

SELECT BOARD
6:00 p.m. September 22, 2020
Needham Town Hall
Revised 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 8909305788 or click the link below to join the webinar: <https://us02web.zoom.us/j/89093905788>.

	5:45	Informal Meeting with Citizens <i>One or more members of the Select Board will be available between 5:45 and 6:00 p.m. for informal discussion with citizens. Because of planning constraints during the COVID emergency, residents wishing to speak during that time should call the Select Board Office at (781)-455-7500, extension 204, not later than 3PM on the business day before the meeting to request an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i>
1.	6:00	Public Hearing: Eversource Energy Grant of Location- Central Avenue <ul style="list-style-type: none"> • Maureen Carroll, Eversource Energy Representative
2.	6:00	Public Hearing: Uncontrollable Dog <ul style="list-style-type: none"> • Open and Continue Dog Hearing
3.	6:05	Introduce Economic Development Manager <ul style="list-style-type: none"> • Katie King, Assistant Town Manager
4.	6:15	Recognition of Rick Merson, Director of Public Works
5.	6:45	School Opening Update <ul style="list-style-type: none"> • Dan Gutekanst, Superintendent of Schools
6.	6:45	CPC Warrant Article Discussion <ul style="list-style-type: none"> • Peter Pingitore, CPC Chair • Carys Lustig, CPC Liaison
7.	7:00	Citizens Petition Warrant Article <ul style="list-style-type: none"> • Noah Mertz, Petitioner
8.	7:15	Town Manager <ul style="list-style-type: none"> • Needham Unite Against Racism Initiative Update • Special Town Meeting: Positions on Warrant Articles • Extend Authorization for Local Outdoor Dining Alcoholic

		Licensing Approval & Fee Waiver <ul style="list-style-type: none"> • Free 2-Hour Downtown Parking • Town Manager's Report
9.	7:30	Board Discussion <ul style="list-style-type: none"> • Committee Reports

CONSENT AGENDA *=Backup attached

1.	Accept an \$8,000 donation made to the Needham Health Department's Interface Referral Service from Beth Israel Deaconess Hospital – Needham Campus.
2.	Accept a \$20,000 donation made to the Needham Council on Aging Services Donation Account from the Friends of the Center at the Heights, Inc.
3.*	Accept a donation from the League of Women Voters of a public art installation on the Needham Town Common to honor the people and events that had a role in the women's suffrage movement. The display will be up from October 16, 2020 through October 30, 2020. The League of Women Voters would like to donate this art installation to the Town of Needham in honor of the 100th anniversary of the passage of the 19th amendment and the founding of the League of Women Voters. Materials used for this display are valued at \$150, not including the many hours of labor for production and assembly from dedicated League and community members.
4.	Accept a \$1,000 donation made to the Needham Health Department's Traveling Meals Program from the Darshana Thakore Family Fund.
5.	Accept the following donations made to the Needham Community Revitalization Trust Fund: \$586 from Newton Needham Chamber of Commerce and \$250 from Marcus Hughes.
6.*	Water and Sewer Abatement Order #1296



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

MEETING DATE: 09/22/2020

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

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>Eversource Energy requests permission to install approximately 4 ½ feet of conduit in Central Avenue. This work is necessary to provide underground electric service to 1681 Central Avenue, Needham.</p> <p>The Department of Public Works has approved this petition, based on Eversource Energy’s commitment to adhere to the Town’s regulation that all conduit installed must be 3” schedule 40 minimum; and, that when buried, the conduit must be placed at 24” below grade to the top of the conduit.</p>	
2.	VOTE REQUIRED BY SELECT BOARD
<p><u>Suggested Motion:</u> Move that the Select Board approve and sign a petition from Eversource Energy to install approximately 4 ½ feet of conduit in Central Avenue. This work is necessary to provide underground electric service to 1681 Central Avenue, Needham.</p>	
3.	BACK UP INFORMATION ATTACHED
<p>(Describe backup below)</p> <ul style="list-style-type: none">a. DPW Review Sheetb. Letter of Applicationc. Petitiond. Ordere. Petition Planf. Notice Sent to Abuttersg. List of Abutters	

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: 9-9-2020

REVIEWER: R.W.W.

SITE LOCATION: #1681 CENTRAL AVENUE

UTILITY REQUESTING: EVERSOURCE

Conduit Work Area Description

- A Sidewalk/Grass Strip Crossing Only Peer Review tar 9/14/20
- B Work Within Paved Road Perpendicular Crossing Peer Review _____
- C Work Within a Plaza Area/Landscaped Island/Parallel Along Roadway
- Peer Review _____ Div. Head Review _____
- D Other Peer Review _____ Div. Head Review _____

- Petition Plan Consistent with Field Review Old Pole Removed. N/A
- Diameter of Conduit 2" Cables Transferred to New Pole N/A
- Depth of Conduit New Riser on Pole Yes
- Utility Conflicts No Visible Trench Patch across Road/Sidewalk
- Crossing Perpendicular to Road Abutters List Complete
- Public Road Photos Included
- Double Pole N/A

Department Head _____

COMMENTS:

THERE IS A RISER VISIBLE ON POLE, NO OVERHEAD CONNECTION
AS OF YET. ALSO NOTE, THE CONDUIT DIAMETER, ACCORDING
TO THE DIAGRAM IS 2". Contractor was informed to attend meeting
okay to proceed. tar



200 Calvary Street
Waltham, Ma 02453

September 4, 2020

Board of Select
Town Hall
1471 Highland Avenue
Needham, MA 02192

RE: Central Avenue
Needham, MA
W.O. #2402708

Hearing Required

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 $4 \frac{1}{2} \pm$ feet of conduit in Central Avenue.

The reason for this work is to provide underground electric service to #1681 Central Avenue.

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

Very truly yours,

Richard M. Schifone

Richard M. Schifone
Rights and Permits, Supervisor

RMS/sky
Attachments

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

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

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

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis Dated August 27, 2020** and filed herewith, under the following public way or ways of said Town:

Central Avenue - Westerly from pole 8/219 approximately 606 ± north of Country Way, a distance of about 4 ½ ± feet of conduit.

**(W.O. 2402708)
Hearing Required**

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

BY Richard M. Schifone
Richard M. Schifone
Rights & Permits, Supervisor

Dated this _____ **day of** _____

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:

Central Avenue - Westerly from pole 8/219 approximately 606 ± north of Country Way, a distance of about 4 ½ ± feet of conduit.

(W.O. 2402708)
Hearing Required

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

1. Conduits and manholes shall be located as shown on the plan made by **A.Debenedictis, Dated August 27, 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 Board of Select or such officer or officers as it may appoint to supervise the work.

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

CERTIFICATE

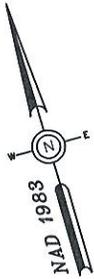
We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2020 at _____ in said Town.

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

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Board of Select** 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



#1689

APPROX. PT. OF PICKUP

#1681

APPROX. P/L

CUSTOMER TO INSTALL
1-2" PVC PIPE
SCHEDULE 40, NO CONCRETE
SECTION 1 FIG. 1

4.5±

APPROX. R.O.W.

APPROX. R.O.W.

8/220

8/219

EDGE OF PAVEMENT

EDGE OF PAVEMENT

606' TO
COUNTRY WAY

CENTRAL AVE

EDGE OF PAVEMENT

EDGE OF PAVEMENT

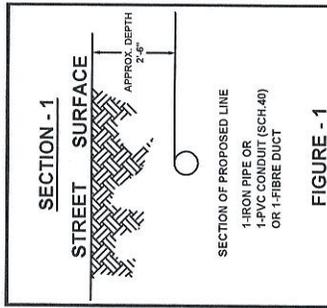
BSW/APPROX. R.O.W.

BSW/APPROX. R.O.W.

#1668

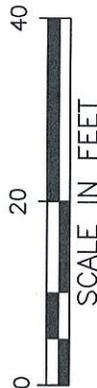
#1664

APPROX. P/L



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION, OR IN RELIANCE UPON IT, 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.

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SCALE IN FEET

C# -	-
Ward #	-
Work Order #	2402708
Surveyed by:	N/A
Research by:	JC
Plotted by:	CR
Proposed Structures:	JF
Approved:	A DEBENEDICTIS
P#	

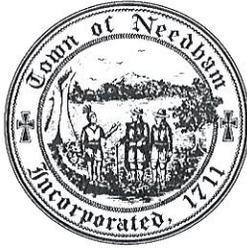
NSTAR EVERSOURCE
Electric
1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125
Plan of #1681 CENTRAL AVE., NEEDHAM

Showing PROPOSED CUSTOMER TO INSTALL CONDUIT LOCATION

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

Scale 1"=20'
Date AUGUST 27, 2020
SHEET 1 of 1





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, September 22, 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 September 18, 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 September 22, 2020** upon petition of Eversource Energy dated **August 27, 2020** to install approximately 4 ½ feet of conduit in Central Avenue. This work is necessary for underground electric service to 1681 Central Avenue, Needham.

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: September 14, 2020

1681 CENTRAL AVENUE

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
TEMPLE ALIYAH, INC.		1664 CENTRAL AVE	NEEDHAM	MA	02492	1992130000500000	1664 CENTRAL AVE
WELCH, DAVID, WELCH, ROBERT & PRIDE P.	C/O NEEDHAM ENTERPRISES LLC	105 CHESTNUT ST STE 28	NEEDHAM	MA	02492	1992130000600000	1688 CENTRAL AVE
STEIN, DAVID &	STEIN, ILEENNA	70 PINE ST	NEEDHAM	MA	02492	1992150001900000	70 PINE ST
WILLS, JOHN III &	WILLS, JOANNE KARNO	60 PINE ST	NEEDHAM	MA	02492	1992150002000000	60 PINE ST
MABARDY, ANITA M., TR		1663 CENTRAL AVE	NEEDHAM	MA	02492	1992150002400000	1663 CENTRAL AVE
DIMASE, ROBERT M. & ESPADA, NATASHA	DIMASE ESPADA FAMILY REVOCABLE	1681 CENTRAL AVE	NEEDHAM	MA	02492	1992150002500000	1681 CENTRAL AVE
LYONS, PETER J. &	LYONS, ANN K	1689 CENTRAL AVE	NEEDHAM	MA	02492	1992150002600000	1689 CENTRAL 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: 9/22/2020

Agenda Item	Public Hearing – Uncontrollable Dog
Presenter(s)	Chris Heep, Adjunct Town Counsel

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>The Town Manager will recommend that the uncontrollable dog hearing scheduled for this meeting be continued until October 27, 2020 due to the current health status of the animal.</p>	
2.	VOTE REQUIRED BY SELECT BOARD
<p>Suggested Motion: that the Board vote to continue the hearing to October 27, 2020.</p>	
3.	BACK UP INFORMATION ATTACHED
<p>a. Notice of Public Hearing</p>	

**Select Board
Notice of Public Dog Hearing**

The Select Board of Needham will hold a public hearing in accordance with M.G.L. c.140, §157 and Town By-Law 3.7.5 Uncontrollable Dog, on a complaint of a dangerous dog. The complaint concerns “Miller”, a 6 year-old brown and black German Shephard, which resides at 27 Stevens Road with owner James Michals.

The hearing will be held on September 22, 2020 at 6:00 p.m. via Zoom.

Use this link below to join the webinar:

<https://us02web.zoom.us/j/89093905788>

Or Telephone:

Dial (301) 715-8592 or (312) 626-6799 Webinar ID: 890 9390 5788

The Board invites all residents and interested parties to attend and provide input regarding this subject. Written comments may also be submitted to the Select Board, c/o Needham Town Hall, 1471 Highland Avenue, Needham, MA 02492 or by email to selectboard@needhamma.gov.



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

MEETING DATE: 9/22/2020

Agenda Item	Introduce Economic Development Manager
Presenter(s)	Katie King, Assistant Town Manager/Operations

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Ms. King will introduce Amy Haelsen, recently appointed Economic Development Manager.	
2.	VOTE REQUIRED BY SELECT BOARD
<i>Discussion Only.</i>	
3.	BACK UP INFORMATION ATTACHED
(Describe backup below)	
a. Resume for Amy Haelsen	

ABOUT ME

Senior level professional with extensive experience in the areas of community engagement, economic development, marketing and communications. Seasoned veteran of working with diverse constituencies to build support by cultivating relationships with key community leaders. Able to juggle multiple projects at a time, find creative solutions, and work well under pressure.

