of food service inspections

since the start of the pandemic, making the reopening of restaurants slightly less challenging.

Ms. Fitzpatrick anticipates employees will begin coming back to work after the Town election. She said markings, appointments, and monitors will be in place, noting the “new normal” will be ever evolving.

Mr. Borrelli said the goal was to flatten the curve, and that Needham has done a very good job. He said he does not want to be so conservative and to lose sight of the objective which was to flatten the curve. He asked if parking lots will be available for restaurants to use as space for more capacity, and about Town fields and how to open them?

Mr. McDonald concurred the goal was to flatten the curve but reducing the possibility of community transmission through social distancing is a continuing goal. He said some activities can cautiously re-open in small groups. He commented on outdoor seating saying the Public Health Department and Board of Health are open to discussion as Needham’s restaurants are very good at making sure they are serving food in a safe, hygienic manner. He said a phased increase of areas for passive recreation was discussed by the Park and Recreation Commission last night.

Ms. Cooley said the Select Board should consider allowing businesses to use outdoor space to facilitate doing business. She acknowledged opening the Rosemary Pool Complex is challenging but is hopeful a safe and creative solution can be found. She thanked Mr. McDonald and Ms. Zike for their work.

Mr. Matthews said the simple goal is to reopen safely, but it is a lot more complicated than it seems. He said having consistent, statewide policies is important. He concurred with Ms. Cooley in allowing business to use the outdoors, noting if the health part of the equation is in place, the Select Board can coordinate with other agencies that have a role to play in getting businesses open (i.e. permitting). He commented the situation will continue for a year or more and the Select Board and Town must have a clear and consistent plan.

Mr. Bulian encouraged outdoor activity. He said preparing for the fall and winter is important, as people will be indoors again, agreeing restaurants should be able to use parking lots for serving customers.

Mr. Handel said using the outdoors offers the best means of getting business to function again, noting this is a time to experiment with solutions.

Ms. Fitzpatrick thanked Mr. McDonald and Ms. Zike for their around the clock work coordinating and keeping people safe.

7:30 p.m.

Budget Update:

Dave Davison, Assistant Town Manager/Finance Director provided the Board with an update on FY2020 and FY2021 planning.

Mr. Davison said as of May 1, 2020, 84% of property taxes had been collected, noting the due date extension to June 1, 2020. He said he anticipates normal levels of collection to resume. He commented on local receipts, a decrease in discretionary spending (participation in programs), and the lag in posting receipts due to staffing. He commented on restaurant receipts, noting the Town is at about 98% of the normal level, which he said shows the Town was tracking for a “banner year” but things “dried up” in April due to the pandemic. He said room excise taxes are similar. Mr. Davison commented motor vehicle excise tax is also behind, as people are taking the extra time to pay their bill without penalty. He said he anticipates coming in slightly above budget, noting the importance of motor vehicle excise taxes on the Town’s budget. Mr. Davison said the submitted FY2021 budget did not factor in COVID-19, but he is monitoring local revenues and real estate development. He commented on state aid, saying there are many unknowns. He spoke about the gas tax, meal tax, lottery receipts and their impact on cities and towns, and that he anticipates a 20% reduction in governmental aid from the Commonwealth. He said in planning for FY2021, revenue estimates for many smaller aid programs will be cut, citing Charter School tuition reimbursement, elderly exemption aid, public library aid, and veteran’s benefits. He said he is assuming some aid from Chapter 70 (education aid) will be cut. Mr. Davison said by the time of the October 2020 Town Meeting, more will be known. He said initial FY2021 local receipts were estimated at an 8.7% increase, but since the pandemic estimates for local receipts are now cautiously expected to decrease to just under 10%. He spoke about expected declines in room taxes, meals taxes, motor vehicle excise taxes, and construction activity.

Mr. Bulian said there are so many unknowns. He asked about collecting commercial business real estate taxes in Needham Crossing. Mr. Davison said he is not anticipating a significant decrease in real estate taxes. Discussion ensued on real estate tax and personal property tax estimates.

