

TOWN OF NEEDHAM



SPECIAL TOWN MEETING WARRANT

MONDAY, OCTOBER 2, 2017

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

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 in the Needham Town Hall on:

MONDAY, THE SECOND DAY OF OCTOBER, 2017

At 7:30 in the afternoon, then and there to act upon the following articles:

HUMAN RESOURCE ARTICLES

ARTICLE 1: FUND COLLECTIVE BARGAINING AGREEMENT – DPW/NIPEA

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Independent Public Employees Association, Local 1116, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2018; or take any other action relative thereto.

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

Article Information: The Town and the Needham Independent Public Employees Association, Local 1116 have agreed to a one year contract extension for fiscal year 2018. As a result of changes in the plan offerings by the West Suburban Health Group – of which Needham is a member – the Town will be negotiating with all employee groups over the coming year relative to its group insurance program. The one year contract extension for this unit brings all units current for fiscal year 2018 as we begin those discussions. If this article is approved, funding would be transferred from the classification, performance and settlements line item for the General Fund employees.

FINANCE ARTICLES

ARTICLE 2: AMEND THE FY2018 OPERATING BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2018 Operating Budget adopted under Article 15 of the 2017 Annual Town Meeting by deleting the

amounts of money appropriated under some of the line items and appropriating the new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
3	Group Insurance, Employee Benefits, Assessments & Administrative Costs	\$13,949,197	14,429,197
9	Reserve Fund	\$1,862,600	\$1,812,600
22B	Public Facilities Expenses	\$2,696,730	\$2,746,730

and to meet this appropriation that the additional amount be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This article seeks to amend the Town’s operating budget for fiscal year 2018. The \$480,000 increase to the Group Health Insurance, Employee Benefits & Administrative Costs budget line is to cover increased health insurance costs. This funding increase was expected at the time the fiscal year 2018 budget was presented to Town Meeting this past May. At that time, there were several variables identified that could impact the fiscal year 2018 health insurance budget, including premium increases, additional head count in the School and Town departments, plan selection by employees, and actual enrollment. Given the number of variables, it was agreed that the final budget amount would be recommended at the fall Special Town Meeting. The increase is proposed to be funded by an increase in recurring revenue.

The \$50,000 increase to the Public Facilities expense budget line is to provide funding for an outside consultant to review the Town’s maintenance program for its public buildings. This request comes at the request of the Town Manager and the Finance Committee to have an outside assessment of the Town’s practices and assumptions in planning and maintaining its capital investment to help ensure that the expected life cycles are met, and that best practices are employed to meet the demands. The study is expected to be completed prior to the end of the fiscal year. The reduction to the Reserve Fund would be the funding source for this appropriation.

ARTICLE 3: AMEND THE FY2018 RTS ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2018 RTS Enterprise Fund adopted under Article 16 of the 2017 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating the new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
101A	Salary & Wages	\$782,833	\$796,656

and to meet this appropriation that the additional amount be raised from RTS Enterprise Fund receipts; or take any other action relative thereto.

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

Article Information: This article is to amend the FY2018 RTS Enterprise Fund Budget. The Town and the Needham Independent Public Employees Association have reached an agreement for a one year contract extension as presented under Article 1. If approved, this budget amendment will provide the additional funding (\$13,823) necessary to pay the cost of the Agreement for FY2018. There are eight members of the Union assigned to RTS operations.

ARTICLE 4: AMEND THE FY2018 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2018 Sewer Enterprise Fund adopted under Article 17 of the 2017 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating the new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
201A	Salary & Wages	\$938,603	\$958,976
201D	MWRA Assessment	\$5,918,642	\$5,889,796

or take any other action relative thereto.

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

Article Information: This article is to amend the FY2018 Sewer Enterprise Fund Budget. The Town and the Needham Independent Public Employees Association have reached an agreement for a one year contract extension as presented under Article 1. If approved, this budget amendment will provide the additional funding (\$20,373) necessary to pay the cost of the Agreement for FY2018. There are 11 members of the Union assigned to Sewer operations. The article also seeks to lower the MWRA Assessment appropriation by \$28,846. At the time the Sewer Enterprise Fund budget was approved, the sewer assessment was based on the preliminary figures released by the MWRA. The Town has received its actual assessment for FY2018 which was less than the budgeted amount. The net effect of the requested changes is a

decrease of \$8,473 (-0.09%) to the Enterprise Budget.

ARTICLE 5: AMEND THE FY2018 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2018 Water Enterprise Fund adopted under Article 18 of the 2017 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating the new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
301A	Salary & Wages	\$1,226,141	\$1,248,413
301D	MWRA Assessment	\$1,114,185	\$1,109,794

and to meet this appropriation that the additional amount be raised from Water Enterprise Fund receipts; or take any other action relative thereto.