SKILLS

Media Relations

Community Relations

Public Speaking

Digital Marketing

Crisis Communications

Event Management

Fundraising

EDUCATION

University of Connecticut
B.A. Communications/Public Relations

VOLUNTEER WORK

Dedham Youth Soccer
2010 to present
Coach

Town of Dedham
2009 to present
Elected Town Meeting Member

Dedham Community Association
2005 to 2015
Board of Directors

Dedham Parent Time
2004-2007
Chairperson

Make-A-Wish Foundation
1995-2006
Wish Granting Volunteer

AMY HAELSEN

Dedham Square Circle – Downtown Revitalization Group

Executive Director

November 2007 to Present

- Develop and oversee annual budget and operations, work closely with Board to develop and execute organization's strategic plan, and manage two part-time employees
- Strategically partner with other community and civic organizations, small businesses, commercial property owners, and town officials to create and build upon economic development initiatives
- Advocate for over 100 small businesses on issues including public safety, parking, and redevelopment opportunities including securing \$6.5 million in state and local funding for the Dedham Square Improvement Project
- Appointed member of the Town's Dedham Square Planning Committee; participant in regular meetings of elected boards including Select Board, Planning Board, Zoning Board of Appeals
- Create content for DSC's website, electronic and social media to ensure consistency; manage media relations and community engagement efforts
- Plan and manage several annual community events and promotions which attract thousands of attendees to the downtown, founded and manage the Dedham Farmers Market
- Developed regional branding campaign which reached over 100,000 people to promote Dedham Square upon completion of streetscape project
- Successfully recruited and retained dozens of small businesses

Make-A-Wish of Massachusetts and Rhode Island

Communications Consultant

January - May 2012, September 2004- December 2006

- Produced fundraising and outreach collateral including Annual Appeal brochure that raised over \$50,000
- Managed all live on-air broadcast content and interviews for 2006 "Wish-A-Thon" with Oldies 103 which raised \$500,000
- Served as Interim Communications Manager fall 2006

Communications Manager

May 2001 - May 2004

Served as Foundation's media spokesperson, developed and implemented new branding, marketing strategy and materials for special events, promotions and community outreach efforts.

- Built a pool of in-kind creative resources to minimize overhead costs, secured pro-bono services from local branding firm and local ad agency valued at over \$100,000

TECHNICAL SKILLS

Donor Perfect, Raisers Edge

Adobe Creative Suite

MS Office

Content Management System

Constant Contact, Mail Chimp

Facebook, Instagram, Twitter, Pinterest

Google Analytics, Iconsquare

AWARDS

America's Charities Outstanding Community Service Award for local, state and federal government workplace giving campaigns

- Instrumental in creation and launch of community-wide "Stories of Light" annual radio campaign to raise funds and awareness for organization throughout Greater Boston market
- Chief writer and editor of website and quarterly newsletter
- Conducted regular public presentations, founded and trained dozens of volunteers to serve on Speakers Bureau
- Managed MIS operations and supervised two MIS consultants

Development and Public Relations Manager

November 1995-April 2001

Managed corporate, individual and foundation giving programs and all marketing and communications initiatives

- Researched prospects, prepared funding proposals, developed and implemented Foundation's Annual Appeal Campaign
- Created unique donor acknowledgment program featuring original art by wish children
- Supervised one full-time staff assistant and one part-time MIS consultant

Development and Volunteer Coordinator

December 1994- October 1995

Coordinated donor acknowledgment process, recruited, trained and placed volunteers within the organization

Lobbyist Ron Fitzsimmons/NCAP

Legislative and Communications Coordinator

October 1992-October 1994

Assistant to the Executive Director of a national non-profit lobbying organization focused on women's issues. Handled all external communications to national media during crisis situations. Served as liaison to congressional staff on behalf of constituents, monitored pertinent legislative activity, and organized grass-roots lobbying efforts with constituents on key congressional votes. Coordinated members' Annual Meeting and "Day on Capitol Hill"



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

MEETING DATE: 9/22/2020

Agenda Item	Recognize Rick Merson, Director of Public Works
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>The Town Manager, other invited guests and Select Board Members will recognize and honor retiring Director of Public Works Rick Merson for his 48-year career in the Town of Needham.</p>	
2.	VOTE REQUIRED BY SELECT BOARD
<p>None</p>	
3.	BACK UP INFORMATION ATTACHED
<p>None</p>	



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

MEETING DATE: 09/22/2020

Agenda Item	School Opening Update
Presenter(s)	Dan Gutekanst, Superintendent of Schools

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	Dr. Gutekanst will provide the Board with an update on the opening of the Needham Public Schools.
2.	VOTE REQUIRED BY SELECT BOARD
	None.
3.	BACK UP INFORMATION ATTACHED
	None.



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

MEETING DATE: 9/22/2020

Agenda Item	Community Preservation Warrant Articles
Presenter(s)	Peter Pingitore, CPC Chair Carys Lustig, CPC Liaison

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>Mr. Pingitore will discuss the articles recommended by the Community Preservation Committee in the October 4, 2020 Special Town Meeting Warrant.</p>	
2.	VOTE REQUIRED BY SELECT BOARD
<p><i>Discussion Only.</i></p>	
3.	BACK UP INFORMATION ATTACHED
<p>a. CPA Funding Scenario Update, 9/14/2020 b. Special Town Meeting Warrant provided under separate cover.</p>	

Memorandum

To: Community Preservation Committee

From: David Davison, Assistant Town Manager/Director of Finance

CC: Kate Fitzpatrick, Town Manager; Katie King, Assistant Town Manager/Director of Operations; Carys Lusting, Director of Park and Recreation

Date: September 14, 2020

Re: CPA Funding Scenario Update

Attached is an update of the CPA report that was released on February 25, 2020. The purpose of this document is to layout the possible impact on CPA revenue and reserves for the various projects that have been identified and may be presented for CPA funding in the coming years. The project list is based on submitted capital projects for the FY2021 – FY2025 timeframe, assumptions about funding them, and other projects that have been identified but costs have not yet been determined or are not available. The capital process that will include FY2026 has begun but information on new project requests will not be known until the winter of 2020. This report is meant to be illustrative and not necessarily what will be requested or that the CPC is supportive of funding of these projects as most projects identified for FY2022 have not been presented to the CPC for consideration. Furthermore, not all of the projects listed have been recommended for funding at this time but may be. As we get nearer to the funding year, amounts may change, scope could be different, and the year that funding is actually requested may be different. The timing assumption for each project is based on the information provided by the requester.

The report includes a request of \$100,000 for an emergency rental assistance program to be funded in October 2020 which is assumed to be funded from the Community Housing Reserve. The FY2021 requests for Walker Pond restoration (\$211,300) and trail identification (\$6,000) have been removed. There are several projects that are shown in the schedule (e.g. Cricket Field Building) of requested projects, but are not recommended as Tier One capital, meaning the funding priority is lower for those projects than projects which are identified as Tier One. Any project which is not recommended as Tier One is assumed to not be funded. The Claxton project construction requested for FY2022 is assumed to be funded by CPA Free Cash. The February report assumed a mix of CPA Free Cash and the General Reserve. The estimate for CPA Free Cash that would be available for FY2022 projects has increased. The Town Common project construction requested for FY2022 is assumed to be funded by CPA Free Cash and CPA receipts, a change from February where funding was assumed from Free Cash and the Open Space Reserve. We have assumed that remaining the list of Tier One projects, Debt Service and “Other Small Projects” will be funded from current revenue, and “Other Housing Projects” which we have assumed the Community Housing Reserve would fund. We have assumed a level-dollar appropriation of \$82,000 for general administrative expenses. Usually there are other CPA funding requests which do not come through the capital process as they are not capital, so an assumption of \$150,000 that is increased by 4% has been factored into the analysis. This is an

increase from prior reports which is reflective of a greater number of external applications that the CPC has received. The analysis also footnotes a \$2,000,000 housing project request over a five year period that may be made by the Needham Housing Authority. It is not known at this time what year that may begin, but it is assumed that it would be funded from the Community Housing Reserve.

The use of CPA funds for a project must be appropriated by Town Meeting, but Town Meeting may not appropriate CPA funds without the positive recommendation and support of the CPC.

CPA Revenue

CPA revenues are derived primarily from two sources: property tax surcharges and state aid matches. The CPA revenue estimate for FY2021 has been amended from that which was assumed in January 2020. The surcharge estimate is \$2,850,000 and the State match revenue is \$466,253. The surcharge revenue estimate was increased based on the FY2021 preliminary real estate tax commitment, and the State aid match is based on guidance received from the Commonwealth that the match percentage will be 17.7%. The CPA revenue estimates in the out years are built off of the revised preliminary estimate for FY2021. The CPA surcharge revenue has an assumed growth rate of 4.11%, and the State revenue match has an assumed rate of 10%. Both assumed growth rates are the same as the February 2020 report.

The State's match is based on the net committed surcharge by the community. The net amount reflects reductions in the committed surcharge due to abatements and exemptions. We assume a one percent allowance for this activity for purposes of forecasting the revenue. However, the figure submitted to the State is based on the actual net commitment for the year, which is not known until after the end of the fiscal year. The calculation starts with the prior year surcharge estimate multiplied by a .99 factor then the 10% match is determined.

CPA Reserves

In accordance with the Community Preservation Act, at least 10% of the annual revenue estimate (surcharge and state match) is to be appropriated to each of the required three categories: community housing (affordable housing); historic preservation, and open space. The balance (70%) may be appropriated in any amount to any of the three categories and for certain recreation purposes. In any year which there is not a sufficient identified appropriation for the required purposes, the amount by which the annual appropriation falls below the 10% target is to be reserved for future appropriations that satisfy that expenditure type requirement. The amount credited to the reserve may only be spent on projects that relate to the purpose, and the amount must be appropriated by Town Meeting. The amount in each specific reserve carries over into the next fiscal year.

As a safeguard against under-reserving funds required to be spent for either a specific purpose, since the actual surcharge and state match are not known at the time of developing the CPA estimates for the coming year, we set the annual reservation at approximately 11% of the revenue estimate for the coming year. For the purposes of this analysis, we have assumed 11% of the revenue estimate in each year will be appropriated to both the Community Housing and Open Space reserves. Because the annual debt service expense for Town Hall and the estimated amount for Emery Grover are greater than 10% of the estimated revenue in each year, no appropriation to the Historic Preservation reserve

is assumed necessary. Any project shown to be funded by CPA Free Cash but is later funded from a specific reserve would effectively increase the amount of Free Cash available.

The estimated CPA revenue which is not appropriated to administrative expenses, debt service, projects, or the specific reserves, is appropriated to a “General Reserve”. Unlike the specific reserve accounts (Historic, Housing, and Open Space), the General Reserve remains available only for the fiscal year. Any balance in the General Reserve at the end of the fiscal year, is closed out to the CPA fund balance. The CPA fund balance is the source from which the annual CPA Free Cash is calculated.

CPA Debt

There are two projects (Town Hall and Rosemary Recreation Complex) that have been funded in part or whole by CPA supported debt. There continues to be ongoing conversation of a major Emery Grover Building rehabilitation project which a portion of the project may be eligible for funding from CPA. The report has been updated based on Option Three from the June 25, 2020 feasibility report. The funding timetable has changed by approximately six months, but the years which there will be CPA debt service (FY2023 – FY2044) has not changed. The Emery Grover project, with an estimated total cost of \$ \$27,100,000 of which \$12,600,000 is assumed CPA eligible would be funded in two stages: \$2,000,000 (\$915,000 CPA) for architectural and design and \$25,100,000 (\$11,685,000 CPA) for project management and construction. The CPA share of design would be funded by debt in 2021/2022 and construction would be funded in 2023/2024. The assumption for CPA eligible (\$12,600,000) is based on the June 25, 2020 feasibility study and that the first debt service expense would come in FY2023. We have maintained the interest rate assumptions at 3.5% and 7% and for illustrative purposes assumes only 70% of the surcharge revenue is available for debt service and subtracts from that available balance both the Rosemary Recreation Complex and the Town Hall debt service payments. However, the actual amount that is eligible for CPA funding will not be known until final design, and the amount that may be funded by CPA debt can be different.

Please do not hesitate to contact me if you have any questions or wish to provide additional information. Thank you.

Attachments

Funding Scenario Outlook September 14, 2020 (3 page)

Emery Grover Debt Service Scenario (1 page)

Estimated Annual Debt Service Allowance/Obligation (1 page)

CPA
Financial Summaries
Updated
September 14, 2020

Funding Scenario Outlook - Update September 14, 2020

	2019	2020	2021 - Requested	Source	2022	Source	2023	2024	2025	2026	2027
Appropriations											
Town Hall (Actual)	\$441,494	\$430,525	\$416,675		\$405,041		\$395,256	\$384,906	\$374,763	\$364,681	\$354,306
Rosemary Complex (Actual)		\$754,792	\$1,008,325		\$616,356		\$592,981	\$574,731	\$556,481	\$538,231	\$519,981
Emery Grover Project (Assumption)							\$272,025	\$260,438	\$501,885	\$1,469,213	\$1,389,900
A) Debt Service	\$441,494	\$1,185,317	\$1,425,000	R	\$1,021,397	R	\$1,260,262	\$1,220,075	\$1,433,129	\$2,372,125	\$2,264,187
Broadmeadow and Eliot Fields#							\$107,000	\$551,000	\$551,000		
Claxton Field Lights & Skin Diamond Renovation			\$101,500	R	\$974,000	F					
Community Farm Growing Bed Expansion			\$6,200	O							
Cricket Field Building#					\$180,000		\$900,706				
Cricket Field Renovations		\$480,000									
DeFazio Synthetic Track Resurfacing			\$160,000	R							
Dwight Field Upgrades#					\$37,500		\$375,000				
Emergency Rental Assistance Program			\$100,000	C							
First Baptist Church Preservation & Restoration			\$90,200	R							
First Parish Church Steeple Preservation			\$75,000	R							
Historic Database Project	\$25,000										
McCloud Field Renovations					\$45,000	R	\$450,000				
Memorial Park Building and Field	\$500,000										
NHA - Consulting Modernization/Redevelopment Afford		\$150,000									
Outdoor Basketball Courts					\$135,000	R					
Public Playgrounds		\$350,000			\$350,000	R	\$250,000				
Rosemary Camp Facility	\$50,000	\$200,000									
Rosemary Lake Sediment Removal	\$2,400,000										
Town Common Redesign		\$117,000			\$938,000	F/R					
Trail - Fisher Street Trailhead		\$15,000									
Other Small Projects^					\$150,000	R	\$156,000	\$162,240	\$168,730	\$175,479	\$182,498
<i>Less Capital Projects Not Recommended as Tier I</i>					-\$217,500		-\$1,382,706	-\$551,000	-\$551,000		
Future Potential Projects - No Cost Estimate Provided											
Asa Small Field											
Boat Launch Construction											
DeFazio Complex Walking Path											
Emery Grover (multiple funding sources)											
Fields - Master Plan											
High Rock Field Improvements											
Parcel Acquisition ^5											
Perry Park Upgrades											
Town Reservoir Sediment Removal											
Trail - Fisher Street Trailhead											
Needham Housing Authority ^^^^											
B) Projects	\$2,975,000	\$1,312,000	\$532,900		\$2,592,000		\$856,000	\$162,240	\$168,730	\$175,479	\$182,498

Funding Scenario Outlook - Update September 14, 2020

	2019	2020	2021 - Requested	Source	2022	Source	2023	2024	2025	2026	2027
C) Administration Budget^^	\$82,000	\$82,000	\$82,000	R	\$82,000	R	\$82,000	\$82,000	\$82,000	\$82,000	\$82,000
Annual Obligation^^^											
Housing Reserve	\$293,331	\$312,071	\$364,788		\$357,421		\$372,111	\$387,405	\$403,327	\$419,536	\$436,779
Historic Reserve											
Open Space Reserve	\$293,331	\$312,071	\$364,788		\$357,421		\$372,111	\$387,405	\$403,327	\$419,536	\$436,779
D) Appropriation to Reserves	\$586,662	\$624,142	\$729,576	R	\$714,843	R	\$744,223	\$774,810	\$806,655	\$839,072	\$873,558
E) CPA General Reserve	\$1,016,491	\$945,546	\$652,977	R	\$353,045	R	\$440,346	\$1,282,740	\$1,176,100	\$345,288	\$568,474
F) Total Appropriations (A+B+C+D+E)	\$5,101,647	\$4,149,005	\$3,422,453		\$4,763,285		\$3,382,831	\$3,521,865	\$3,666,614	\$3,813,964	\$3,970,717
Revenue											
CPA Local Surcharge*	2,495,000	2,646,000	2,850,000		2,967,135		3,089,084	3,216,046	3,348,225	3,485,837	3,629,105
Other Revenue											
State Revenue %	438,305	348,287	466,253		282,150		293,746	305,819	318,389	328,126	341,612
H) CPA Revenue Total	2,933,305	2,994,287	3,316,253		3,249,285		3,382,831	3,521,865	3,666,614	3,813,963	3,970,717
State Aid % Match	18.9%	14.0%	17.7%		10%		10%	10%	10%	10%	10%
Appropriations v Revenue [F-H]	-\$2,168,342	-\$1,154,718	-\$106,200		-\$1,514,000		\$0	\$0	\$0	\$0	\$0
I) Appropriation Funded by Restricted Reserves	\$510,000	\$150,000	\$106,200								
J) Appropriation Funded by General Reserve	\$340,000	\$682,000			\$215,000						
K) Appropriation Funded by Free Cash***	\$1,625,000	\$480,000			\$1,299,000						
L) Less Raised but not Appropriated	-\$306,658	-\$157,282									
M) Appropriations v Revenue (with the use of reserves)			\$0		\$0		\$0	\$0	\$0	\$0	\$0

Funding Scenario Outlook - Update September 14, 2020

	2019	2020	2021 - Requested	Source	2022	Source	2023	2024	2025	2026	2027
Estimated Funding Resources Available Prior to Appropriations											
CPA Revenue [H]	\$2,933,305	\$2,994,287	\$3,316,253		\$3,249,285		\$3,382,831	\$3,521,865	\$3,666,614	\$3,813,963	\$3,970,717
Community Housing Reserve**	\$1,739,573	\$2,032,904	\$2,194,975		\$2,459,763		\$2,817,184	\$3,189,296	\$3,576,701	\$3,980,028	\$4,399,564
Historic Resources Reserve**	\$15,820	\$15,820	\$15,820		\$15,820		\$15,820	\$15,820	\$15,820	\$15,820	\$15,820
Open Space Reserve**	\$1,104,954	\$888,285	\$1,200,356		\$1,558,944		\$1,916,365	\$2,288,477	\$2,675,882	\$3,079,209	\$3,498,745
General Reserve	\$341,831	\$1,016,491			\$652,977		\$353,045	\$440,346	\$1,282,740	\$1,176,100	\$345,288
CPA Free Cash	\$1,695,211	\$499,154			\$1,299,191		\$438,168	\$791,213	\$1,231,559	\$2,514,299	\$3,690,399
Sources	\$7,830,694	\$7,446,941	\$6,727,404		\$9,235,980		\$8,923,413	\$10,247,016	\$12,449,315	\$14,579,420	\$15,920,533
Uses	\$5,101,647	\$4,149,005	\$3,422,453		\$4,763,285		\$3,382,831	\$3,521,865	\$3,666,614	\$3,813,964	\$3,970,717

^Other small project requests assumption of \$150K for FY22 increasing annually at 4%.

^^ CPC administrative budget assumed level dollar \$82,000

^^^Annual contribution FY22 forward; assumed at 11% of the revenue estimate or the difference between the 11% and the appropriations which satisfies the annual obligation.

^^^^ Needham Housing Authority previously indicated a need of approximately \$2,000,000 over a five year period.

^5 No parcel acquisition has been identified.

Project request is not a Tier 1 recommendation.

* Surcharge revenue growth rate assumption for FY22 forward is 4.11% annually.

% State match assumes 99% of prior year billed assessments are collected.

** Available balance as of 09/14/20; the balances going forward are calculated based on the assumed appropriations to and from the reserves.

***An appropriation vote which uses CPA Free Cash must occur before June 30 of the prior fiscal year. For example, a FY22 appropriation vote must occur prior to June 30, 2021.

Sources C = Community Housing Reserve; F = CPA Free Cash; GR = General Reserve; H = Historic Reserve; O = Open Space Reserve; R = Receipts

CPA Debt Service Scenario							
Estimated Maximum Annual Debt Service Allowance/Obligations							
Fiscal Year	Surcharge Revenue Estimate	Debt Service Allowance (70% of Surcharge)	Town Hall Actual	Rosemary Actual	Current D.S. Obligation	Unused Allowance	Emery Grover**
2020	\$2,646,000	\$1,852,200	\$430,525	\$754,080	\$1,184,605	\$667,595	
2021	\$2,850,000	\$1,995,000	\$416,675	\$1,008,325	\$1,425,000	\$570,000	
2022	\$2,967,135	\$2,076,995	\$405,041	\$616,356	\$1,021,397	\$1,055,598	
2023	\$3,089,084	\$2,162,359	\$395,256	\$592,981	\$988,238	\$1,174,121	\$272,025
2024	\$3,216,046	\$2,251,232	\$384,906	\$574,731	\$959,638	\$1,291,594	\$260,438
2025	\$3,348,225	\$2,343,758	\$374,763	\$556,481	\$931,244	\$1,412,514	\$501,885
2026	\$3,485,837	\$2,440,086	\$364,681	\$538,231	\$902,913	\$1,537,173	\$1,469,213
2027	\$3,629,105	\$2,540,374	\$354,306	\$519,981	\$874,288	\$1,666,086	\$1,389,900
2028	\$3,778,261	\$2,644,783	\$259,997	\$496,856	\$756,853	\$1,887,930	\$1,346,850
2029	\$3,933,548	\$2,753,483	\$241,638	\$478,856	\$720,494	\$2,032,990	\$1,303,800
2030	\$4,095,217	\$2,866,652	\$51,813	\$462,856	\$514,669	\$2,351,983	\$1,260,750
2031	\$4,263,530	\$2,984,471	\$50,625	\$449,656	\$500,281	\$2,484,190	\$1,217,700
2032	\$4,438,761	\$3,107,133		\$437,256	\$437,256	\$2,669,877	\$1,174,650
2033	\$4,621,194	\$3,234,836		\$424,856	\$424,856	\$2,809,980	\$1,131,600
2034	\$4,811,125	\$3,367,788		\$413,556	\$413,556	\$2,954,231	\$1,088,550
2035	\$5,008,863	\$3,506,204		\$403,356	\$403,356	\$3,102,847	\$1,045,500
2036	\$5,214,727	\$3,650,309		\$393,056	\$393,056	\$3,257,252	\$1,002,450
2037	\$5,429,052	\$3,800,336		\$382,531	\$382,531	\$3,417,805	\$959,400
2038	\$5,652,186	\$3,956,530		\$366,853	\$366,853	\$3,589,677	\$916,350
2039	\$5,884,491	\$4,119,144		\$203,250	\$203,250	\$3,915,894	\$873,300
2040	\$6,126,343	\$4,288,440				\$4,288,440	\$830,250
2041	\$6,378,136	\$4,464,695				\$4,464,695	\$787,200
2042	\$6,640,278	\$4,648,194				\$4,648,194	\$744,150
2043	\$6,913,193	\$4,839,235				\$4,839,235	\$701,100
2044	\$7,197,325	\$5,038,128				\$5,038,128	\$658,050
2045	\$7,493,135	\$5,245,195				\$5,245,195	

Emery Grover CPA Debt Service Scenario

Project Name **Emery Grover (Assumes Option 3 from the June 25, 2020 Report)**
 CPA Share \$12,600,000
 Temporary Financing Rate* 3.50%
 Permanent Financing Rate 7.00%

Fiscal Year	Principal Payments	Interest Payments	Debt Service
2023*	\$240,000	\$32,025	\$272,025
2024*	\$225,000	\$35,438	\$260,438
2025^	\$225,000	\$276,885	\$501,885
2026	\$840,000	\$629,213	\$1,469,213
2027	\$615,000	\$774,900	\$1,389,900
2028	\$615,000	\$731,850	\$1,346,850
2029	\$615,000	\$688,800	\$1,303,800
2030	\$615,000	\$645,750	\$1,260,750
2031	\$615,000	\$602,700	\$1,217,700
2032	\$615,000	\$559,650	\$1,174,650
2033	\$615,000	\$516,600	\$1,131,600
2034	\$615,000	\$473,550	\$1,088,550
2035	\$615,000	\$430,500	\$1,045,500
2036	\$615,000	\$387,450	\$1,002,450
2037	\$615,000	\$344,400	\$959,400
2038	\$615,000	\$301,350	\$916,350
2039	\$615,000	\$258,300	\$873,300
2040	\$615,000	\$215,250	\$830,250
2041	\$615,000	\$172,200	\$787,200
2042	\$615,000	\$129,150	\$744,150
2043	\$615,000	\$86,100	\$701,100
2044	\$615,000	\$43,050	\$658,050
Totals	\$12,600,000	\$8,335,110	\$20,935,110



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

MEETING DATE: 9/22/2020

Agenda Item	Citizens Petition
Presenter(s)	Noah Mertz, Lead Petitioner

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	Mr. Mertz will provide the Board with a summary of the citizens petition contained in the warrant for the October 4, 2020 Special Town Meeting.
2.	VOTE REQUIRED BY SELECT BOARD
	<i>Discussion Only</i>
3.	BACK UP INFORMATION ATTACHED
	a. Special Town Meeting Warrant Provided under Separate Cover



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

MEETING DATE: 9/22/2020

Agenda Item	Needham Unite Against Racism Initiative Update
Presenter(s)	Kate Fitzpatrick, Town Manager Katie King, Assistant Town Manager/Director of Operations

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager and Assistant Town Manager/Operations will update the Board on the status of the Initiative.	
2.	VOTE REQUIRED BY SELECT BOARD
None	
3.	BACK UP INFORMATION ATTACHED
None	



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

MEETING DATE: 9/22/2020

Agenda Item	Positions on Warrant Articles
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>The Board will review articles on the October 4, 2020 Special Town Meeting Warrant.</p>	
2.	VOTE REQUIRED BY SELECT BOARD
<p><i>Suggested Motion:</i> That the Board vote to support (not to support) article _____ in the Special Town Meeting Warrant.</p>	
3.	BACK UP INFORMATION ATTACHED
<p>a. Special Town Meeting Warrant b. Status of Articles as of 9.16.2020</p>	

TOWN OF NEEDHAM



SPECIAL TOWN MEETING WARRANT

SUNDAY, OCTOBER 4, 2020

RAIN DATE OCTOBER 11, 2020

1:00 P.M.

MEMORIAL PARK PARKING LOT

92 ROSEMARY STREET

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

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

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

In the name of the Commonwealth of Massachusetts, you are hereby required to notify the qualified Town Meeting Members of the Town of Needham to meet at the Memorial Park Parking Lot on:

SUNDAY, THE FOURTH DAY OF OCTOBER 2020

At 1:00 in the afternoon, then and there to act upon the following articles:

FINANCE ARTICLES

ARTICLE 1: AMEND THE FY2021 OPERATING BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2021 Operating Budget adopted under Article 14 of the 2020 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating the new amounts as follows:

Table with 4 columns: Line Item, Appropriation, Changing From, Changing To. Row 1: 9, Reserve Fund, \$2,077,091, TBD

or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: It is anticipated that the Finance Committee's recommendation will be posted on the Town's website prior to the start of Town Meeting.

Article Information: The purpose of this article is to provide a possible funding source for extraordinary COVID-19 expenses identified under Article 3 of this warrant.

ARTICLE 2: APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for the purpose of funding the Needham Property Tax Assistance Program, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Overlay Surplus; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Property Tax Assistance Program provides assistance to elderly and disabled taxpayers in need. This appropriation complements donations by private parties to the “Voluntary Tax Relief Program” authorized by statute. The Select Board’s recent practice has been to seek an annual appropriation for the Property Tax Assistance Program that is at least equal to the amount of private contributions to the voluntary program during the preceding fiscal year. The voluntary fund received \$16,945 in fiscal year 2020.

ARTICLE 3: APPROPRIATE FOR COVID-19 EXPENSES

To see if the Town will vote to raise and/or transfer and appropriate a sum for the purpose of funding COVID-19 related expenses, to be spent under the direction of the Town Manager, and to meet this appropriation that a sum be raised from the tax levy, a sum be transferred from Overlay Surplus; and a sum to be transferred from an available source; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: It is anticipated that the Finance Committee's recommendation will be posted on the Town's website prior to the start of Town Meeting.

Article Information: This article will fund extraordinary expenses related to the COVID-19 pandemic, including those needed to open the Needham Public Schools for both in-person learning and remote instruction. Costs include enhanced cleaning, HVAC maintenance and upgrades, PPE, teaching staff, public health support, and other mitigation costs.

ARTICLE 4: APPROPRIATE FOR BILLING AND COLLECTION SOFTWARE

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,075,000 for the purpose of funding the development, design, acquisition, installation and implementation of new municipal billing and collection applications, network, hardware, and related technology, and the decommissioning and phase out of the Town’s existing enterprise billing and collection applications, including prior accounting and financial reporting applications, and other related expenses to be spent under the direction of the Town Manager, and to meet this appropriation that \$56,000, be raised from the tax levy, \$193,500 be raised from Water Enterprise Fund receipts, and that \$800,000 be transferred from Overlay Surplus, and \$25,500 be transferred from Article 8 of the October 5, 2016 Special Town Meeting; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This warrant article will fund the acquisition and implementation of new billing software for the Town’s major receivables (motor vehicle and trailer excise, property tax, and utilities) and for miscellaneous billing and over-the-counter transactions. The project also includes decommissioning the current system, which necessitates the exporting, printing, and archiving of the various financial records maintained in the system that will be retired. The project is anticipated to take 30 to 36 months to complete.

The current software is used by the Collector Treasurer to process, record, report, and reconcile all revenue collections daily. The Town bills and collects motor vehicle excise tax, real, and personal property taxes with the system. The software is also used to bill water and sewer consumption and services, service details, commercial disposal, out-of-district tuition, and numerous Town and School departmental receipts. The

system maintains all taxpayer accounts (current and historical) related to all billing and collections. The system is used to provide legal data to homebuyers and sellers relative to municipal charges and payment history.

The current billing applications were written in a language that is not well-supported. The software is operated using IBM System I AS/400 hardware, technology the Town has relied upon for 30 years but that is now outdated. The application provider may no longer support the tax billing software with patches and enhancements, and the system has limited functionality and compatibility with other more modern systems in use in the Town.

ARTICLE 5: APPROPRIATE TRANSPORTATION IMPROVEMENT FEES

To see if the Town will vote to appropriate funds from the Commonwealth Transportation Infrastructure Fund in the amount of \$21,390 for the purpose of supporting transportation infrastructure improvements, said sum to be spent under the direction of the Town Manager; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Chapter 187 of the Acts of 2016 established a Commonwealth Transportation Infrastructure Fund. Each Transportation Network Company (such as Uber and Lyft) is assessed \$0.20 per ride to fund transportation improvements. One-half of the amount received from the Fund is to be distributed proportionately to each city and town based on the number of rides that originated in that city or town. The distributed funds must be used to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the city or town. Funding for transportation improvements in FY2021 will be allocated to pedestrian and bicycle safety initiatives, unless circumstances require otherwise.

ZONING ARTICLES

ARTICLE 6: AMEND ZONING BY-LAW – AVERY SQUARE OVERLAY DISTRICT

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

- (a) Amend the definition of “Independent Living Apartments” in Section 1.3, Definitions, by (i) adding the words “or Avery Square Overlay District” after the words “Elder Services Zoning District”; (ii) deleting the word “only” before the words “residential uses”; and (iii) adding to the end of the definition the sentence “; provided, however, that within the Avery Square Overlay District, as provided in Section 3.15.3.2(d), below, such Independent Living Apartments may be located in a building that also houses Assisted Living and/or Alzheimer’s/Memory Loss Facilities but need not be part of a Continuing Care Retirement Community.”, so that it reads as follows:

“A building in the Elder Services Zoning District or Avery Square Overlay District containing three or more dwelling units, which building houses residential uses and support services accessory thereto, intended primarily as independent living units for individuals aged 55 years or older, and/or families with at least one family member aged 55 years or older, within a Continuing Care Retirement Community; provided, however that within the Avery Square Overlay District, as

provided in Section 3.15.3.2(d), below, such Independent Living Apartments may be located in a building that also houses Assisted Living and/or Alzheimer's/Memory Loss Facilities, but need not be part of a Continuing Care Retirement Community.”

- (b) Amend Section 2.1 Classes of Districts by adding the following term and abbreviation under the subsection Overlay:

“ASOD-- Avery Square Overlay District”

- (c) Amend Section 3, Use Regulations, by adding a new Subsection 3.15, Avery Square Overlay District, to read as follows:

“3.15 Avery Square Overlay District

3.15.1 Purposes of District

The purposes of the Avery Square Overlay District (“ASOD”) are to promote the health, safety, and general welfare of the community by creating opportunities for housing primarily serving individuals 55 years old or older, who wish to live in independent apartments and/or who may need to live in Assisted Living and/or Alzheimer's/Memory Loss facilities, within walking distance of goods and services, public transportation, and the civic life of the town; to promote a vibrant, walkable area within the ASOD, and to encourage and allow redevelopment of the existing property within the ASOD in a manner that will further these purposes. Toward these ends, development in the Avery Square Overlay District shall, as set forth in this Section 3.15, be permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district provided that such development complies with all other requirements of this Section 3.15.

3.15.2 Scope of Authority

In the Avery Square Overlay District, all requirements of the underlying district shall remain in effect except where this Section 3.15 provides an alternative to such requirements, in which case the requirements of this Section 3.15 shall prevail. If the provisions of the Avery Square Overlay District are silent on a requirement that applies in the underlying district, the requirements of the underlying district shall apply.

By filing an application for a Special Permit, site plan review or building permit under this Section 3.15, an applicant shall be deemed to accept and agree to the provisions and requirements of this Section 3.15. If an applicant elects to proceed pursuant to zoning provisions of the underlying district, the provisions and requirements of this bylaw applicable in the underlying district shall control and the provision of the Avery Square Overlay District shall not apply.

3.15.3 Use Regulations

3.15.3.1 Permitted Uses

The following uses are permitted in the Avery Square Overlay District as a matter of right:

- (a) Uses exempt from local zoning control under M.G.L. c.40A, s. 3.
- (b) Public, semi-public and institutional uses permitted as of right in the underlying district.

- (c) Business uses permitted as of right in the underlying district.
- (d) Accessory uses permitted as of right in the underlying district.

3.15.3.2 Special Permit Uses

The following uses are allowed in the Avery Square Overlay District by Special Permit issued by the Planning Board:

- (a) All uses allowed by special permit in the Avery Square Business District as set forth in Section 3.2.2 of this Bylaw, except those uses permitted as a matter of right as set forth in Section 3.15.3.1, above.
- (b) Assisted Living and/or Alzheimer's/Memory Loss Facilities
- (c) Independent Living Apartments.
- (d) Buildings with multiple uses containing, as a primary use, such uses as are allowed by special permit or by right in the Avery Square Overlay District or the Avery Square Business District, as well as accessory uses subordinate to and customarily incidental to the primary uses.

3.15.4 Dimensional Regulations

3.15.4.1 Building Height and Related Requirements

The maximum building height (including mechanical structures such as HVAC equipment) in the Avery Square Overlay District shall be 44 feet. This height limitation shall not apply to elevator shaft overruns, which shall not exceed a maximum height of 49 feet.

A building or structure which is located on property in the Avery Square Overlay District may include, but not exceed, four (4) stories, all of which may be occupied, except in the following circumstances:

- (a) With respect to the existing building, if a different use is proposed for the building that does not include Independent Living Apartments and/or Assisted Living and/or Alzheimer's/Memory Loss Facilities as the primary use(s), then the proposed use shall be governed by the use regulations of Section 3.15.3, above, but the fourth story cannot be occupied without a special permit.
- (b) If the Special Permit described in subparagraph (a), above is not granted, the fourth story shall remain unoccupied for any use without a Special Permit, but the fourth story, and any associated mechanical equipment, does not need to be demolished.
- (c) In the event the existing building is demolished, if the primary use(s) of the successor building is not one or both of the uses described in Sections 3.15.3.2 (b) or 3.15.3.2 (c), then the successor building shall not be permitted to have a fourth story.

The ability to use and occupy the fourth story, when permitted by a Special Permit granted pursuant to Sections 3.15.3.2 (b) and/or 3.15.3.2 (c), shall continue notwithstanding (i) a shift in the number of units from the use described in Section 3.15.3.2 (b) to the use described in Section 3.15.3.2 (c),

or vice-versa; or (ii) the elimination of one of the uses described in Sections 3.15.3.2 (b) or 3.15.3.2 (c), provided such shift or elimination is allowed by such Special Permit or amendment thereto.

For the fourth story, minimum setback requirements, measured from the façade(s) of the building on which such fourth story is located, shall be as follows: from the eastern façade of the building (facing Highland Ave), fifteen (15) feet; from the northern façade of the building (closest to and facing West Street), one hundred and ten (110) feet; from the western facade of the building, zero (0) feet; from the southern facade of the building, thirty-five (35) feet. No fourth story setback from the north-facing building façade is required with respect to any portion of any building that is set back from West Street at least two hundred (200) feet.

The total floor area of any fourth floor addition to the building may not exceed thirty-five percent (35%) of the total roof area of the building. Mechanical equipment, including but not limited to HVAC equipment, whether or not enclosed, shall not be included in the calculation of maximum allowable floor area hereunder.

Buildings developed under the regulations of the Avery Square Overlay District shall not be subject to any other height limitations nor any other limitations contained in Section 4.4.3.

3.15.4.2 Building Bulk and Other Requirements

The maximum floor area ratio in the Avery Square Overlay District shall be 1.1. Property contiguous with and in common ownership with property in the Avery Square Overlay District shall be included in the lot for purposes of calculating floor area ratio. The enclosed area of a building devoted to off-street parking shall not be counted as floor area for purposes of determining the maximum floor area ratio. Buildings developed under the regulations of the Avery Square Overlay District shall not be subject to any other limitations on floor area ratio, lot coverage, or building bulk contained in Sections 4.4.2, 4.4.7 and 4.4.9.

3.15.5 Off-Street Parking

Except as provided below, the off-street parking regulations in Section 5.1 and the regulations for enclosed parking in Section 4.4.6 shall apply in the Avery Square Overlay District.

- (a) The minimum number of off-street parking spaces in Section 5.1.2 shall apply except as follows:
 - (1) For Independent Living Apartments, there shall be one space per Apartment.
 - (2) For Assisted Living units and Alzheimer's/Memory Loss units, the parking requirement shall be one space for every two beds, plus one space for each two employees on the largest shift.
- (b) Notwithstanding anything to the contrary elsewhere in this Bylaw, including but not limited to Section 4.4.8.4, in the event that land located in the Single Residence B Zoning District
 - (1) is adjacent to the Avery Square Overlay District;
 - (2) is in common ownership with adjacent land located in the Avery Square Overlay District;and

- (3) prior to approval of this Section 3.15, was improved as a parking area associated with a building located in the Avery Square Overlay District;

then, provided that said land extends into the Single Residence B Zoning District not more than one hundred (100') feet from the boundary line between the Single Residence B Zoning District and the Avery Square Business District, said land may, as a matter of right, be used as a parking area accessory to uses permitted in the Avery Square Overlay District by right or by special permit.

3.15.6 Affordable Housing

Any building with ten or more Independent Living Apartments shall include affordable housing units as defined in Section 1.3 of this By-Law, as may be modified in this Section 3.15.6. The following requirements shall apply to a development that includes ten or more Independent Living Apartments:

- (a) For a development with ten or more Independent Living Apartments, twelve and one-half percent (12.5%) of the Independent Living Apartments shall be affordable units. In the instance of a fraction, the fraction shall be rounded up to the nearest whole number. There shall be no affordable housing requirement for nursing homes, convalescent homes, Assisted Living and Alzheimer's/Memory Loss Facilities, or residential care institutions or facilities.
 - (b) If the Applicant provides at least one-half of the affordable Independent Living Apartments required herein for households with incomes at or below 50% of area median income, the remaining affordable Independent Living Apartments may be rented to households with incomes up to 100% of area median income even if the latter units are therefore not eligible for the Subsidized Housing Inventory, regardless of any requirements to the contrary set forth in Section 1.3.
 - (c) Affordable units shall be dispersed within the building and not concentrated in one area or on one floor. They shall generally be comparable in size, energy efficiency, quality, convenience, and unit-specific real estate-related amenities to the development's market-rate units. Services and other amenities that may be purchased by residents on a voluntary basis are not to be considered unit-specific real estate-related amenities and are excluded from such comparability requirements.
 - (d) The selection of eligible homebuyers or renters for the affordable units shall be in accordance with a marketing plan approved by the Needham Planning Board prior to the issuance of any building permits for the development.
 - (e) The affordable units shall be subject to an affordable housing restriction as defined in Section 1.3 of this By-Law with limitations on use, occupancy, resale prices or rents, as applicable, and which provides for periodic monitoring for compliance with the requirements of said restriction.”
- (d) Amend Section 4.4.4 Front Setback, by adding the following paragraph after the fourth paragraph of that section:

“In the Avery Square Overlay District, the front setback, if any, shall be kept open and landscaped with grass, plants, and other non-paving materials such as mulch, and shall be unpaved except for patios, walks, and driveways as defined in section 4.4.5. Walls (including walls serving in part as

retaining walls) no higher than 36 inches above the grade of the patios, as well as fencing and privacy screening, along the front and side edges of the patios, shall be allowed in the Avery Square Overlay District.”

- (e) Amend Section 4.4.6 Enclosed Parking, by adding the phrase “for each square foot” before the words “of parking space (excluding driveways and aisles)” on the fourth line of the first paragraph of that section so that it reads as follows:

“Whenever off-street parking is provided underground and/or within a building itself, the maximum area coverage of the building may be increased up to the limits of the required setback as provided herein. The lot coverage of the building may be increased up to 2 ½ % points above the maximum allowed percentage, by one square foot for each square foot of parking space (excluding driveways and aisles) that is underground and/or within the building itself.”

Parking which is under a building or partially underground shall, except for driveways, be separated from the street line by building space occupied by the principal use, not by parking.

In the Center Business District, enclosed parking shall be entirely below the grade of adjoining streets measured at their respective center lines. Access to enclosed parking shall be from the rear of the building. If provided, enclosed parking shall not be visible from the street. The placement of parking underground shall not raise the first non-parking floor of a structure above grade. Municipal parking facilities in the Center Business District shall be exempt from this provision.”

- (f) Amend Section 7.6.1 Special Permit Granting Authority, by adding the number “3.15” after the number “3.14” on the second line of that Section so that it reads as follows:

“The Planning Board shall act as a Special Permit Granting Authority only where so designated in Sections 3.4, 3.8, 3.9, 3.10, 3.14, 3.15, 4.2.10, 4.2.11, 4.2.12, 4.4.5, 4.4.9, 4.4.10, 5.1.1.6, 6.6, 6.8, and 7.4 of this Bylaw. In all other cases the Board of Appeals shall act as the Special Permit Granting Authority. Procedures and decision criteria for the Planning Board shall be the same as specified in Section 7.5.2 and Section 7.5.3 (second and fourth paragraphs) for special permits acted on by the Board of Appeals, except where alternative or supplemental criteria are specified, such as at Sections 3.4 and 6.6.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Explanation: Articles 6 and 7 are proposed Zoning By-Law amendments that are intended to facilitate the redevelopment of the currently vacant Carter Mill Building at the corner of Highland Avenue and West Street. The Carter factory and mill was established at that site beginning around 1865, and, for the next 125 years until approximately 1990, the factory and mill operated at that location. The building has become a well-known landmark in Needham.

In 1993, the building was approved for the Avery Crossing Assisted Living Facility and Avery Manor Nursing Home. In 1995, a small portion of the building was also approved for medical office use. In 2017, Avery Crossing and Avery Manor were closed, as well as the medical offices, and the building has remained vacant since that time. The proposed By-Law amendments will allow the empty Carter Mill building to be renovated to create a senior housing community (155 units are proposed), including age restricted

Independent Living apartments (72 units proposed), Assisted Living apartments (55 units proposed), and Memory Care units (28 units proposed).

Article 6 proposes to create the Avery Square Overlay District (“ASOD”) and lays out the regulatory framework for the new overlay district, while Article 7 describes its geographic boundaries. The boundaries of the ASOD match the boundaries of property on which the former Carter Mill building sits, except at the southern end of the property, where the overlay district boundary matches the boundary of the Avery Square Business District. The overlay district’s key provisions are summarized below.

Geographic Designation of the District

The ASOD is bounded on the north by West Street; on the east by Highland Avenue; on the south by the existing zoning boundary line between the Avery Square Business District and the adjacent SRB district, which runs through the existing parking area south of the existing building; and on the west by the MBTA commuter railroad right-of-way.

Purpose of the District

The purposes of the ASOD are to promote the health, safety, and general welfare of the community by creating opportunities for housing primarily serving individuals 55 years old or older, who wish to live in independent apartments and/or who may need to live in Assisted Living and/or Alzheimer’s/Memory Loss facilities, within walking distance of goods and services, public transportation, and the civic life of the Town; to promote a vibrant, walkable area within the ASOD, and to encourage and allow redevelopment of the existing property within the ASOD in a manner that will further these purposes. Toward these ends, development in the proposed Avery Square Overlay District would be permitted to exceed certain density and dimensional requirements that normally apply in the underlying Avery Square Business District, provided that such development complies with all other requirements of the proposed Warrant Article.

Definitions

The proposed Warrant Article would amend the definition of “Independent Living Apartments” in Section 1.3 of the Bylaw so that within the ASOD, Independent Living Apartments may be located in the same building that also houses Assisted Living and/or Alzheimer’s/Memory Loss Facilities, but need not be part of a Continuing Care Retirement Community.

Permitted Uses

The proposed ASOD Warrant Article lists the uses that are allowed as-of-right or by special permit. The use schedule largely mirrors that of the underlying Avery Square Business District with the following additional uses allowed by special permit: Assisted Living and/or Alzheimer’s/Memory Loss Facilities; Independent Living Apartments; and Mixed-use buildings containing, as primary uses, such uses as are allowed by special permit or by right in the Avery Square Overlay District or the Avery Square Business District, as well as accessory uses subordinate to and customarily incidental to the primary uses.

The proposed ASOD warrant Article specifies that the Planning Board will be the Special Permit Granting Authority for all such special permits.

Allowable Building Height, Number of Stories, and Occupancy

The proposed maximum allowable building height (including mechanical structures such as HVAC equipment) in the ASOD is 44 feet. This height limitation does not apply to elevator shaft overruns, which cannot exceed a maximum height of 49 feet. The building may include, but not exceed, four (4) stories, all of which may be occupied. At present, the building includes three stories, all of which were occupied while the Avery Crossing Assisted Living Facility and Avery Manor Nursing Home were in operation.

Restrictions on the 4th Story

Under the proposed ASOD Warrant Article, the total floor area of any fourth-floor addition to the existing building may not exceed thirty-five percent (35%) of the total roof area of the existing building. Mechanical equipment, including but not limited to HVAC equipment, whether or not enclosed, is not included in the calculation of maximum allowable floor area.

For the fourth story, minimum setback requirements, measured from the façade(s) of the building, are proposed as follows: from the eastern facade of the building (facing Highland Ave), fifteen (15) feet; from the northern facade of the building (closest to and facing West Street), one hundred and ten (110) feet; from the western facade of the building, zero (0) feet; from the southern facade of the building, thirty-five (35) feet. No fourth story setback from the north-facing building façade would be required with respect to any portion of any building that is set back from West Street at least two hundred (200) feet.

The minimum setbacks and limit on the percentage of the existing footprint of the building that can be used for a fourth story will reduce the visual impact of the fourth story.

If the primary use of the existing building ceases to be Independent Living Apartments and/or Assisting Living and or Alzheimer's/Memory Care Facilities, then the 4th story cannot continue to be occupied unless a special permit is granted allowing such continued occupancy, but the 4th story need not be demolished, and if the existing building is demolished and the primary use(s) are not Independent Living Apartments and/or Assisting Living and or Alzheimer's/Memory Care Facilities then the new building cannot have a 4th story.

Building Bulk and Other Requirements

The proposed maximum floor area ratio ("FAR") in the ASOD is 1.1. The property at the southern end of the parcel, in the adjacent SRB district, that is contiguous with and in common ownership with property in the Avery Square Overlay District, will be included in the lot for purposes of calculating FAR. In the proposed overlay district, the FAR calculation excludes garage parking within the building.

Off-Street Parking

The minimum number of off-street parking spaces specified in Section 5.1.2 of the By-Law will apply except that for Independent Living Apartments, there will be one parking space per apartment; and for Assisted Living units and Alzheimer's/Memory Loss units, the requirement will be one parking space for every two beds, plus one parking space for every two employees on the largest shift.

At present, there is a portion of the southern parking area that extends into the SRB district adjacent to the boundary of the ASOD (and underlying ASB District). Parking in this area will be continued and will be allowed as-of-right, provided that the parking area does not extend any further into the SRB district than is presently the case.

Affordable Housing

In the proposed ASOD Warrant Article, twelve and one-half percent (12.5%) of the Independent Living Apartments must be affordable units. Fractions are rounded up to the nearest whole number. There is no affordable housing requirement for Assisted Living and Alzheimer's/Memory Loss Facilities. Affordable units will be dispersed within the building and not concentrated in one area or on one floor. They will generally be comparable in size, energy efficiency, quality, convenience, and unit-specific real estate-related amenities to the building's market-rate units. The selection of eligible homebuyers or renters for the affordable units will be in accordance with a marketing plan approved by the Needham Planning Board prior to the issuance of any building permits for the building. The affordable units will also be subject to an affordable housing restriction as defined in Section 1.3 of the Town By-Laws.

Other Proposed Changes to the By-Law

In order to facilitate the proposed renovation of the building, the proposed Warrant Article would amend the definition of "Front Setback" elsewhere in the By-Law to allow ground-level patios (of less than 100 square feet each), and walls no higher than 36 inches around those patios, serving some of the ground-floor units that will face Highland Avenue.

The proposed Warrant Article also would make a small change to the By-Law Section 4.4.6, Enclosed Parking, to correct a wording error, but not change its meaning and effect.

ARTICLE 7: AMEND ZONING BY-LAW – MAP CHANGE TO AVERY SQUARE OVERLAY DISTRICT

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

- (a) Place in the Avery Square Overlay District all that land described as follows, and superimposing that District over the existing Avery Square Business District:

Beginning at the point of intersection of the westerly sideline of Highland Avenue and the northerly sideline of what was formerly known as Hildreth Place (said former Hildreth Place as shown on Needham Town Assessors Map 63); thence running northerly by the westerly sideline of Highland Avenue to the point of curvature of a curve having a radius of 20 feet and an arc length of 29.27 feet; said curve being a property rounding of the intersection of the westerly sideline of Highland Avenue and the southerly sideline of West Street; thence running northerly, northwesterly, and westerly by said curve to the point of tangency of said curve located on the southerly sideline of West Street; thence running westerly by the southerly sideline of West Street to the point of intersection of the southerly sideline of West Street and the easterly right of way line of MBTA property; thence running southerly by said easterly right of way line of MBTA property to the intersection of the easterly right of way line of MBTA property and the northerly sideline of what was formerly known as Hildreth Place; thence running easterly by the northern boundary of what was formerly known as Hildreth Place, to the point of beginning.

The land is also shown on Needham Town Assessors Map 63, Parcel 37, but excluding any land to the south of the northerly sideline of what was formerly known as Hildreth Place.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Explanation: This article describes the geographical boundaries of the new Avery Square Overlay District, which is bounded on the north by West Street; on the east by Highland Avenue; on the south by the northern and western boundaries of the property located at 1049 Highland Avenue and the northern boundary of the property located at 95 Dana Place; and on the west by the MBTA commuter railroad right-of-way.

CAPITAL ARTICLES

ARTICLE 8: APPROPRIATE FOR WALKER LANE SEWER

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$270,000 for the purpose of constructing an extension of the sewer main in Walker Lane, to be spent under the direction of the Town Manager, and to meet this appropriation that \$170,000 be raised from Sewer Enterprise Fund receipts, and that \$9,000 be transferred from Article 15 of the November 2011 Special Town Meeting, \$36,000 be transferred from Article 9 of the May 2013 Special Town Meeting, \$12,000 be transferred from Article 44 of the May 2015 Annual Town Meeting, and that \$43,000 be transferred from Article 45 of the May 2015 Annual Town Meeting; to provide that two-thirds of the whole cost of the improvement shall be borne by the Town and one-third of whole cost shall be borne by the properties benefitted thereby; to authorize the assessment of betterments on the properties benefitted by the improvement in accordance with the provisions of Massachusetts General Laws Chapters 80 and 83, using the fixed uniform rate method at a rate of up to \$60 per linear foot of frontage and \$0.95 per square foot of accessible area within 100 feet of the street; and to authorize the Select Board to acquire by purchase, gift, or eminent domain or otherwise, easements for utility purposes to permit the installation, maintenance and repair of municipal sewer line in Walker Lane; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This project involves the extension of an existing sewer main in Walker Lane to service up to five houses abutting Walker Pond. Septic systems servicing the homes, which are approximately 50 feet from the pond, are affecting the quality of the waterbody and causing excessive aquatic vegetative overgrowth. The impairment is limiting the recreational use of Walker Pond. The pond is owned jointly by the Town and the abutters. The article would fund the effort to improve the water quality by reducing the amount of nutrient laden groundwater entering the pond. The cost of the project will be borne by the town (2/3) and the abutters (1/3) in accordance with the Town Charter.

ARTICLE 9: RESCIND DEBT AUTHORIZATION

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

<u>Project</u>	<u>Town Meeting</u>	<u>Article</u>	<u>Authorized</u>	<u>Rescind</u>
Hillside School Construction (Sunita L. Williams Elementary School)	2016 October STM	2	\$57,542,500	\$9,000,000
Total				\$9,000,000

or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: It is anticipated that the Finance Committee's recommendation will be posted on the Town's website prior to the start of Town Meeting.

Article Information: When a project is financed by borrowing, the project has been completed, and the bills have been paid, the balance of the authorization that was not borrowed and not reserved for other project obligations may be rescinded. A Town Meeting vote to rescind prevents the Town from borrowing the amount rescinded and frees up borrowing capacity. In some cases, the full appropriation for a project is not required, due to changes in scope, cost saving measures, or favorable bids. The rescission for the Sunita Williams School does not represent the total open balance. At the time of the printing of this warrant, the final audit by the Massachusetts School Building Authority was not yet complete. There may be an additional portion of the borrowing authorization that will be needed to cover expenses which are determined by the State to be the Town's obligation.

COMMUNITY PRESERVATION ARTICLES

ARTICLE 10: APPROPRIATE FOR EMERGENCY RENTAL ASSISTANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$120,000 for an emergency rental assistance program, to be spent under the direction of the Town Manager, and to meet this appropriation that said \$100,000 be transferred from the Community Housing Reserve and that \$20,000 be raised from Community Preservation Fund receipts; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: It is anticipated that the Finance Committee's recommendation will be posted on the Town's website prior to the start of Town Meeting.

Article Information: The Needham Affordable Housing Trust is proposing to establish a short-term emergency rental assistance program for qualifying Needham renter households who have suffered a reduction in income due to the pandemic. Participation guidelines would restrict eligibility to households with incomes at or below 80% of area median income (AMI), with a preference given for those at or below 50% AMI. Applicants must provide documentation of income reductions due to Covid-19. The program will cover 50% of a household's monthly rent with a maximum monthly assistance of \$1,500 for three months of payments. The Program would be administered by a non-profit housing organization responsible for accepting applications, determining eligibility, selecting beneficiaries, entering into agreements with participants and landlords, disbursing checks to landlords, and providing regular reporting on progress.

ARTICLE 11: APPROPRIATE FOR FIRST BAPTIST CHURCH PRESERVATION & RESTORATION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$90,200 for the First Baptist Church Preservation and Restoration, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be raised from Community Preservation Fund receipts; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: It is anticipated that the Finance Committee's recommendation will be posted on the Town's website prior to the start of Town Meeting.

Article Information: The First Baptist Church is requesting funding for the historic preservation of the street facing front porch and columns. The First Baptist Church, located at 858 Great Plain Avenue, is on the Town's historic register and has historic significance to the Town of Needham. The front porch of First Baptist Church in Needham is a prominent and identifying feature of the Great Plain Avenue streetscape. The First Baptist Church was originally located on the corner of Highland Avenue and Great Plain Avenue and was moved to the current location in 1928. The requested funds will help restore the historic capstone, steps, and landing of the front porch, the porch columns, architectural detailing around the roof line and of the porch façade, as well as a cornice piece on the east wing of the church.

ARTICLE 12: APPROPRIATE FOR FIRST PARISH CHURCH STEEPLE PRESERVATION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for First Parish Church Steeple Preservation, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be raised from Community Preservation Fund receipts; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: It is anticipated that the Finance Committee's recommendation will be posted on the Town's website prior to the start of Town Meeting.

Article Information: The First Parish Church is requesting funding for the historic preservation of the steeple. The First Parish Church, located at 23 Dedham Avenue, is on the Town's historic register and has historic significance to the Town of Needham. The steeple houses a Paul Revere Bell that still rings on special occasions. The First Parish Church hosted Needham's original Town Meeting and still hosts community events throughout the year. The requested funds would help preserve the steeple to ensure continued protection of this historic building.

ARTICLE 13: APPROPRIATE FOR NEEDHAM COMMUNITY FARM GROWING BED EXPANSION

To see if the Town will vote to raise and/or transfer and appropriate \$6,200 for Needham Community Farm Growing Bed Expansion, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: It is anticipated that the Finance Committee's recommendation will be posted on the Town's website prior to the start of Town Meeting.

Article Information: The Needham Community Farm is requesting funding to expand the growing area of the Community Farm to enhance its current growing beds. The Needham Community Farm offers community gardening classes, public volunteer opportunities, and community activities, and supplies fresh produce to the Needham Food Pantry and Needham Housing Authority sites. The requested funding would result in an increase of approximately 20% in growing area.

ARTICLE 14: CLAXTON FIELD LIGHTS & SKIN DIAMOND RENOVATION – DESIGN

To see if the Town will vote to raise and/or transfer and appropriate \$101,500 for Claxton Field Lights and skin diamond renovation design, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be raised from Community Preservation Fund receipts; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: It is anticipated that the Finance Committee's recommendation will be posted on the Town's website prior to the start of Town Meeting.

Article Information: This article will fund the design of two key improvements to Claxton Field. The current fields were constructed on a closed landfill that is not properly graded due to site conditions, settling of materials, and age. The project will include design of the skin diamond, involving removal of the existing skins, evaluation of soil conditions, and amendments and grade improvements as necessary to prevent future puddling after heavy rains and to reduce field closures. The second element of this design project will include an evaluation of the lighting needs of the field, upgrading the field lighting system, and inclusion of more energy efficient lights.

ARTICLE 15: DEFAZIO TRACK SYNTHETIC TRACK RESURFACING

To see if the Town will vote to raise and/or transfer and appropriate \$160,000 for the resurfacing of the synthetic track at DeFazio Field Complex, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be raised from Community Preservation Fund receipts; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: It is anticipated that the Finance Committee's recommendation will be posted on the Town's website prior to the start of Town Meeting.

Article Information: This article will fund the replacement of the surfacing of the track at the DeFazio Field Complex. The track is subject to delamination (separation into layers) due to its age. The resurfacing project is intended to extend the life of this track by approximately 10 additional years, thereby delaying a full replacement.

ARTICLE 16: APPROPRIATE TO COMMUNITY PRESERVATION FUND

To see if the Town will vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate a sum pursuant to Massachusetts General Law Chapter 44B from the estimated FY2021 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

Appropriations:

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

Reserves:

B. Community Preservation Fund Annual Reserve \$ 817,977

C. Community Housing Reserve \$364,788

D. Historic Resources Reserve	\$0
E. Open Space Reserve	\$364,788

or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: It is anticipated that the Finance Committee's recommendation will be posted on the Town's website prior to the start of Town Meeting.

Article Information: Town Meeting and voters approved the Community Preservation Act in 2004. The Fund receives monies through a 2.0% surcharge on local real estate property tax bills with certain exemptions. Adoption of the Act makes the Town eligible to receive additional monies on an annual basis from the Massachusetts Community Preservation Fund. Any expenditure from the Community Preservation Fund must be both recommended by the Community Preservation Committee (CPC) and approved by Town Meeting. The law requires that at least 10% of the revenue be appropriated or reserved for future appropriation for each of the following purposes: community housing, historic preservation and open space. The Town traditionally sets aside 11% to account for any changes to the revenue estimate or State match that may occur during the year. Up to 5% of the annual revenue estimate may be utilized for the administrative and operational expenses of the Community Preservation Committee. At the end of the fiscal year, unspent administrative funds return to the CPA Annual Reserve.

CITIZENS PETITIONS AND GENERAL ARTICLES

ARTICLE 17: RESOLUTION TO REQUEST A STUDY OF SYSTEMIC RACISM IN NEEDHAM

To see if the Town will adopt the following resolution, or take any other action relative thereto.

RESOLUTION TO REQUEST A STUDY OF THE EFFECTS OF SYSTEMIC RACISM IN NEEDHAM, PARTICULARLY IN REGARD TO THE CORE ISSUES OF RACIAL PROFILING, PUBLIC SAFETY, AND HOUSING, WITH AN UPDATE ON PROGRESS MADE TOWARD COMPLETION OF THE STUDY TO BE PROVIDED PRIOR TO THE 2021 ANNUAL TOWN MEETING INCLUDING, IF WARRANTED, RECOMMENDATIONS OF ACTIONS TO BE TAKEN BY THE TOWN OF NEEDHAM TO ADDRESS THESE CONCERNS, INCLUDING BUT NOT LIMITED TO, THE POSSIBLE APPROPRIATION OF FUNDS AT A FUTURE TOWN MEETING AND ADDITIONAL RESULTS AND RECOMMENDATIONS TO BE COMPILED AND PROVIDED IN A TIMELY FASHION TO FUTURE TOWN MEETINGS.

WHEREAS, since the murder of George Floyd there have been demonstrations and other public activity in the Town of Needham in support of police reform and in support of the victims of police violence, leading to the initiation of the town's Unite Against Racism Initiative;

WHEREAS, Town Meeting believes incidents of racism have occurred and continue to occur in Needham;

WHEREAS, the Town of Needham should thoughtfully consider the testimony of those who have been affected by racism;

WHEREAS, Town Meeting wishes to study actions that may be taken to improve the life experience of Black, Indigenous, and all People of Color (BIPOC) in Needham;

WHEREAS, Town Meeting understands law enforcement has historically been directly or indirectly tied to the perpetuation of discrimination and systemic racism;

WHEREAS, reimagining public safety has become a focus for our surrounding communities;

WHEREAS, the oversight of Needham Police, including but not limited to policies and practices concerning the use of force, hiring, firing and arbitration and discipline, as well as activity tracking, performance measurement, and ease of accessing information may require revision and clarification;

WHEREAS, alternative and more effective and appropriate approaches to the current police use of force policy are available;

WHEREAS, qualified immunity provides public safety officers nationally with such broad protections that they are rarely punished for unconscionable and apparently illegal actions;

WHEREAS, the Equal Justice Placard Program has been adopted by businesses throughout Needham and is affixed in the Town Hall;

WHEREAS, Needham housing and zoning policies have historically been directly or indirectly tied to perpetuation of discrimination and systemic racism;

BE IT RESOLVED THAT town officials and staff, perhaps through a new Citizens Committee, a newly-empowered Human Rights Committee, or a new working group, to be determined in whole or in part by the Select Board of the Town of Needham, Massachusetts, conduct a review of the effects of systemic racism in Needham and, if warranted, present to the 2021 Annual Town Meeting and subsequent Annual and Special Town Meetings specific warrant articles aimed at improvement. The review shall include evaluation of:

- Racism experienced by people in Needham;
- Discussions with the Town Committee Chairs to understand the role of racism within their areas of responsibility;
- Police oversight and accountability, including but not limited to qualified immunity, use of force policies, training (de-escalation, crisis intervention, legal education, diversity/inclusion), hiring and firing, arbitration and discipline, activity tracking, performance measurement, and ease of publicly accessing information;
- Evaluation of alternative police policies such as those offered by Campaign Zero;
- Racial profiling in public spaces;
- Expansion of the Equal Justice Placard Program through all Needham Town buildings; and
- Housing and zoning policies.

INSERTED BY: Select Board at the Request of Noah Mertz, et al

FINANCE COMMITTEE RECOMMENDS THAT: It is anticipated that the Finance Committee's recommendation will be posted on the Town's website prior to the start of Town Meeting.

Article Information: This article is inserted by the Select Board at the request of the petitioners who submitted revised text after the submission of their original petition. This non-binding resolution would request that the Select Board conduct a review of the effects of systemic racism in Needham and provides

certain findings and direction regarding that review. Racial equity is a priority for the Town, brought even more into focus by events this year. Town agencies, volunteer boards, and departments are active in this work, and the Select Board has established a Needham Unite Against Racism Initiative (NUARI). The NUARI effort includes a working group to help articulate a vision for racial equity in Needham, evaluate information and suggestions received in this process, develop guiding principles that will inform future action, and make recommendations to the Select Board.

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

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

Given into our hands at Needham aforesaid this 8th day of September 2020.

Maurice P. Handel, Chair
Matthew D. Borrelli, Vice Chair
Marianne B. Cooley, Clerk
Daniel P. Matthews, Member
John A. Bulian, Member

Select Board of Needham

A TRUE COPY

Attest:

Constable:

Status of Articles 9.16.2020

#	Article	Status	SB Position	FC Position	SB	FC	CPC	Planning
1	Amend the FY2021 Operating Budget	Amend		Anticipated to be posted prior to Town Meeting	Moe	Carol		
2	Appropriate for Needham Property Tax Assistance Program		Adopt	Adopt	Dan	Rick		
3	Appropriate for Covid-19 Expenses	Amend		Anticipated to be posted prior to Town Meeting	Matt	Dick		
4	Appropriate for Billing and Collection Software		Adopt	Adopt	Matt	Josh		
5	Appropriate Transportation Improvement Fees		Adopt	Adopt	John	Garrett		
6	Amend Zoning By-Law – Avery Square Overlay District		Adopt	Adopt	Moe	Carol		Adam
7	Amend Zoning By-Law – Map Change to Avery Square Overlay District		Adopt	Adopt	Moe	Carol		Adam
8	Appropriate for Walker Lane Sewer		Adopt	Adopt	Marianne	Barry		
9	Rescind Debt Authorization		Adopt	Anticipated to be posted prior to Town Meeting	Moe	John		
10	Appropriate for Emergency Rental Assistance Program			Anticipated to be posted prior to Town Meeting	Dan	Tom	Rick Z.	
11	Appropriate for First Baptist Church Preservation & Restoration			Anticipated to be posted prior to Town Meeting	Moe	Tom	Bob D.	

Status of Articles 9.16.2020

12	Appropriate for First Parish Church Steeple Preservation			Anticipated to be posted prior to Town Meeting	Moe	Tom	Joe B.	
13	Appropriate for Needham Community Farm Growing Bed Expansion			Anticipated to be posted prior to Town Meeting	John	Tom	Chris G.	
14	Appropriate for Claxton Field Lights and Skin Renovation Design			Anticipated to be posted prior to Town Meeting	Matt	Barry	Artie	
15	Appropriate for Resurfacing the Synthetic Track at DeFazio Complex	Withdraw		Anticipated to be posted prior to Town Meeting	Mat	Barry		
16	Appropriate to Community Preservation Fund			Anticipated to be posted prior to Town Meeting	Moe	Tom	Peter	
17	Citizen's Petition			Anticipated to be posted prior to Town Meeting	Marianne	Louise		



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

MEETING DATE: 09/22/2020

Agenda Item	Extend Authorization for Local Outdoor Dining Alcoholic Licensing Approval & Fee Waiver
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>On September 10, 2020 Governor Baker issued Covid 19 Order 50 – Order Making Certain Phase III Adjustments. Included in this order is an extension of outdoor dining provisions, allowing the Local Licensing Authority to permit outdoor dining with alcohol for a period past November 1, 2020. On June 9, 2020 the Board authorized the Town Manager to grant all local approvals necessary to allow existing local businesses to utilize outdoor dining with alcohol until November 1st. With the signing of Covid 19 Order 50, the Town Manager would need authorization to permit outdoor dining with alcohol through December 1st.</p> <p>The cooler weather will necessitate the use of heaters in the outdoor dining spaces, and it is requested that the Board waive the fees associated with the permitting of outside heaters.</p>	
2.	VOTE REQUIRED BY SELECT BOARD
<p><i>Suggested Motion:</i> That the Board vote to extend the date authorizing the Town Manager to grant local outside dining with alcohol to December 1, 2020 and vote to waive the fees associated with the permitting of outside heaters.</p>	
3.	BACK UP INFORMATION ATTACHED
<p>(a) Governor Baker Covid 19 Order 50</p>	



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

ORDER MAKING CERTAIN PHASE III ADJUSTMENTS

COVID-19 Order No. 50

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”);

WHEREAS, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

WHEREAS, the Federal Centers for Disease Control and Prevention (“CDC”) have advised that COVID-19 is spread mainly by person-to-person contact and that the best means of slowing the spread of the virus is through practicing social distancing and by minimizing personal contact with large groups and with environments where this potentially deadly virus may be transmitted including, in particular, spaces that present enhanced risks because of the large number of persons present or passing through the area who may spread the virus through respiratory activity or surface contacts;

WHEREAS, on March 23, 2020, in order to restrict all non-essential person-to-person contact, non-essential movement outside the home, and reduce opportunities for spreading the COVID-19 virus within the Commonwealth, I issued COVID-19 Order No. 13, which temporarily closed the brick-and-mortar premises of businesses and organizations that do not provide COVID-19 Essential Services;

WHEREAS, in response to gradual improvements in the public health data, on May 18, 2020, June 6, 2020, and July 2, 2020, I issued COVID-19 Orders No. 33, 37, and 43, respectively, which designated certain businesses and other organizations as Phase I, II, III, or IV

enterprises and initiated a progressive, phased plan for re-opening workplaces and other facilities across the Commonwealth;

WHEREAS, the Commonwealth has maintained a continuing trend of improvement in public health data during the phased re-opening of workplaces and other facilities, which permits continuing, gradual relaxation of restrictions on businesses and other organizations, provided that any adjustment can only be maintained or expanded on the basis of continuing improvements in the public health data;

WHEREAS, expanded opportunities for outdoor dining, as approved by local authorities, have provided valuable support to restaurants and a popular amenity to the public that should be permitted to continue during the state of emergency without interruption or undue complication;

WHEREAS, the CDC, the Department of Public Health, and other public health authorities continue to improve their understanding of how COVID-19 is spread, where the risk of spread is greatest, and how best to mitigate the risk of transmission which permits periodic adjustments to safety measures addressing commercial, recreational, and social activities; and

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting a state of emergency, including but not limited to authority over assemblages in order to protect the health and safety of persons, variance of the terms and conditions of licenses, permits, and certificates of registration issued by the Commonwealth or by any of its agencies or political subdivisions, and regulation of the sale of articles of food and household articles;

NOW, THEREFORE, I hereby Order the following:

1. Extension of Outdoor Dining Provisions

Notwithstanding chapter 40A of the general laws, or any special permit, variance or other approval thereunder, or any other general or special law to the contrary, a city or town may approve requests for expansion of outdoor table service or extensions of earlier granted approvals, including a local licensing authority (“LLA”) approving a request for a change in the description of licensed premises for the purpose of permitting outdoor alcohol service, until a date beyond November 1, 2020, as specified in this Section. For the purposes of this Order, “outdoor table service” shall mean restaurant service that includes food prepared on-site and under food permits issued by municipal authorities pursuant to 105 CMR 590.00 that is served to seated diners outside the restaurant building envelope, whether on a sidewalk, patio, deck, lawn, parking area, or other outdoor space.

Before approving any request made under this Order or extending a prior approval issued pursuant to Section 4 of COVID-19 Order No. 35, a city, town, or LLA may modify the scope of any prior approval issued pursuant to Section 4 of COVID-19 Order No. 35 as the city, town, or LLA deems proper and appropriate including, without limitation, modifying the terms of an earlier granted approval to address potential issues with snow removal, pedestrian traffic, or similar concerns.

The provisions of Section 4 of COVID-19 Order No. 35 shall apply to any request for an extension of an earlier granted approval or an expansion of outdoor table service or for approval of a change in the description of the licensed premises for the purpose of permitting outdoor alcohol service made pursuant to this Section except that (i) the definition of outdoor table service adopted in paragraph 1 of this Section shall apply; and (ii) such approvals may extend until the date specified below.

Any approval issued under this Section shall remain in effect until 60 days past the end of the state of emergency or such earlier date the city or town establishes in granting the approval, whichever is sooner, at which time any approval issued under this Section, including any amended license issued by an LLA as a result of this Order, shall automatically revert back to its status prior to any approval issued under either this Section or Section 4 of COVID-19 Order No. 35.

Any approval issued under Section 4 of COVID-19 Order No. 35 for expanded outdoor table service, including any amended license issued by an LLA changing the description of the licensed premises for the purpose of permitting outdoor alcohol service as a result of COVID-19 Order No. 35 shall remain in effect until November 1, 2020, unless the city or town approves a request to extend such approval pursuant to this Order or otherwise deems such approval automatically extended consistent with all other provisions of this Order.

2. Opening of Indoor and Outdoor Gaming Arcades

Effective at 12:01 am on September 17, 2020, indoor and outdoor gaming arcades may open their brick-and-mortar premises to workers, customers, and the public, and restaurants, indoor and outdoor recreational facilities, and other enterprises with gaming devices on their premises may permit these devices to be used by patrons. Schedule A to COVID-19 Order No. 43 is hereby amended, as attached, to reflect this adjustment.

The Director of the Department of Labor Standards (“DLS”) shall issue, subject to my approval, COVID-19 workplace safety rules to address the particular circumstances and operational needs of indoor and outdoor gaming arcades and other enterprises with gaming devices on their premises that are made available for use by patrons. These rules shall serve as “Sector-Specific Rules” for such activities and facilities as that term is defined in Section 4 of COVID-19 Order No. 43.

The provisions of Sections 4 and 5 of COVID-19 Order No. 43 (and Section 4 of COVID-19 Order No. 37 as incorporated in COVID-19 Order No. 43), which set requirements for compliance with generally applicable and Sector-Specific COVID-19 safety rules and mechanisms for enforcement for all Phase III enterprises shall apply to indoor and outdoor gaming arcades and other enterprises with gaming devices on their premises that are made available for use by patrons pursuant to this Order. Any penalty issued in an enforcement action shall be administered as provided in COVID-19 Order No. 48.

This Order is effective immediately and shall remain in effect until rescinded or until the state of emergency is ended, whichever occurs first.

Given in Boston at 2:15 AM/PM this
10th day of September, two thousand and
twenty



CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts

Schedule A to COVID-19 Order No. 43
as revised by COVID-19 Order No. 50, effective September 17, 2020

	All Phase I, II, III, and IV enterprises are required to comply with general and, where applicable, sector-specific COVID-19 workplace safety rules administered by DPL, DPH, EEA, and local boards of health. Workplace safety rules include a variety of mandatory context-specific COVID-19 safety measures such as occupancy limitations, operational modifications, social distancing rules, and specialized cleaning requirements.
Phase I	<p>As specified in COVID-19 Order No. 33:</p> <ul style="list-style-type: none"> • Businesses and other organizations providing products and services identified as “COVID-19 Essential Services” in COVID-19 Order No. 13 • Manufacturing • Construction • Places of Worship • Firearms retailers and shooting ranges • General Use Offices • Car Washes • Hair Salons and Barber Shops • Pet Groomers • Drive-In Movie Theaters • Laboratories • Certain Outdoor Recreational Facilities and Activities as specified in <u>Exhibit 1</u> to COVID-19 Order No. 33
Phase II	<p>As specified in COVID-19 Order No. 37 and including specifically:</p> <ul style="list-style-type: none"> • Retail Stores including stores in enclosed shopping malls • Restaurants providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000, including beer gardens/wineries/distilleries meeting these criteria <ul style="list-style-type: none"> ○ <u>Step 1</u>: outdoor table service ○ <u>Step 2</u>: indoor table service • Hotels, motels, inns, and other short-term lodgings (no events, functions, or meetings) • Limited organized youth and adult amateur sports activities and programs—no contact and no games or scrimmages, and indoor facilities limited to youth programs • Professional sports practice and training programs--no inter-team games and no admission for the public • Personal Services provided at a fixed place of business or at a client location <ul style="list-style-type: none"> ○ <u>Step 1</u>: Services involving no close personal contact (photography, window washers, individual tutoring, home cleaning, etc.) ○ <u>Step 2</u>: Services involving close personal contact (massage, nail salons, personal training for individuals or no more than 2 persons from same household, etc.) • Non-athletic instructional classes in arts/education/life skills for youths under 18 years of age in groups of fewer than 10 • Driving schools and flight schools • Outdoor historical spaces—no functions or gatherings and no guided tours • Funeral homes—increased capacity to permit 40% occupancy for one service at a time within the facility • Warehouses and distribution centers • Golf facilities including outdoor driving ranges • Other outdoor recreational facilities <ul style="list-style-type: none"> ○ pools, playgrounds and spray decks

	<ul style="list-style-type: none"> ○ mini golf, go karts, batting cages, climbing walls, ropes courses ● Post-Secondary/Higher Ed/Vocational-Tech/Trade/Occupational Schools <ul style="list-style-type: none"> ○ for the limited purposes of permitting students to complete a degree, program, or prerequisite for employment, or other similar requirement for completion, for summer youth programming including athletic facilities, and any necessary supporting services ● Day Camps including sports and arts camps ● Public libraries
Phase III	<p><u>Step 1</u></p> <ul style="list-style-type: none"> ● Post-Secondary/Higher Ed/Vocational-Tech/Trade/Occupational Schools—general operations ● Casino gaming floors ● Horse racing tracks and simulcast facilities ● Indoor recreational and athletic facilities for general use (not limited to youth programs) ● Fitness centers and health clubs including <ul style="list-style-type: none"> ○ cardio/weight rooms/locker rooms/inside facilities ○ fitness studios (yoga, barre, cross-fit, spin classes, general fitness studios) ○ indoor common areas ○ indoor swimming pools ○ indoor racquet courts and gymnasiums ○ locker rooms ○ excluding saunas, hot-tubs, steam rooms ● Museums ● Indoor historic spaces/sites ● Aquariums ● Outdoor theatres and other outdoor performance venues not designated as Phase IV enterprises ● Movie theatres ● Sightseeing and other organized tours (bus tours, duck tours, harbor cruises, whale watching) ● Motion picture, television, and video streaming production ● Fishing and hunting tournaments and other amateur or professional derbies ● Outdoor event spaces used for gatherings and celebrations including those in parks, reservations, and other outdoor spaces not designated as Phase IV enterprises ● Indoor event spaces such as meeting rooms, ballrooms, and private party rooms--only when used for functions or events permitted under Sector-Specific Rules for Indoor and Outdoor Events ● Indoor non-athletic instructional classes in arts/education/life skills for persons 18 years or older ● Indoor recreational activities with low potential for contact: batting cages, driving ranges, go karts, bowling alleys, rock-climbing walls ● Indoor and outdoor gaming arcades and associated gaming devices [a] <p><u>Step 2</u></p> <ul style="list-style-type: none"> ● Indoor performance venues used for live performances such as concert halls, theaters, and other indoor performance spaces not designated as Phase IV enterprises ● Indoor recreational activities with greater potential for contact: laser tag, roller skating, trampolines, obstacle courses
Phase IV	<ul style="list-style-type: none"> ● Amusement parks, theme parks, indoor or outdoor water parks and indoor or outdoor ball pits [a] ● Saunas, hot-tubs, steam rooms at fitness centers, health clubs, and other facilities ● Bars, dance clubs, and nightclubs—venues offering entertainment, beverages, or

	<p>dancing and not providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000</p> <ul style="list-style-type: none">• Beer gardens/breweries/wineries/distilleries not providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000• Large capacity venues used for group or spectator sports, entertainment, business, and cultural events including<ul style="list-style-type: none">○ Stadiums, arenas, and ballparks○ Dance floors○ Exhibition and convention halls• Street festivals and parades and agricultural festivals• Road races and other large, outdoor organized amateur or professional group athletic events• Overnight camps (Summer 2021) <p>This listing is subject to amendment.</p>
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Note: Amendment from the version of Exhibit A adopted in COVID-19 Order No. 43 (July 2, 2020) designated by the marker “[a].”



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

MEETING DATE: 09/22/2020

Agenda Item	Free 2-Hour Meter Parking
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
<p>The Town Manager will recommend that the Board authorize free 2-hour meter parking until January 4, 2021. This effort will support the Shop Local/Dine Local initiative presently underway to help local restaurants and other businesses impacted by the pandemic.</p> <p>At its meeting on June 23, 2020 the Board voted to authorize free two-hour meter Parking through September 8, 2020.</p>	
2.	VOTE REQUIRED BY SELECT BOARD
<p><i>Suggested Motion: That the Board vote to allow for free 2-hour metered parking through January 4, 2021.</i></p>	
3.	BACK UP INFORMATION ATTACHED
<p>None.</p>	



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

MEETING DATE: 9/22/2020

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: 09/22/2020

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	



“Women's Suffrage Marks 100 Years: LWV Exhibit on the Common”

A Gift to the Town from the League of Women Voters of Needham

The League of Women Voters of Needham will donate a display a public art installation on the Needham Town Common to honor the people and events that had a role in the women’s suffrage movement. The intent is to draw attention to and educate residents of Needham about the 100th anniversary of women’s suffrage in the US, Massachusetts, and Needham.

The installation is designed for viewers to wander through at their own pace, view from afar, or view close up and learn more about our history. Being outdoors and spread out on the trees, the installation will be safe, enjoyable, and inspirational.

LWV-Needham has selected the dates of October 16 – 30 for public viewing of the exhibit. These dates coincide with the Early Voting period, which seems appropriate for a display honoring “Votes for Women.” The installation will in no way impede access of citizens coming to Town Hall to vote or drop off ballots in the Drop Box.

The League plans to “wrap” the Common’s seven tree trunks with fabric “sashes” to suggest the traditional sash of the suffragist, using the suffrage colors of purple, white and gold. Sashes will feature the names and events of the suffrage movement. A scannable QR code will take viewers to a website with further information about the person or event.

The sashes will make an impactful and highly visible statement, attracting attention from people about town, and inspiring them to investigate further. The original concept was created in consultation with NHS art teacher Linda Burke. Hand-lettering was done by NHS student Calligraphy Club members as part of their community service commitment. League members further developed the concept, created the sashes, chose the people and events to honor, and developed the education content and web page.

The photo below shows how the sashes would be displayed. The sashes are affixed, top and bottom, to hula hoops through fabric sleeves. These structures are attached to the trees using fishing line. No damage will come to the trees. The loose-fitting nature of the structures is intentional—to allow them to sway with the breeze. An [eight-second video](#) displays this effect. (<http://bit.ly/common-sash>)

The QR code on the purple sashes on each tree will lead viewers to the companion page on the LWV-Needham.org website (<https://lwg-needham.org/womens-suffrage-on-common/>) where viewers can read about the people and events appearing on the sashes.

As of September 10 we have prepared the materials to complete the installation on seven trees. This includes making the sashes for the trees, procuring and painting the hula hoops, writing summaries of about 20 suffragists and events, and preparing the companion web page

and QR code. Through Sandy Cincotta, we have been in touch with Eddy Olson who will provide assistance with attaching the hula hoops' fishing line to the trees.

The League of Women Voters would like to donate this art installation to the Town of Needham in honor of the 100th anniversary of the passage of the 19th amendment and the founding of the League of Women Voters.



Sashes / Website Information

Sojourner Truth
Lucy Stone
Frederick Douglass
Eliza La Croix
Josephine St. Pierre Ruffin
Alice Stone Blackwell.
Maude Wood Park
Susan Walker Fitzgerald
Blanche Ames
Florence Luscomb
Susan B. Anthony
Carrie Chapman Catt
Alice Paul and Lucy Burns
Ida B. Wells
Worcester Convention, October 1850.
Boston Suffrage Parades/Nov 2 Referendum
(1915)
Boston Protest / Charles St. Jail 1919
MA ratifies 19th Amendment June 25, 1919
Needham Suffrage
Delta Sigma Theta Sorority

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

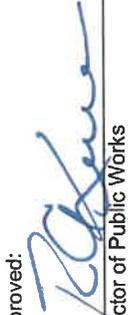
WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

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.

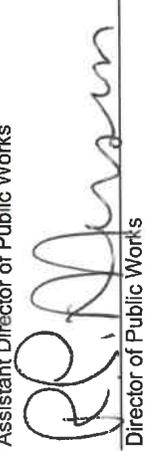
Water Sales:	-\$437.00
Water Irrigation:	\$0.00
Water Admin Fees	\$0.00
Sewer Sales:	-\$415.56
Transfer Station Charges:	\$0.00
Total Abatement:	-\$852.56

Order #: 1296

Read and Approved:

 9/17/2020

Assistant Director of Public Works

 9/18/20

Director of Public Works

For the Select Board

9/22/20

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

Prepared By:	Last Name	First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read
												Y/N
DB	HEINSOHN	INVESTMENT TRUST	27841	10430	15	Hunters Way	\$0.00	-\$346.15	-\$329.91	-\$676.06	ACC	N
DB	SUNG	KIU	33089	136	106	Valley Road	\$0.00	-\$90.85	-\$85.65	-\$176.50	ACC	N

Total: -\$852.56

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