Mr. Borrelli commented he believes revenues from permits will come back due to pent up demand. He asked about water, RTS, and Rosemary Pool revenues and how they affect budgeting? He also asked about the Town’s fund investment. And, will there be a transfer of funds to make up for the shortfall in FY2021? Mr. Davison said discretionary spending will end for FY2020 and the Town should close out in the black. He said for FY2021 many things have changed, noting the greatest exposure is Chapter 70 aid. He said FY2022 will probably be more difficult, but there is time to adapt to the new realities. He said while the full impact is not known, Needham is in a better position than other communities to weather the tighter years. Mr. Davison cautioned it will take time to recover the losses of the first and second quarter of FY2020.

Ms. Cooley said she appreciates the update and understands where the Town currently stands.

Mr. Matthews said the numbers are daunting, but it is good to have them. He said with careful planning, hopefully the Town will come through it well.

The Board thanked Mr. Davison for the update.

8:05p.m.

Town Manager:

Kate Fitzpatrick, Town Manager spoke with the Select Board concerning 3 items.

1. Positions on Warrant Articles

Annual Town Meeting Warrant

Motion by Mr. Bulian that the Select Board vote to support Article 3 - Establish Elected Officials' Salaries in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to support Article 4 - Fund Collective Bargaining Agreement - Needham Police Union in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion Mr. Bulian by that the Select Board vote to support Article 5 - Fund Collective Bargaining Agreement - Needham Police Superior Officers Association in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to support Article 6 - Fund Collective Bargaining Agreement - Needham Fire Union in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Borrelli that the Select Board vote to withdraw Article 7 - Appropriate for Needham Property Tax Assistance Program in the Annual Town Meeting Warrant.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Borrelli that the Select Board vote to withdraw Article 8 - Appropriate for Compensated Absences Fund in the Annual Town Meeting Warrant.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to support Article 9 - Appropriate for Public Facilities Maintenance Program Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Borrelli that the Select Board vote to withdraw Article 10 - Appropriate for Planning Consulting Assistance in the Annual Town Meeting Warrant.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Borrelli that the Select Board vote to withdraw Article 11 - Appropriate for Parking Study in the Annual Town Meeting Warrant.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to defer Article 12 - Appropriate for Public Health Consulting Assistance in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to support Article 13 - Appropriate for National Pollutant Discharge Elimination System (NPDES) Permit Compliance in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to support Article 14 - Appropriate the FY2021 Operating Budget Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to support Article 15 - Appropriate the FT2021 Sewer Enterprise Fund Budget in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Bulian that the Select Board vote to support Article 16 - Appropriate the FY2021 Water Enterprise Fund Budget in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to support Article 17 - Set the Annual Department Revolving Funding Spending Limits in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to support Article 18 - Authorization to Expend State Funds for Public Ways in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to defer Article 19 - Citizen's Petition/Amend Zoning By-Law - Pediatric Medical Facility in the New England Business Center District in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to defer Article 20 Citizen's Petition/Amend Zoning By-Law - Map Change to General Residence B Zoning District in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to support Article 21 - Appropriate for General Fund Cash Capital in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Borrelli that the Select Board vote to withdraw Article 22 - Appropriate for Public Works Infrastructure in the Annual Town Meeting Warrant.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to support Article 23 - Appropriate for Mitchell School Restroom Upgrades in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to support Article 24 - Appropriate for Sewer Enterprise Fund Cash Capital in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to support Article 25 - Appropriate for Water Enterprise Fund Cash Capital in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Borrelli that the Select Board vote to withdraw Article 26 - Appropriate for Stormwater Stabilization Fund in the Annual Town Meeting Warrant.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Borrelli that the Select Board vote to withdraw Article 27 - Acceptance of Provisions M.G.L. Chapter 451 Section 111f - Special Injury Leave Indemnity Fund in the Annual Town Meeting Warrant.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Borrelli that the Select Board vote to withdraw Article 28 - Foster Care Transportation Reimbursement in the Annual Town Meeting Warrant.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Borrelli that the Select Board vote to withdraw Article 29 - Special Education Stabilization Fund in the Annual Town Meeting Warrant.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Borrelli that the Select Board vote to withdraw Article 30 - Amend General By-Law - Authorize Town Clerk to Ensure Consistency in Numbering in the Annual Town Meeting Warrant.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

Article 31 - Citizen's Petition - Storage of Receptacles Used for Household Waste Disposal Pickup at Residential Properties by Commercial Vendors in the Annual Town Meeting Warrant. Withdrawn by the Petitioner.