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

Article Information: This article is to amend the FY2018 Water Enterprise Fund Budget. The Town and the Needham Independent Public Employees Association have reached an agreement for a one year contract extension as presented under Article 1. If approved, this budget amendment will provide the additional funding (\$22,272) necessary to pay the cost of the Agreement for FY2018. There are 12 members of the Union assigned to Water operations. The article also seeks to lower the MWRA Assessment appropriation by \$4,391. At the time the Water Enterprise Fund budget was approved, the water assessment was based on the preliminary figures released by the MWRA. The Town has received its actual assessment for FY2018 which was less than the budgeted amount. The net effect of the requested changes is an increase of \$17,881(0.32%) to the Enterprise Budget.

ARTICLE 6: 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:

Project	Town Meeting	Article	Authorized	Rescind
High School Cafeteria Construction	Nov 2015 STM	11	\$2,100,000	\$225,000
Sewer Pump Station Reservoir B	Nov 2011 STM	15	\$6,300,000	\$170,000

Total			\$8,400,000	\$395,000
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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, and/or favorable bids.

PUBLIC SAFETY ARTICLES

ARTICLE 7: AUTHORIZATION FOR ACQUISITION OF REAL PROPERTY

To see if the Town will vote to authorize the Board of Selectmen to purchase on behalf of the Town the real property known as 43 Lincoln Street (Assessors Map 47, Lot 46); 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 Town has been seeking to acquire the property at 43 Lincoln Street for several years. The acquisition, if approved, ensures the Town's ownership of the entire block bordered by School Street, Chestnut Street, Lincoln Street, and the Chestnut/Lincoln Parking Lot. Over the past seven years, the Town has acquired five parcels in the block in order to increase and improve municipal parking, and to allow for the expansion and reconstruction of the Public Safety Building. The acquisition will both improve the design of the project and also obviate the need to eliminate parking currently dedicated for public use. The property consists of approximately .26 acres. No appropriation is required for the acquisition – the Board of Selectmen negotiated a mitigation agreement with the developer of the Second Avenue Residences to support enhancements to public safety facilities.

ARTICLE 8: AMEND ZONING BY-LAW – MAP CHANGE TO CENTER BUSINESS DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map to place in the Center Business District all that land now zoned Single Residence B and located at the intersection of Chestnut Street and School Street (Assessor's Map 47, Parcel 56) said area bounded and described as follows:

“Beginning at a point at the Chestnut Street centerline which intersects with the boundary line between the existing Single Residence B District and the Center Business District; then running easterly along said zoning boundary line to a point where it intersects with the boundary line between the Center Business District and a General Residence District; then turning and running southerly along the existing Single Residence B District and said General Residence District to a point where it intersects with the centerline of School Street and the boundary line between the existing Single Residence B District and General Residence District; then turning and running westerly to a point where it intersects with the centerline of Chestnut Street and the boundary between the existing Single Residence B District and the Chestnut Street Business District; then turning and running northerly along said boundary to the point of beginning.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This article describes the geographical area located at the intersection of Chestnut Street and School Street proposed to be changed from a Single Residence B District to a Center Business District. One parcel – namely the Police and Fire Station property (Parcel 56 on Assessors’ Plan 47) – that is currently zoned Single Residence B is affected by this rezoning. The proposed rezoning will correct a historical inconsistency currently in place along the easterly frontage of Chestnut Street where a singular residential property was retained along what is otherwise a contiguously zoned commercial corridor. With this noted change, the subject locale will be rendered consistent with that of its abutting Center Business District.

**ARTICLE 9: AMEND ZONING BY-LAW – FLOOR AREA RATIO AND LOT
COVERAGE REQUIREMENT FOR A MUNICIPAL BUILDING OR
STRUCTURE IN THE GENERAL RESIDENCE DISTRICT**

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

- (a) Amend Section 4.2, Dimensional Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, General Residence and Institutional Districts, Subsection 4.2.4, Table of Regulations for Public, Semi-Public and Institutional Uses in the Rural Residence Conservation, Single Residence A, Single Residence B and General Residence Districts and for the Institutional District, by inserting a footnote (h) for the Maximum Floor Area Ratio in the General Residence District on the table contained in Section 4.2.4, such footnote to read as follows:

“(h) The Board of Appeals may grant a special permit increasing the maximum Floor Area Ratio required by this footnote up to 0.60 for a municipal building or structure.”

