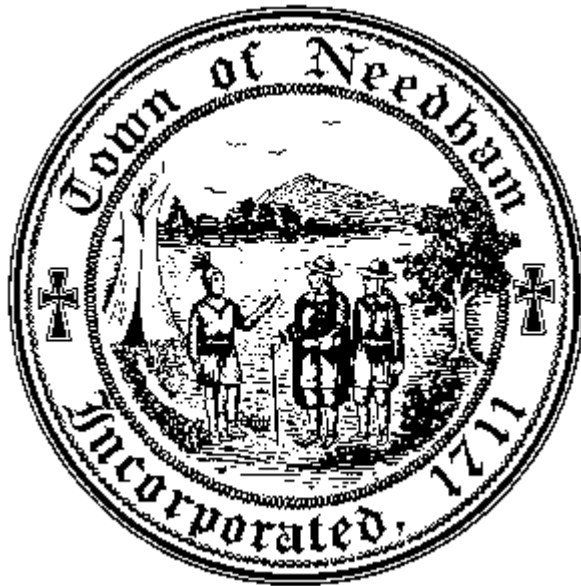


SPECIAL TOWN MEETING

WARRANT



TOWN OF NEEDHAM

MONDAY, NOVEMBER 4, 2013

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

NEEDHAM

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.

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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 and warn the inhabitants of the Town of Needham qualified to vote in elections and in Town affairs to meet at the Town Hall:

MONDAY, THE FOURTH DAY OF NOVEMBER, 2013

at seven-thirty in the afternoon, then and there to act upon the following articles, viz:

CAPITAL FACILITY ARTICLES

ARTICLE 1: **APPROPRIATE FOR MODULAR CLASSROOMS AT MITCHELL SCHOOL**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$2,729,276 for engineering, design, construction, and associated improvements for modular classrooms at the Mitchell School, to be spent under the direction of the Permanent Public Building Committee/Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Mitchell School is the oldest elementary school in Needham. Constructed in 1950, the building has undergone several additions over the past 50 years, but is in need of significant renovation and/or reconstruction to address the current overcrowded conditions, rectify building deficiencies, and modernize the learning environment. A Statement of Interest has been filed with the Massachusetts School Building Authority (MSBA) to begin a construction process at this school. However, since the Hillside School has been selected as the first priority for renovation, it could be eight or more years before a Mitchell renovation project could be completed. This article requests funds to address the immediate need for additional classroom space at the school by installing four modular classrooms on site for the 2014/2015 school year. The free standing classrooms (including toilets) would be located on the west side of the school facing Brookline Street.

ARTICLE 2: **APPROPRIATE FOR FEASIBILITY STUDY / HILLSIDE SCHOOL**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$650,000 for feasibility, design and engineering services related to the renovation and/or reconstruction of the Hillside School located at 28 Glen Gary Road and shown as Lot 01 on the Needham Assessors Map numbered 102, to be spent under the direction of the Town Manager/Permanent Public Building Committee, and to meet this appropriation that \$650,000 be transferred from Free Cash; that the Town acknowledges that the Massachusetts School Building Authority’s (“MSBA”) grant program is a non-entitlement, discretionary program based on need, as

determined by the MSBA, and any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: Constructed in 1960, the Hillside Elementary School has undergone both addition and renovation (with modular classrooms) over the past 40 years, but is in need of renovation or replacement to address building deficiencies and modernize the learning environment. The Needham Public Schools has filed a Statement of Interest with the Massachusetts School Building Authority (MSBA), which is the first step in the process of requesting state reimbursement for a construction project. This article requests funds to begin a feasibility study of the project, in the event that Needham receives an invitation from MSBA to begin the capital planning process. By appropriating these funds in November (in advance of MSBA approval), Needham could proceed immediately to feasibility upon selection, instead of waiting until the Annual Town Meeting in May to begin this process. The early start would provide additional planning time and greater flexibility within the proposed schedule that will be helpful in addressing Hillside School site issues and other complicating factors. Under the proposed schedule, a new Hillside School would open in September, 2019. Appropriation of these funds in no way guarantees that MSBA will approve the project. Additionally, these project funds would not be spent unless Needham receives an invitation from MSBA to conduct the feasibility study.

FINANCIAL ARTICLES

ARTICLE 3: AMEND THE FY2014 OPERATING BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2014 Operating Budget adopted under Article 9 of the May 2013 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From:</u>	<u>Changing To:</u>
4	Retiree Insurance & Insurance Liability Fund	\$4,727,462	\$5,035,139
6	Debt Service	\$12,108,851	\$12,197,287
10	Reserve Fund	\$1,373,243	\$1,448,243

And further, that the appropriation be partially funded by a transfer from amounts reserved for debt exclusion offsets in the amount of \$83,803, and from Free Cash in the amount of \$382,677; or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This article is to amend the Town's operating budget for FY2014. A total of \$4,633 of new revenue and \$466,480 of other available funds has been identified for appropriation under this article. The other available revenue consists of \$83,803 of debt exclusion offsets and \$382,677 of Free Cash.

The Retiree Insurance and Insurance Liability Fund under which the Town funds its other post-employment benefit liabilities (OPEB) is being increased by \$307,677 to further reduce the liability by making an

additional contribution to the fund. The proposed appropriation is equal to the amount of Free Cash that was identified for use at this Special Town Meeting for several options, such as appropriating to the capital facility fund, the capital improvement fund, and/or the OPEB fund. It was deemed prudent to direct the funds to the OPEB liability.

The \$88,436 increase to the Debt Service budget line is to appropriate monies that are to be used to pay down excluded debt. The application of these monies reduces the amount of excluded debt that is actually added to the tax bills. \$83,803 reflects premiums which were received by the Town on the sale of bonds that settled prior to June 30, 2013 and reserved for use in this fiscal year, and the additional \$4,633 reflects the premium that was received on the bonds which settled in July 2013.

The Reserve Fund change request is one which often occurs in the fall when new revenues are identified. No new revenue has been identified for this purpose. However, the Finance Committee approved a \$75,000 reserve fund transfer earlier in the year to provide for a deposit to secure the purchase of property, which is to be considered by this Town Meeting under Article 22. The appropriation of \$75,000 would effectively restore the funds to the Reserve Fund and hence be available to address issues that may arise during the fiscal year.

ARTICLE 4: AMEND THE FY2014 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2014 Sewer Enterprise Fund Budget adopted under Article 11 of the May 2013 Annual Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From:</u>	<u>Changing To:</u>
201D	MWRA Assessment	\$5,403,053	\$5,423,810

and to meet this appropriation that \$20,757 be transferred from Sewer Enterprise Fund Retained Earnings; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The final MWRA Sewer Assessment slightly higher than the preliminary estimate provided to the Town prior to the 2013 Annual Town Meeting. The additional \$20,757 is proposed for transfer from retained earnings.

ARTICLE 5: AMEND THE FY2014 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2014 Water Enterprise Fund Budget adopted under Article 12 of the May 2013 Annual Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From:</u>	<u>Changing To:</u>
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301D MWRA Assessment \$1,273,404 \$1,271,018

or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The final MWRA Water Assessment was slightly lower than the preliminary estimate provided to the Town prior to the 2013 Annual Town Meeting. No further appropriation is necessary as the budget is being reduced.

SOLAR ARTICLES

**ARTICLE 6: AMEND ZONING BY-LAW – LARGE-SCALE GROUND-MOUNTED
SOLAR PHOTOVOLTAIC INSTALLATION OVERLAY DISTRICT**

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

(a) In Section 2.1, Classes of Districts, by adding a new Overlay District designation category as follows:

“LGSPI- Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District”

(b) In Section 3, Use Regulations, by inserting a new Subsection 3.13, Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District, to read as follows:

“3.13 Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District

3.13.1 Purpose of District

The purpose of this by-law is to regulate Large-Scale Ground-Mounted Solar Photovoltaic Installations in an established district(s) where they are allowed. The by-law provides standards for the placement, design, construction, operation, monitoring, modification and removal of such installations. The standards aim to address public safety, minimize impacts on scenic, natural and historic resources and to provide financial assurance for the eventual decommissioning of such installations. The provisions set forth in this section shall apply to the construction, operation, maintenance and/or repair, and or modification and/or removal of Large-Scale Ground-Mounted Solar Photovoltaic Installations.

3.13.2 Scope of Authority

The Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District shall be considered as overlying other use districts established by this By-Law. Within the Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District, the requirements of the underlying district continue to apply except as may be specifically superseded herein. The scope of authority of this Section 3.13 applies to Large-Scale Ground-Mounted Solar Photovoltaic Installations proposed to be constructed after the effective date of this section. This section also applies to physical modifications that materially alter the type, configuration, or size

of these installations or related equipment.

3.13.3 Definitions

Designated Location: The locations permitted shall be within the Large-Scale Ground-Mounted Solar Photovoltaic Overlay District, hereinafter referred to as “the Overlay”.

Large-Scale Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system, including ancillary structures, that is structurally mounted on the ground and is not roof-mounted and has a minimum nameplate capacity of 250kW DC.

Rated Nameplate Capacity: The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

3.13.4 Allowed Uses

The following uses are allowed by right:

- (a) All uses permissible and as regulated within the underlying district.
- (b) A Large-Scale Ground-Mounted Solar Photovoltaic Installation.

3.13.5 Special Permit Uses

All uses permitted by special permit in the underlying district at that location may be allowed upon the issuance of a special permit by the designated Special Permit Granting Authority under such conditions as the Board may require.

3.13.6 General Requirements

The following requirements are common to all solar photovoltaic installations to be sited in the Overlay.

- 3.13.6.1 **Compliance with Laws, Ordinances and Regulations:** The construction and operation of all Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be in compliance with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings, structures and fixtures forming part of a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed in accordance with the State Building Code.
- 3.13.6.2 **Building Permit and Building Inspection:** No Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.
- 3.13.6.3 **Site Plan Review:** Large-Scale Ground-Mounted Solar Photovoltaic Installations shall undergo Major Project Site Plan Review by the Planning Board as described in Section 7.4 of the By-Law prior to construction, installation or modification as provided in this section. Application requirements for Site Plan Review shall be as provided below:

- (a) General: All plans and maps shall be prepared, stamped and signed by a Professional Engineer or Professional Land Surveyor licensed to practice in Massachusetts.
- (b) Required Documents: Pursuant to the Site Plan Review process, the project proponent shall provide the following documents in addition to those required under Section 7.4 of the By-Law.
 - 1) A site plan showing:
 - i. Property lines and physical features, including roads, for the project site;
 - ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening of vegetation or structures;
 - iii. Blueprints or drawings of the solar photovoltaic system signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures.
 - iv. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National electrical Code compliant disconnects and overcurrent devices;
 - v. Documentation of the major system components to be used, including the PV panels, mounting system, inverter, and associated electrical components. The site plan shall include containment fencing line, power lines and poles, and site access routes.
 - vi. Name, address and contact information for proposed system installer;
 - vii. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any.
 - viii. The name, contact information and signature of any agents representing the project proponent.
 - 2) Documentation of actual or prospective control of the project site and access thereto (see also Section 3.13.6.4);
 - 3) An operation and maintenance plan (see also Section 3.13.6.5);
 - 4) Zoning district designation for the parcel(s) comprising the site;
 - 5) Proof of liability insurance;
 - 6) Description of financial surety that satisfies Section 3.13.6.13.

The Planning Board may waive documentary requirements as it deems appropriate.

- 3.13.6.4 Site Control: The project proponent shall submit documentation of actual or prospective control of the project site and access thereto sufficient to allow for construction and operation of the proposed solar photovoltaic installation.
- 3.13.6.5 Operation & Maintenance Plan: The project proponent shall submit a plan for the operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.
- 3.13.6.6 Utility Notification: No Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar

photovoltaic installation owner's or operator's intent to install an interconnected generator and an interconnection agreement and power purchase agreement (where appropriate) has been signed by the utility. Off-grid systems shall be exempt from this requirement.

3.13.6.7 Dimension, Density and Parking Requirements

For Large-Scale Ground-Mounted Solar Photovoltaic Installations, front, side and rear setbacks shall be as follows:

- (a) Minimum Lot Area: 20 acres;
- (b) Minimum Front Setback: 50 feet;
- (c) Minimum Side Setback: 50 feet from the property line of residentially used property;
- (d) Minimum Rear Setback: 50 feet;
- (e) Maximum Lot Coverage: 50%;
- (f) Separation Distance: No separation distance is required between structures for ground mounted solar photovoltaic panels;
- (g) Height: Height shall be determined by each individual panel measured to the grade level beneath that panel and shall not exceed 25 feet;
- (h) Transition Areas: As long as the setbacks noted above are respected no further "Transition Area" (per Section 4.2.8) is required. No planting is required within the transition area if the abutting property is controlled by the Town of Needham and/ or plantings are constrained by capped landfill requirements;
- (i) Parking Requirement: No additional parking is required for this use as long as there is no full-time on-site system operator required following installation of the Large-Scale Ground-Mounted Solar Photovoltaic Installation.

3.13.6.8 Design Standards

- (a) Lighting. Lighting shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
- (b) Signage. A sign for the Large-Scale Ground-Mounted Solar Photovoltaic Installation consistent with the Town's sign by-law shall be required to identify the owner and provide the business name for the company (ies) that own and operate the installation, their business address, the name of a contact person, and a 24-hour emergency contact phone number.
- (c) Utility Connections. Reasonable efforts, as determined by the Planning Board, shall be made to place cabling and utility connections from the Large-Scale Ground-Mounted Solar Photovoltaic Installation underground, depending on appropriate soil conditions, shape, ledge, wetland resources, and topography of the site and any requirements of the utility provider.
- (d) Conditions. All appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures shall be screened from view by vegetation and/or joined and clustered to avoid adverse visual impacts. Methods such as the use of landscaping, natural features and fencing may be utilized.

- (e) Fencing. A security fence shall be installed along or proximate to the perimeter of the system and shall be maintained for the lifetime of the system.

3.13.6.9 Safety and Environmental Standards

- (a) Emergency Services. The Large-Scale Ground-Mounted Solar Photovoltaic Installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Needham Fire Chief. The owner or operator shall cooperate with local emergency services in developing an emergency response plan. The plan shall assure adequate access and staging for emergency services. All means of shutting down the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.
- (b) Land Clearing, Soil Erosion and Habitat Impacts. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation and in accordance with applicable laws, regulations, and by-laws.

3.13.6.10 Maintenance: The Large-Scale Ground-Mounted Solar Photovoltaic Installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security and safety measures. Site access for the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be maintained to a level acceptable to the Needham Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.

3.13.6.11 Modifications: All material modifications to a Large-Scale Ground-Mounted Solar Photovoltaic Installation made after issuance of the required building permit shall require approval by the Planning Board.

3.13.6.12 Abandonment or Decommissioning

- (a) Removal Requirements. Any Large-Scale Ground-Mounted Solar Photovoltaic Installation which has reached the end of its useful life or has been abandoned consistent with Section 3.13.6.12 (b) of this by-law shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:
 - i. Physical removal of all solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
 - ii. Disposal of all solid and hazardous waste shall be in accordance with local, state, and federal regulations.
 - iii. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave existing vegetation or designated below-grade foundations in place in order to minimize erosion and disruption to vegetation.
- (b) Abandonment: Absent notice to the Planning Board as provided above of a proposed date of decommissioning or written notice requesting an extension due to extenuating circumstances,

the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be considered abandoned when it fails to operate or its operations are discontinued for more than one year without the written consent of the Planning Board; or if the Building Inspector has determined that the installation is a hazard to public safety and the conditions have not been corrected within six (6) months.

The Town retains the right, after the receipt of an appropriate court order to enter and remove an abandoned or hazardous Large-Scale Ground-Mounted Solar Photovoltaic Installation that is not removed by the property owner within six (6) months from the date of abandonment, as described above, or the proposed date of decommissioning. As a condition of approval, an applicant shall agree to allow entry to remove an abandoned installation.

3.13.6.13 Financial Surety: Proponents of Large-Scale Ground-Mounted Solar Photovoltaic projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board. Such surety will not be required for municipally-or state owned systems, but may be required for privately-owned systems even if located upon municipally-owned land. The project proponent shall submit a fully inclusive estimate of costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: This article, in combination with Article 7, proposes to create the Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District. This article lays out the regulatory framework for the new overlay district while Article 7 describes its geographic boundaries. The geographical boundaries of the new Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District includes all land now zoned Single Residence A and lying in the area northerly of Central Avenue which is commonly known as the Town of Needham Recycling and Transfer Station.

Solar photovoltaic technology, which converts sunlight directly into electricity, is a key priority for the Commonwealth of Massachusetts’ clean energy efforts. Unlike conventional fossil fuel power generation (such as coal, gas and oil), generating with solar photovoltaic involves no moving parts, uses no water, and generates electricity without emitting greenhouse gases or other pollutants. Although solar collection facilities are allowed in Needham, the current zoning by-law only allows them as an accessory use. Thus, while many residents and businesses already employ solar systems, the prospect of a Large-Scale Ground-Mounted Solar Photovoltaic Installation in Town is a new one, and one which the current by-law does not permit.

Accordingly, the by-law is designed to promote new Large-Scale Ground-Mounted Solar Photovoltaic Installations in an established overlay district(s) where they are allowed. The by-law provides standards for the placement, design, construction, operation, monitoring, modification and removal of such installations. The standards aim to address public safety, minimize impacts on scenic, natural and historic resources, and to provide financial assurance for the eventual decommissioning of such installations. The provisions set forth in the by-law apply to the construction, operation, maintenance, modification, and/or removal of Large-

Scale Ground-Mounted Solar Photovoltaic Installations. The overlay district's key provisions are summarized below.

Large-Scale Ground-Mounted Solar Photovoltaic Installations are permitted as-of-right in a designated overlay district subject to site plan review by the Planning Board. Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be subject to the following dimensional, coverage and height requirements: (a) Minimum Lot Area: 20 acres; (b) Minimum Front Setback: 50 feet; (c) Minimum Side Setback: 50 feet from the property line of residentially used property; (d) Minimum Rear Setback: 50 feet; (e) Maximum Lot Coverage: 50%; and (f) Maximum Height: 25 feet determined for each individual panel and measured to the grade level beneath that panel.

To assure safeguards for the general public, the by-law requires that no Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner's or operator's intent to install an interconnected generator and an interconnection agreement and power purchase agreement (where appropriate) has been signed by the utility. Additionally, the project proponent is required to submit a plan for the operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.

Finally, the Large-Scale Ground-Mounted Solar Photovoltaic Installation owner or operator is required to maintain the facility in good condition. Any Large-Scale Ground-Mounted Solar Photovoltaic Installation which has reached the end of its useful life or has been abandoned shall be removed. The owner or operator is required to physically remove the installation no more than 150 days after the date of discontinued operations. Proponents of Large-Scale Ground-Mounted Solar Photovoltaic projects are required to provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board.

**ARTICLE 7: AMEND ZONING BY-LAW – MAP CHANGE TO LARGE-SCALE
GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION
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 Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District all that land now zoned Single Residence A and commonly known as the Town of Needham landfill and lying in the area bounded and described as follows:

“Beginning at a point on the northerly sideline of Central Avenue, thence running N55°-25’-16”W a distance of 59.67 feet to a point, thence running N55°-42’-46”W a distance of 71.12 feet to a point, thence N58°-27’-06”W a distance of 112.06 feet to a point, thence N56°-16’-06”W a distance of 296.96 feet to a point, thence S00°-21’-59”W a distance of 42.02 feet to a point, thence S49°-16’-14”W a distance of 279.44 feet to a point, thence S75°-42’-34”W a distance of 187.24 feet to a point, thence S56°-16’-24”W a distance of 46.41 feet to a point, thence S41°-45’-34”W a distance of 50.01

feet to a point, thence S46°-22'-54"W a distance of 131.13 feet to a point, thence N82°-50'-34"W a distance of 228.42 feet to a point, thence N29°-35'-24"E a distance of 866.68 feet to a point, thence N14°-53'-20"W a distance of 1216.6± feet to a point in the centerline of Fuller Brook, thence by the said centerline of Fuller Brook northeasterly to a point (a tie of N62°-30'-33"E a distance of 1009.94 feet), thence S37°-39'-21"E a distance of 719.43 feet to a point, thence S36°-38'-47" E a distance of 88.71 feet to a point, thence S38°-48'-02"E a distance of 115.27 feet to a point, thence S38°-59'-47"E a distance of 152.44 feet to a point, thence S30°-32'-19" E a distance of 290.44 feet to a point, thence S24°-48'-14"E a distance of 24.80 feet to a point, thence S09°-13'-39"E a distance of 34.19 feet to a point, thence S63°-32'-06"E a distance of 97.36 feet to a point, thence S36°-34'-38"E a distance of 234.40 feet to a point, thence S50°-42'-20"E a distance of 77.07 feet to a point, thence N54°-20'-46"E a distance of 19.05 feet to a point, thence N82°-49'-47"E a distance of 11.46 feet to a point, thence S76°-10'-08"E a distance of 31.72 feet to a point, thence S57°-15'-20"E a distance of 35.66 feet to a point, thence S53°-33'-52"E a distance of 15.31 feet to a point, thence S57°-38'-03"E a distance of 36.67 feet to a point, thence S58°-29'-44"E a distance of 181.83 feet to a point, thence S28°-44'-00"W a distance of 310.59 feet to a point, thence S59°-05'-55"E a distance of 275.42 feet to a point on the northerly sideline of Central Avenue, thence by said sideline and a curve to the right , with a radius of 500.00 feet, an length of 419.84 feet to a point, thence N88°-49'-18"W a distance of 233.98 feet to a point, thence by a curve to the left, with a radius of 804.73 feet, a length of 238.48 feet to a point, thence S74°-11'-57"W a distance of 348.85 feet to a point, thence by a curve with a radius of 894.54 feet, a length of 84.00 feet to the point of beginning."

or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: This article describes the geographical boundaries of the new Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District which would include all land now zoned Single Residence A and lying in the area northerly of Central Avenue which is commonly known as the Town of Needham Recycling and Transfer Station.

ARTICLE 8: APPROPRIATE FOR SOLAR FACILITY DEVELOPMENT EXPENSES

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,000 for development expenses related to the siting of solar facilities within the Town, including costs and expenses relating to contract negotiation, independent electrical inspection, and certain owner engineer and consultant related costs, to be spent under the direction of the Town Manager, and to meet this appropriation that \$11,498 be transferred from Article 62 of the 2000 Annual Town Meeting, and that \$3,502 be transferred from Article 45 of the 2003 Annual Town Meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The Board of Selectmen established a Solar Energy Exploratory Committee (SEEC) in 2012 to study the feasibility and opportunity of installing solar photovoltaic energy facilities on the closed landfill at the Recycling and Transfer Station. The SEEC has identified a significant revenue opportunity for the Town, with no capital investment, by contracting with a developer to finance, design, build and operate

the facility in exchange for lease payments and taxes as well as reduced cost electricity. A Request for Proposal (RFP) was issued in September and responses were received in October. The SEEC will make a recommendation to the Board of Selectmen for the selection of a developer prior to Town Meeting.

The Town has engaged an expert in solar photovoltaic installations as an independent “Owner’s Agent” to assist the SEEC and Town Manager in preparing the first phase of procurement, including the drafting of the Request for Proposal (RFP), pre-bid, and bid evaluation. Additional funds are needed to extend the Owner Agent’s scope to include contract negotiations, engineering review, and quality assurance review.

ARTICLE 9: AMEND GENERAL BY-LAW TYPE AND LENGTH OF CONTRACTS & LEASES/SOLAR FACILITIES

To see if the Town will vote to amend Section 2.1.3 of the General By-laws by inserting at the end of the section the following:

“Lease of Public Lands and/or buildings for the installation of solar photovoltaic facilities for electric generation 30 [YEARS]

Purchase of power (or net metering credits) from solar photovoltaic facilities installed on land leased or licensed from the Town. . . . 20 [YEARS]”

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: *In order to implement the proposed large-scale ground-mounted solar photovoltaic installation, a long-term lease to a private developer is required. The private developer would be responsible for the design, construction and operation of the solar installation at the capped landfill and other ground mounted locations or rooftop locations at the Recycling and Transfer Station (RTS). The income from the lease and the savings in electricity costs would benefit the Town, and the developer requires the longer-term lease to justify its investment.*

ARTICLE 10: AUTHORIZE LEASE OF LAND FOR GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION

To see if the Town will vote to authorize the Town Manager, in the name and behalf of the Town, to execute a lease for 12+/- acres of land constituting the capped landfill, and other rooftop or land areas at the Recycling and Transfer Station, at 1421 Central Ave owned by the Town, to be leased by a commercial solar developer for installation and operation of solar photovoltaic facilities for electric generation, for periods of up to 25 years upon such terms and conditions as determined by the Town Manager including an Energy Services Management Agreement (“EMSA”); or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: Town Meeting authorization is required for the Town Manager to execute a lease and EMSA agreement with the selected private developer for the proposed Solar PV Installation at the RTS.

ARTICLE 11: **AUTHORIZE PILOT FOR GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION**

To see if the Town will vote, pursuant to the provisions of G.L. c.59, §38H, to authorize the Town Manager to negotiate and enter into a payment in lieu of tax agreement with the lessee/operator of the solar photovoltaic energy generating facility to be developed at the Needham RTS property, located at 1421 Central Avenue, upon such terms and conditions as the Town Manager shall deem to be in the best interest of the Town; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The selected developer of the Solar PV Installation at the RTS will be required to pay property taxes for the leased land and assets which are installed on the site. The Massachusetts Department of Revenue allows Towns to enter into Payment in Lieu of Taxes (PILOT) agreements which enable the Town and the solar developer to establish a fixed PILOT that meets the Town Tax Assessor's valuation for the term of the agreement. This PILOT would provide the Town with a known annual taxable income stream and would reduce tax uncertainty for the developer. The warrant article is needed to authorize the Town Manager, in consultation with the Board of Assessors, to negotiate and enter into this agreement.

RAIL TRAIL ARTICLES

ARTICLE 12: **AUTHORIZE LEASE OF MBTA PROPERTY FOR SHARED USE RECREATION TRAIL**

To see if the Town will vote to authorize the Town Manager, in the name and behalf of the Town, to execute a lease for all or any portion of the land, premises, easements, and rights-of-way in the railroad right-of-way from Needham Junction to the Dover Town Line, for the purpose of laying out an improved shared use rail trail and related facilities and improvements, and providing access to the rail trail area for construction, maintenance and repair purposes and for all other purposes for which rail trails are now or hereafter may be used in the Commonwealth, for a period up to 99 years, upon such terms and conditions as determined by the Town Manager; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The 2013 Annual Town Meeting approved an amendment to the Town's General By-laws allowing the Town to lease land from a public agency or authority for recreational purposes for up to 99

years. This article would authorize the Town to acquire the railroad right-of-way between Needham Junction/High Rock Street and the Dover Town line to create a shared use recreation trail. If this article is adopted, the Town will partner with the Bay Colony Rail Trail Association which has committed to raising private funds to construct the base trail. Trail enhancements may be made in the future as appropriate and subject to the availability of funds.

ARTICLE 13: APPROPRIATE RAIL TRAIL INSURANCE

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$45,000 for the purchase of environmental insurance related to the lease of the railroad right of way for rail trail purposes, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the Community Preservation Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The purchase of environmental insurance is a requirement of the proposed lease agreement between the Town and the MBTA for the use of the railroad right-of-way for a shared use recreation trail. The insurance coverage would be in place during the initial construction of the path. The request for funds is for the full estimated cost of the insurance for a five-year period. The Town will apply for a State grant that may reimburse the CPA Fund for 50% of the cost of the insurance.

GENERAL ARTICLES

ARTICLE 14: AMEND GENERAL BY-LAW – PUBLIC CONSUMPTION OF MARIJUANA

To see if the Town will vote to amend the General By-laws by inserting a new section 3.1.10 as follows:

“3.1.10. Use of Marijuana No person shall possess or consume marijuana (or tetrahydrocannabinol, as defined in G.L. c. 94C, 1, as amended) within the limits of any park, playground, public land or public building owned or under the control of the Town of Needham, nor shall any person consume marijuana, as previously defined, on any public way or any way to which the public has a right of access as invitees or licenses, including any person in a motor vehicle in, on or upon any public way or any way to which the public has said right of access, within the limits of the Town of Needham; and no person shall consume marijuana, as previously defined, in, on or upon any private land or place without the consent of the owner or persons in control of such private land or place. Nothing in this bylaw shall authorize any possession, cultivation, transport, distribution, sale or use of marijuana otherwise prohibited by law. All marijuana being used in violation of Sub-section 3.1.10 may be seized and held until final adjudication of the charge against any such person or persons has been made by the court.” and re-numbering following sections accordingly; and by inserting a new Section J under Section 8.2.2.4 as follows: “J Public Consumption of Marijuana (Sub-section 3.1.10) Fine Schedule: \$50 per offense” and re-lettering all following sections accordingly; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article Information: The public consumption of alcohol on Town property is currently regulated under Section 3.1.9 of the General By-laws of the Town of Needham. The purpose of this article is to similarly prohibit the public consumption of marijuana or tetrahydrocannabinol on Town property or in any place accessible to the public, and, as with consumption of alcohol, allow the Town to impose a fine of \$50 per offense for violation of the By-law provision.

ARTICLE 15: AMEND GENERAL BY-LAW - MUNICIPAL WATER SUPPLY

To see if the Town will vote to amend its General By-laws by deleting section 2.2.5.5 and inserting in place thereof the following:

“2.2.5.5 Municipal Water Supply

2.2.5.5.1 Applicability

This section pertains to residences and commercial property and industry served by the Town’s water system.

2.2.5.5.2 Implementation of a Mandatory Non-essential Outdoor Water Use Restriction The Board of Selectmen or its designee shall have authority to implement a mandatory non-essential outdoor water use restriction in an effort to promote water conservation and to ensure compliance with the Water Management Act.

2.2.5.5.3 Backflow Prevention on Automatic Irrigation Systems All automatic irrigation systems connected to the municipal water system in the Town shall be protected from backflow events by the installation of a backflow prevention device approved by the Director of Public Works.”

And amend Section 8.2.2.8 (C) of the General By-laws by deleting the words “fine schedule \$50 per offense” and inserting in place thereof the words:

“First violation: Written Warning

Second violation (issued within the same calendar year): \$50

Third violation (issued within the same a calendar year): \$200

Fourth and subsequent violations (issued within the same calendar): \$300

Each day of violation shall constitute a separate offense.”

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The purpose of this article is to update the Town’s By-laws relative to water emergencies to ensure that the language is consistent with the terms of the Water Withdrawal Permit issued to the Town by the Department of Environmental Protection. The proposed language clarifies the role of the Board of Selectmen in implementing a mandatory non-essential outdoor water use restriction to ensure compliance with the Water Management Act, and incorporates existing backflow prevention requirements for

automatic irrigation systems. The article also amends the General By-laws by creating a graduated system of fines, including a written warning.

ARTICLE 16: **AUTHORIZE TAKING OF REAL PROPERTY**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain a portion of land from 280 Hillside Avenue, Needham, for the purposes of maintaining a sidewalk as part of the public way known as Hillside Avenue; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The plan for the construction of the Center at the Heights (new senior center) included the creation of indented, on-street parking on Hillside Avenue. The indentation, coupled with the relocation of a utility pole, resulted in a sidewalk that was not quite wide enough to meet the standard for passage and sidewalk plowing. To correct this situation, the sidewalk was constructed on private property (an area of approximately 26 square feet) which will now be conveyed to the Town. The expected cost of the conveyance will be in the \$5,000 range and will be absorbed by the prior appropriation for the construction project.

ARTICLE 17: **HOME RULE PETITION– SALE OF ALL ALCOHOLIC BEVERAGES IN RESTAURANTS WITH FEWER THAN 100 SEATS**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court, in compliance with Clause (1), Section 8 of Article LXXXIX of the Amendments of the Constitution, to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Town Manager approves in writing amendments to the bill before enactment by the General Court. The Town Manager is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

“An act authorizing the Town of Needham to grant certain establishments licenses for the sale of all alcoholic beverages to be drunk on the premise.”

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

SECTION 1. Notwithstanding any general or special law to the contrary, the licensing authority of the town of Needham may issue to restaurants with seating capacities of fewer than 100 people licenses for the sale of all alcoholic beverages to be drunk on the premises.

SECTION 2. Notwithstanding section 11 of chapter 138 of the General Laws as to the time and manner of voting on the question, this act shall be submitted for its acceptance to the qualified voters of the town of Needham at state election or an annual or special town election following the effective date of this act in the form of the following question:-

"Shall an act passed by the general court in the year 2013, entitled 'An Act authorizing the town of Needham to grant certain establishments licenses for the sale of all alcoholic beverages to be drunk on the premises', be accepted?"

If a majority of the votes cast in answer to the question is in the affirmative, this act shall take effect in the town of Needham, but not otherwise.

Except as otherwise provided herein, such licenses shall be subject to the provisions of said chapter 138.

Below the ballot question shall appear a fair and concise summary of the ballot question prepared by the town counsel and approved by the board of selectmen.

SECTION 3. This act shall take effect upon its passage.

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Town has gradually expanded alcoholic beverage licensing. This article, in the form of a Home Rule Petition, would authorize the Board of Selectmen to approve all-alcoholic beverages licenses for restaurants with fewer than 100 seats. Needham restaurants with fewer than 100 seats currently may only be licensed for wine and malt beverages. The Selectmen believe this change would improve business opportunities for smaller and niche restaurants, and would be manageable within the Town's system of regulation. Final approval of this change would require a referendum vote.

COMMUNITY PRESERVATION ARTICLES

ARTICLE 18: APPROPRIATE FOR RIDGE HILL RESERVATION SWAMP TRAIL BOARDWALK CONSTRUCTION

To see if the Town will vote to raise and/or transfer and appropriate \$183,219 for design, permitting and construction of the Ridge Hill Reservation Swamp Trail Boardwalk, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum to be transferred from the Community Preservation Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article not be Adopted

Article Information: The Conservation Commission has requested \$183,219 in construction funding for this project to supplement prior CPA funding for design and permitting. The Conservation Commission will also allocate approximately \$100,000 in dedicated conservation funds to complete the construction. The Swamp Trail links several trails within Ridge Hill Reservation and is the only connection between the east and west trails. This project would replace the elevated boardwalk through the wettest part of the swamp. The Charles River Trail extends from Charles River Street to the Charles River. This project would replace the bridge that crosses over a brook.

CAPITAL ARTICLES

ARTICLE 19: RESCIND DEBT AUTHORIZATIONS

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>
Pollard School Roof Repair	2010 STM (N)	10	\$3,500,000	\$410,369
Booth Street	2011 ATM	41	\$125,000	\$22,000
Ridge Hill Repairs	2005 ATM	31	\$126,875	\$104,600
Total				

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

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.

ARTICLE 20: APPROPRIATE FOR GENERAL FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate \$1,543,081 for General Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

General Fund	Description	Recommended	Amendment
General Government	Election Equipment	\$ 85,000	
General Government	Network Hardware Servers & Switches	\$ 30,000	
Public Facilities	Core Fleet	\$ 33,600	
Public Facilities	Energy Efficiency Upgrade Improvements	\$ 113,078	
Public Facilities	Facilities Maintenance Program	\$ 33,581	

General Fund	Description	Recommended	Amendment
Public Facilities	Portable Generator	\$ 61,250	
Public Safety	Core Fleet (Building)	\$ 45,042	
Public Safety	Core Fleet (Fire)	\$ 49,200	
Public Schools	Furniture & Equipment	\$ 79,250	
Public Schools	School Copier Replacement	\$ 59,620	
Public Schools	Technology	\$ 223,751	
Public Works	Core Fleet	\$ 387,000	
Public Works	Two Way Radio Upgrade	\$ 27,509	
Public Works	Small Specialty Equipment	\$ 104,900	
Public Works	Snow & Ice Equipment	\$ 210,300	
	Total Appropriation	\$ 1,543,081	

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This article contains those cash capital items deferred from the 2013 Annual Town Meeting.

Election Equipment The purpose of replacing the Accuvote Electronic Voting System is to update and replace the Town's current voting system purchased in 1994. These machines and the black plastic ballot boxes that hold the machines are currently 19 years old and are beginning to require more and more frequent repairs. There are currently 11 Accuvote machines – one for each of the ten precincts plus one spare machine. Both the read heads and scanner cannot be upgraded due to the age of the equipment. The new Accuvote Voting Machines will have more features. The ballot boxes will be smaller making storage more convenient and accessibility at the polls will be easier. Absentee voters will no longer require special marking pens in order to vote thus making voting easier. Within the next few years, all the machines will be handicapped accessible. The new DS200 Voting Machine is the next generation Optical Scan voting equipment. This voting machine will have a paper ballot and the memory cards have been replaced with memory sticks. Approval of new equipment by the Elections Division of the Secretary of the Commonwealth is required, and has not yet been granted.

Network Hardware Servers and Switches The fiscal year 2014 funding request for network servers and switches will support the replacement of older servers, spam filter, virus firewall, and internet filtering, and also the replacement of older network switches to connect buildings, departments, and workstations throughout the Town. Newer models of both servers and switches are better able to take advantage of the Town's fiber and will increase the speed of data within the Town's fiber network. Older servers, both application and data, will be replaced with newer, faster, and more energy efficient servers and attached storage configured for virtualization of hardware and software. Not replacing or updating this equipment can affect Town wide access to email, financial applications, Internet, and data.

Public Facilities Core Fleet The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. Unless circumstances require otherwise, the vehicle scheduled to be replaced in FY2014 is a 2001 Ford F250 Pick-Up Truck with a cab that is primarily used by the Town's carpenter. The current vehicle is due for replacement as it is currently beyond its useful life.

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
702	PFD	2001	Ford 250 Pick up With Cab	Same	71,897	\$33,600

Energy Efficiency Upgrade Improvements The Town conducted an engineering study for energy upgrades in ten key buildings in the summer of 2011. The results of this study revealed that if the Town makes an initial investment in selected energy upgrades, the cost of these upgrades will pay for themselves within ten years. This funding is planned for some of the more involved projects at the Eliot and Broadmeadow Schools, which will upgrade the already modern buildings and improve their energy usage. Some of these items include retro-commissioning the HVAC system at Broadmeadow, installing motion sensors for the lighting at Broadmeadow, installing timers on the roof top exhaust fans in both buildings, and converting the lighting to more energy efficient lighting in both buildings.

Public Facilities Maintenance Program This request funds annual maintenance of public buildings throughout the Town and School Department including but not limited to: asbestos abatement, small equipment replacement, duct cleaning, painting, and other repairs and necessary upgrades. The portion of FY2014 funding that was approved in the ATM (\$432,169 of the \$465,750 request) was used for duct cleaning at the C & D Buildings of the High School, asbestos abatement at the Mitchell School, flooring replacement at the Broadmeadow School, xeriscaping at the High School, and water fountain replacement at the Pollard School. Also, with the natural gas line installation on Brookline Street and the replacement of the Pollard boilers, the Department converted the existing Mitchell School boilers to natural gas using remaining parts from the old Pollard boilers. The remaining portion of FY2014 funding request will be used for addressing flooding issues at the Hillside School as well as containment of fuel oil, and accessible routes to and from the building at the Pollard School.

Portable Generator It has been determined by emergency planning personnel that the new Senior Center will be a location for use as a respite shelter for residents during power outages. This request will fund the purchase of a 100kW portable generator that can be temporarily installed at the Senior Center to ensure comfort and safety to those occupying the site. The Center has been designed to accommodate the use of an external, portable generator.

Building Department Core Fleet The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. The FY2014 – 2018 Capital Plan included a recommendation for the replacement of Unit #456, a 2002 Ford Taurus Sedan, with a Ford Hybrid Escape. Since that time, the Department has experienced a reduction in the availability of Unit #454 due to the number of repairs. As a result, the Building Commissioner has evaluated the previous request, and proposes the elimination of the request for a Ford Escape, and the replacement of two Ford Taurus vehicles (units #456 and #454) with Ford Fusion vehicles. The MPG for the Fusion is a combined 28 MPG.

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
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456	Building	2002	Ford Taurus	Ford Fusion	74,510	\$22,521
454	Building	2005	Ford Taurus	Ford Fusion	54,575	\$22,521

Fire Department Core Fleet The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. This request is to replace a 2004 Ford pick-up truck with a utility body. The truck functions primarily as a brush fire truck, but has many other uses. In the winter months, the modular brush unit and water tank is removed, and the truck is used to transport materials and emergency equipment. This vehicle is also used to tow fire department rescue boats, the hazardous materials trailer, the firefighting foam trailer, the mass decontamination trailer, and the Health Department Emergency Dispensing Trailer.

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
C-6	Fire	2004	Pick-up with Utility Body	Same	29,560	\$49,200

School Furniture, Musical Instruments, Fitness Equipment and Graphic Arts Equipment

Musical Equipment

The purpose of this program is to replace musical instruments, especially large string instruments and pianos, which are over 25 years old. After decades of heavy use, many of the School Department’s string instruments are no longer usable or repairable. The older pianos, while still usable, are costly to repair and maintain. The Department is in the ninth year of the replacement cycle, and continues to see major improvement in the quality of musical instruments available for student use. Funding in the final year of the replacement cycle (FY2014, for \$15,000) would replace the grand piano in the Newman School Auditorium. The Department intends to change the replacement program to an expansion program due to population growth in fiscal years 2015 – 2018 and beyond.

School Furniture

This purpose of this program is to continue the replacement cycle for school furniture in poor and fair condition at Hillside, Mitchell, Newman and Pollard. In these schools, furniture is 10-20+ years old and in a state of disrepair after decades of heavy use. At the end of FY2014, all furniture in poor condition will have been replaced at these schools. Beginning FY2015, the replacement cycle funding will be used to replace furniture in fair condition at these schools. Unless circumstances dictate otherwise, the FY2014 funding (of \$41,600) is planned for the Newman School.

Fitness Equipment

The Needham High School renovation project budget included a large amount of fitness equipment for student use, which will need to be replaced as the components age and the equipment reaches the end of its useful life. In addition, the Pollard Middle School owned a number of strength circuit machines, which will need to be replaced on a regular basis going forward. The manufacturer’s estimated life cycle is five years for treadmills, six years for cross trainers, eight years for recumbent and upright bicycles, 23 years for rowing machines, and 25 years for circuit training equipment. The Department’s request is based on a longer replacement cycle of: five to seven for treadmills, nine years for cross trainers, eight years for recumbent bikes, 12 years for upright bikes, 19-20 years for rowing machines and 11-16 years for circuit

training equipment. Unless circumstances dictate otherwise, the FY2014 funding (of \$14,380) is planned for three spinning bikes and one treadmill.

High School Graphics Production Room

This program continues the equipment replacement cycle for equipment used in the Graphics Production Center at Needham High School. This program provides convenient and cost effective graphic arts services to the school community, as well as hands-on training for students in the field of professional graphics and printing production. Unless circumstances dictate otherwise, the FY2014 funding (of \$8,270) is intended for purchase of a vinyl cutter – heavy duty, a thermal transfer press, a flash dryer, and a paper jogging machine.

School Copiers Photocopiers are used throughout the District by administrative and teaching staff. Teachers use the machines to reproduce classroom materials, including homework, exams, teaching packets, etc. Currently, the School Department owns 44 copiers and 4 RISO duplicating machines. Copier replacement is planned on a lifecycle basis, using information about actual usage and the manufacturer's total estimated capacity. A seven-year maximum duty cycle is assumed for most machines. Copiers that are heavily used are replaced more frequently, while copiers that are more lightly used are replaced at year seven or beyond, or when replacement parts are difficult to obtain and the cost of maintaining the equipment becomes prohibitive. Copiers are routinely redeployed around the District as needed, to match anticipated use with copier capacity. The requested funding for FY2014 (\$59,620) will replace eight copiers/RISO machines.

School Technology

Interactive Whiteboard Technology

This program funds the purchase and installation of whiteboard technology in the Needham schools. Unless circumstances dictate otherwise, the FY2014 funding request (of \$22,600) is planned for Broadmeadow, Mitchell and Pollard. The overall number of whiteboards to be installed at Pollard and Broadmeadow has increased due to room reallocation at Broadmeadow and the use of the modular classrooms at Pollard.

School Department NPS 1:1 initiative

This program continues the initiative to introduce tablet technology on a 1:1 basis at Pollard, High Rock and Needham High School. The FY2014 request expands the program to all Grade Eight students during the 2013/2014 school year and purchases tablet devices for the remaining Pollard Grade Eight teachers. It also prepares for the expansion to Grade Seven and Needham High School in 2014/2015 by installing additional wireless access points at Pollard and Needham High School and purchasing tablet devices for teachers at Grade Seven and at Needham High. Since \$132,000 of the \$145,000 total funding request was awarded at May 2013 Annual Town Meeting, the November Special Town Meeting funding request is for the remaining funds (\$13,000) to implement the FY2014 plan.

Technology Innovation

In past years, the School Technology Request has included funding for computer replacements, interactive whiteboards and most recently, 1:1 tablet technology. The focus on technology replacement does not allow school staff to evaluate and experiment with emerging technologies that might foster student learning and achievement. The purpose of this request is to support experimentation on a small scale, which will be useful for assessment and for building staff capacity. Specifically, the FY2014 request (for \$25,000) is for the purchase of eReaders, such as Kindles and Nooks for use in school libraries and for the purchase of iPads for experimentation at the elementary school.

Technology Replacement

The FY2014 technology replacement request will replace 313 teacher, administrator, student, lab and laptop computers, which have reached or are functioning beyond the end of their seven-year lifecycle. Of these, 124 computers are for teachers and administrators throughout the District. Another 163 computers are lab and classroom computers at Eliot, Hillside, Newman, Pollard and the High school. The majority of the computers being purchased will be deployed at the High School. FY2014 represents the second year of the anticipated five-year time frame to replace the High School computers. The request also includes the replacement of four school-based servers, the High School Foreign Language lab server and five district data servers housed at the Educational Technology Center. These servers have been running 24/7 for three or four years and will be re-purposed to less critical functions for two and three years respectively. Additionally, this request will replace eight UPS batteries that support critical servers throughout the District and 47 printers, and will provide funds to analyze the impact of the recent conversion to Apple's new operating system, Lion, on the hundreds of software packages owned by the District. Since \$278,049 of the \$441,200 total funding request was appropriated at the May 2013 Annual Town Meeting, the November Special Town Meeting funding request is for the remaining funds (\$163,151) to implement the FY2014 plan.

DPW Core Fleet The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks, and utility trucks. Unless circumstances require otherwise, the vehicles scheduled to be replaced in FY2014 include:

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
65	Parks & Forestry	2008	4WD F350 Pick-up Truck	Same	48,900	\$51,900
66	Highway	2007	One Ton Dump Truck	Same	51,500	\$78,300
6	Highway	2000	Six Wheel Dump Truck	Same	41,300	\$178,400
72	Parks & Forestry	2007	One Ton Dump Truck	Same	47,800	\$78,400

Two-Way Radio Upgrade Effective January 2013, the Federal Communications Commission mandated that all existing licensees convert their wideband (25kHz systems) radio systems to narrowband (12.5kHz). The majority of the two-way radios installed in DPW vehicles have been converted to radios that are capable of functioning on narrowband. The purpose of this project is to replace radios that do not comply with the narrowband requirement, and to increase radio capacity at the DPW and other departments at the Public Services Administration Building (PSAB).

Funds appropriated at the May 2013 Annual Town Meeting (\$20,191) supported the purchase of 22 DPW portable radios and three base radios. The remaining allocation will fund six DPW radios, 13 Public Facilities radios, ten Building Department and PSAB radios, and one base radio.

Small Specialty Equipment This program provides funding to purchase new and replace existing Public Works specialty equipment. This equipment is critical for the efficient operation of the Department's maintenance programs. The purchase of this equipment will increase productivity and expand the use of maintenance dollars. Unless circumstances require otherwise, the equipment scheduled to be replaced in FY2014 includes:

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
303	Parks & Forestry	1985	Tractor	Same	N/A	\$74,900
356	Parks & Forestry	1985	Aerator	Same	N/A	\$30,000

Snow and Ice Equipment This request will provide funding for equipment used primarily in the Snow and Ice Program. Unless circumstances require otherwise, the vehicles and equipment proposed for replacement in FY2014 are as follows:

Unit	Division	Year	Description – Existing	Description – Request	Miles	Cost
6A	Highway	2000	Material Spreader	Same	N/A	\$32,200
116	Highway	1998	Sidewalk Tractor (Track)	Same	N/A	\$169,300
66A	Highway	2006	Material Spreader	Same	N/A	\$8,800

ARTICLE 21: APPROPRIATE FOR DPW GARAGE VEHICLE SERVICE LIFT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$110,000 for a DPW Garage vehicle service lift, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum to be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The DPW Garage vehicle service lift is not currently functional. The lift consists of two hydraulic posts that are housed under the garage floor, and one of the posts is not operational. Since the other post is of the same age, it is assumed that the useful life of the lift system is not worth the cost of repair. This article would fund a platform lift that will be bolted to the garage floor. The lift is an important component of the repair and preventive maintenance efforts for DPW rolling stock. The platform-type lift will also be a safer alternative for the garage staff.

ARTICLE 22: APPROPRIATE FOR PROPERTY ACQUISITION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,458,000 for the acquisition of real property known as 66-70 Chestnut Street, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Over the past two years, the Town has appropriated funds for the acquisition of real property on Lincoln Street and School Street immediately adjacent to the municipal parking lot and the Police and Fire Station. These four parcels will be converted to a parking lot for municipal public parking and Police and Fire parking within the next few months. The Town has the opportunity to acquire an additional parcel located at 66 – 70 Chestnut Street, immediately adjacent to the Police and Fire Station on Chestnut Street to the South, the driveway to the Chestnut Street Parking Lot to the North, and the previously acquired property (37-30 Lincoln Street) to the East. The parcel will be an important component in the on-going evaluation of renovation or possible reconstruction of the Police and Fire Station that is contained in the Facility Master Plan – helping to ensure that a fully modern station can remain centrally-located in Needham Center. If the acquisition is approved, the Board of Selectmen will consider a range of options for use of the property and the structures in the interim period, including meeting space, temporary work space, conference space, swing space to accommodate other construction projects, and possible lease of the structure to a third party for commercial use.

TOWN RESERVE ARTICLES

ARTICLE 23: APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$566,530 to the Athletic Facility Improvement Fund, as provided under Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The 2012 Annual Town Meeting authorized the creation of an athletic facility stabilization fund to set aside capital funds for renovation and reconstruction of the Town's athletic facilities, particularly Memorial and DeFazio, which were renovated as part of a public/private partnership at a cost of more than \$7 million. This appropriation will bring the Fund to the target level identified for FY2014 (\$900,000).

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 17th day of September 2013.

DANIEL P. MATTHEWS, Chairman
JOHN A. BULIAN, Vice Chairman
MAURICE P. HANDEL, Clerk
MATTHEW D. BORRELLI
MARIANNE B. COOLEY

Selectmen of Needham

A TRUE COPY

Attest:

Constable:

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**Town Clerk's Office
Needham, MA 02492**

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ATTN: SPECIAL TOWN MEETING WARRANT