Motion by Mr. Bulian that the Select Board vote to defer Article 32 - Citizen's Petition Sewer Line Extension in the Annual Town Meeting Warrant.

Second: Mr. Matthews. Unanimously approved 5-0 by roll call vote.

Special Town Meeting Warrant

Motion by Mr. Bulian that the Select Board vote to defer Article 1 - Appropriate for Traffic Consulting & Engineering in the Special Town Meeting Warrant.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

Mr. Borrelli said he wanted more information before voting on Article 1.

Motion by Mr. Bulian that the Select Board vote to withdraw Article 2 - Amend the FY2020 Operating Budget in the Special Town Meeting Warrant.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

Motion by Mr. Bulian that the Select Board vote to support Article 3 - Appropriate for Payment of Unpaid Bills of Prior Years in the Special Town Meeting Warrant.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

2. Approve Memorandum of Agreement - Needham Fire Union

Ms. Fitzpatrick recommended that the Select Board approve and sign the Memorandum of Agreement with the Needham Fire Union Local 1706. The Agreement is for a one-year contract extension with a wage adjustment of 2% on

July 1, 2019 and 1% on January 1, 2020, an increase in the detail rate, and minor language changes.

Motion by Mr. Matthews that the Board approve and sign the MOA between the Town of Needham and the Needham Fire Union Local 1706 for fiscal year 2020.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

3. Town Manager's Report

Ms. Fitzpatrick reported the Town will shift to its summer schedule on May 22, 2020.

Ms. Fitzpatrick recognized Aicha Kelley, Assistant Director of Elder Services at the Center at the Heights for her good work in sending out a daily newsletter to more than 2,000 people keeping them informed of various COVID-19 articles, remote programs, current events, brain exercises, sing-a-longs, available legal services, and yoga classes through the ZOOM app. She said people are feeling a sense of connection during this time of isolation and thanked Ms. Kelley for her hard work.

8:29 p.m. Board Discussion:

1. Committee Reports

No Committee Reports were made.

8:31 p.m. Adjourn:

Motion by Mr. Bulian that the Select Board vote to adjourn the Select Board meeting of Tuesday, May 12, 2020.

Second: Mr. Borrelli. Unanimously approved 5-0 by roll call vote.

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

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

**Town of Needham
Water Sewer Billing System
Adjustment Form**

Prepared	Customer	Location	Street	Irrigation	Domestic	Sewer	Total	Reason	Corrected Last Read
By: Last Name First Name	ID#	ID#	Number Street Name	Water	Water				Y/N
DB MARTANCIK LISA	37739	2502	19 MT Vernon Avenue	\$0.00	-\$25.56	-\$23.48	-\$49.04	ACC	N
JO Council on Aging (1)				\$0.00	-\$103.05	-\$297.33	-\$400.38	COA	N
Total:							-\$449.42		

ALSO, LET THIS SERVE AS AUTHORIZATION TO ABATE ANY PENALTY OR INTEREST WHICH HAS ACCRUED DUE TO THE NON-PAYMENT OF AMOUNTS AS STATED ABOVE.

Legend:
 O.I. = O.I. reading slower than inside meter causing large bill when inside meter is read.
 TWN = Town Project caused damage to private property
 EC = Extenuating Circumstances
 Equip = Equipment Malfunction
 UEW = Unexplained water loss
 ACC = Accidental Water Loss
 BP = Billing Period beyond 100 days
 COA - Council on Aging

**Town of Needham
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:	-\$128.61
Water Irrigation:	\$0.00
Water Admin Fees	\$0.00
Sewer Sales:	-\$320.81
Transfer Station Charges:	\$0.00
Total Abatement:	-\$449.42

Order #: 1291

Read and Approved:

Robert Lewis 5/21/2020

Assistant Director of Public Works

For the Select Board

5/26/20

Richard P. Merson 5/21/2020

Director of Public Works