- (b) Amend Section 4.2, Dimensional Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, General Residence and Institutional Districts,

Subsection 4.2.4, Table of Regulations for Public, Semi-Public and Institutional Uses in the Rural Residence Conservation, Single Residence A, Single Residence B and General Residence Districts and for the Institutional District, by inserting a footnote (i) for the Maximum Percentage Lot Coverage in the General Residence District on the table contained in Section 4.2.4, such footnote to read as follows:

“(i)The Board of Appeals may grant a special permit increasing the maximum lot coverage required by this footnote up to twenty-five (25) percent for a municipal building or structure.”

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 proposes to amend the section of the Zoning By-Law that limits the maximum floor area ratio and the maximum lot coverage requirements for a municipal building or structure in the General Residence District. The amendment is offered in an effort to guide the planned reconstruction and expansion of Fire Station #2 at the intersection of Highland Avenue and Webster Street. The amendment would allow the Planning Board, acting as a special permit granting authority under site plan review, to issue a special permit in the General Residence District to increase the maximum permitted floor area ratio for a municipal building or structure up to 0.60, and the maximum permitted lot coverage for a municipal building or structure up to twenty-five (25) percent. Currently in the General Residence District, the maximum floor area ratio for a municipal building or structure is capped at 0.30 and the maximum lot coverage for a municipal building or structure is capped at fifteen (15) percent.

ARTICLE 10: APPROPRIATE FOR PUBLIC SAFETY BUILDING & FIRE STATION #2 DESIGN

To see if the Town will vote to raise, borrow, and/or transfer and appropriate \$3,750,000 for engineering and design for the reconstruction of the Public Safety Building and Fire Station #2, including costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under Massachusetts General Law Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Law Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; 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: This article will fund the design development phase of the public safety building project.

The Public Safety Building, located at the intersection of Chestnut Street and School Street, opened in 1931, and was renovated in 1988-1989. Fire Station #2, located at the intersection of Highland Avenue and Webster Street, opened in 1949 and was also renovated in 1988-1989. The amount of space that was originally allocated within both buildings for the Police and Fire Departments is no longer sufficient to accommodate changes in operations, changing personnel needs, technology upgrades, and security improvements, and neither station is fully accessible for individuals with limited mobility.

In 1950, 19 years after the station opened, the Police Department had 25 sworn officers and responded to 1,774 calls. By 2015, the number of sworn officers was 49 and call volume had increased to 31,610. The proposed program meets many deficiencies identified in the Police Department, including the lack of adequate locker facilities for female officers, evidence and property storage, interview rooms and interview recording technology, public meeting space, records storage, dispatch areas, patrol and administrative office space, and report writing space. The prisoner holding cells are outdated and inadequate, and the current prisoner booking area is unsafe due to its size and configuration. The building lacks the ability to handle technology improvements due to available space needed, while the roof continues to leak into the records/server room on the second floor. The current climate control only works sporadically throughout the building creating numerous temperature variations.

In 1950, the Fire Department had 27 firefighters. Call volume data is not available for 1950, but the Department responded to 600 calls in 1960. By 2015, the number of sworn firefighters was 64 and the Department responded to 3,915 calls. The proposed program meets many deficiencies identified in the Fire Department, including apparatus bays that are too small for modern fire trucks, insufficient area for performing equipment maintenance and repair, lack of facilities for storing and cleaning turnout gear, minimal existing office space, inadequate facilities for firefighter support such as bunkrooms, toilets and showers, and insufficient storage space for files and equipment.

The November 2, 2015 and February 10, 2016 Special Town Meetings and the 2017 Annual Town Meeting approved a total of \$390,000 in funding for feasibility studies and schematic design. If the appropriation for design development is approved, the project will be presented to the fall, 2018 Special Town Meeting for construction appropriation, and to the voters at the November 6, 2018 State election for debt exclusion funding.

CAPITAL ARTICLES

ARTICLE 11: APPROPRIATE FOR HIGH SCHOOL EXPANSION CONSTRUCTION

To see if the Town will vote to raise, borrow, and/or transfer and appropriate \$13,188,000 for the reconstruction and expansion of the Needham High School, including costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that \$120,000 be transferred from Article 1 of the November 2013 Special Town Meeting, that \$126,000 be transferred from Article 14 of the November 2009 Special Town Meeting, that \$817,000 be transferred from the Capital Facility Fund, and that \$1,000,000 be transferred from Overlay Surplus; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$11,125,000 under Massachusetts General Law Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Law Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; 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: Needham High School is in need of additional classroom space to accommodate growing enrollment, and renovations to correct building deficiencies. This project would fund the addition of classroom space at the school, and would make the following improvements: replacement of the chillers, renovation of Gymnasium "A", addition of gym storage, and reconfiguration of gym lockers.

The classroom expansion component is intended to support anticipated student population growth. This project would include construction of a new classroom wing at the Webster Street entry to the school. Enrollment is growing and expected to peak at 1,835 students in the 2024/25 School Year. This population, as well as the relatively small size of existing classrooms, has created both over-crowding in and over-utilization of existing classroom spaces. The building was originally designed for 1,450 students and reflected School Building Authority standards in effect at the time that were lower than the current design guidelines. (In 2007, the year the High School was renovated, 725 s.f. was the typical classroom size, which is smaller than the current Massachusetts School Building Authority guideline of 925 s.f. Under the current guidelines, a 725 s.f. classroom is sized for 19 students, whereas a 925 s.f. classroom can accommodate 23 students per instructional space.) Currently, 45% of the core academic sections - Math, English, Social Studies and World Languages - have more than 23 students per section, with some having as many as 28 students. An additional 40% of sections have 16-23 students. The average utilization rate in these spaces is 90%, which exceeds the MSBA guideline of 85% (set to preserve flexibility in scheduling.) Since 2008, several spaces at NHS have been repurposed to

function as classrooms, however the number available remains below the need. Further, the repurposing has compromised the overall operation of the educational program.

The project would also replace the 300-ton chiller at the High School, with two 250-ton chillers. The existing chiller stopped working last year, cannot be repaired and must be replaced. The new chillers will accommodate the current building needs, as well as the additional square footage created by the expansion project.

Finally, this project would renovate the A Gym and related spaces. The A Gym was added to the high school in the 1950's and remains essentially in its original configuration. As a result, the space has many deficiencies and is in need of significant renovation. Specifically, the project would replace the gym floor, relocate the ceiling mounted basketball hoops, replace the rooftop-mounted ventilation units, replace the lighting and floor systems, remove the wood paneling, repaint the entire space, and install acoustic panels to the underside of the exposed roof deck. Additionally, the project would add much needed equipment storage to the gym area, and would reconfigure and increase the number of gym lockers to accommodate the expanded student population.

This article will fund construction of the proposed expansion project. The 2017 Annual Town Meeting appropriated \$1.075 million for project design (including \$950,000 for the classroom expansion and gym renovations and \$125,000 for chiller replacement.) This article requests the balance of the funds needed to complete the project.

GENERAL ARTICLES

ARTICLE 12: EXTINGUISH SEWER AND DRAIN EASEMENT/BROOKSIDE ROAD

To see if the town will vote to authorize the Board of Selectmen to extinguish a sewer and drain easement from Clarke Circle to Brookside Road, more fully described in an order of taking number 1958-1, dated April 8, 1958 and recorded at the Norfolk County Registry of Deeds in Registration Book 233, Page 17; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article Information: *In 1958, the Town established a sewer easement along the property line of 103 Brookside Road. In 1992, the Town established a new sewer easement but did not formally dissolve the original 1958 easement. Town Meeting action is required to extinguish the 1958 easement that is no longer needed by the Town.*

ARTICLE 13: ACCEPT GRANT OF ACCESS EASEMENT/CARTWRIGHT ROAD

To see if the Town will vote to authorize the Selectmen to accept a grant of access easement by

Mary Stare Wilkinson and Bradford Wilkinson to the Town of Needham as shown on a plan entitled "Definitive Subdivision Plan, 260 and 267 Cartwright Road, a 2 Lot Single Family Residential Subdivision, Needham, Massachusetts" on file with the Planning Board; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: As a condition of approval of the Cartwright Road Subdivision, the Planning Board required that the Developer grant the Town a grant of access easement. The access easement allows for passage by foot or vehicle over the private way, consistent with the manner in which streets are customarily used in the Town of Needham. Town Meeting approval of such easements is required in order for them to be effective.

ARTICLE 14: EXTINGUISH A PORTION OF DRAIN EASEMENT/NICHOLS ROAD

To see if the Town will vote to authorize the Board of Selectmen to extinguish a portion of a 1937 Drain Easement at 56 Nichols Road from Nichols Road to the rear property line of 56 Nichols Road, more fully described in a Grant of Easement recorded at the Norfolk County Registry of Deeds in Book 2144 Page 459; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article Information: The property owner of 56 Nichols Road received permission from the Board of Selectmen to encroach on the existing drain easement in order to reconstruct a new home. In consideration of this approval, the property owner relocated the drain line, and the old line was abandoned and removed as part of the construction. Town Meeting action is required to extinguish the original drain easement that is no longer needed by the Town.

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 15th day of August, 2017.

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

A TRUE COPY
Attest:
Constable: