

# TOWN OF NEEDHAM



## SPECIAL TOWN MEETING WARRANT

MONDAY, OCTOBER 24, 2022

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](http://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 TWENTY FOURTH DAY OF OCTOBER 2022**

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

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**HUMAN RESOURCE ARTICLES**

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**ARTICLE 1: FUND COLLECTIVE BARGAINING AGREEMENT – BUILDING CUSTODIAN & TRADES INDEPENDENT ASSOCIATION**

To see if the Town will vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Building Custodian and Trades Independent Association by authorizing the Town Manager to transfer a sum necessary to fund the cost items contained in the agreement from the Classification, Performance, and Settlements line to the appropriate lines in the Operating Budget for fiscal year 2023 and fiscal year 2024; or take any other action relative thereto.

INSERTED BY: Select Board

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

PERSONNEL BOARD RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.*

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**ARTICLE 2: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM INDEPENDENT PUBLIC EMPLOYEES ASSOCIATION**

To see if the Town will vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Needham Independent Public Employees Association by authorizing the Town Manager to transfer a sum necessary to fund the cost items contained in the agreement from the Classification, Performance and Settlements line to the appropriate lines in the Operating Budget for fiscal year 2023; or take any other action relative thereto.

INSERTED BY: Select Board

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

*Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.*

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## FINANCE ARTICLES

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### **ARTICLE 3: AMEND THE FY2023 OPERATING BUDGET**

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2023 Operating Budget adopted under Article 10 of the 2022 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>
2	Debt Service	\$20,198,294	\$20,366,317

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 General Fund debt service budget by \$168,023. With rising interest rates, the Town opted to issue bonds related to the Public Safety Building project sooner and in a larger amount than was anticipated for FY2023 to lock in lower interest rates. Because the Public Safety Buildings were approved to be financed primarily by excluded debt, the lower interest rates benefit the taxpayers directly because the amount of debt to be paid by property taxes for the project are less than it would have been had the Town not bonded when it did. Consequently, the total debt service for FY2023 is higher than the original budget plan by \$168,023. However, the total excluded debt over the life of the existing bonds is \$8.7 million less than anticipated in the last capital improvement plan.*

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### **ARTICLE 4: AMEND THE FY2023 SEWER ENTERPRISE FUND BUDGET**

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2023 Sewer Enterprise Fund adopted under Article 11 of the 2022 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>
201D	MWRA Assessment	\$6,822,134	\$6,760,857

or take any other action relative thereto.

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

*Article Information:* The final MWRA Sewer Assessment was received after the approval of the FY2023 Sewer Enterprise Fund Budget at the 2022 Annual Town Meeting. The final assessment is \$61,277 lower than the initial assessment and the budget has been reduced accordingly.

**ARTICLE 5: AMEND THE FY2023 WATER ENTERPRISE FUND BUDGET**

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2023 Water Enterprise Fund adopted under Article 12 of the 2022 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	\$1,492,528	\$1,503,306

or take any other action relative thereto.

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

*Article Information:* The proposed \$10,778 increase to the Water Enterprise Fund Budget will fund salary increases for non-union personnel. The amount of the general wage increase was not yet available when the budget was approved at the 2022 Annual Town Meeting.

**ARTICLE 6: APPROPRIATE TRANSPORTATION IMPROVEMENT FEES**

To see if the Town will vote to appropriate funds from the Commonwealth Transportation Infrastructure Fund in the amount of \$9,507.40 for the purpose of transportation infrastructure improvements, said sum to be spent under the direction of the Town Manager; or take any other action relative thereto.

INSERTED BY: Select Board  
 FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

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

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**ARTICLE 7:            APPROPRIATE FOR NEEDHAM CLIMATE ACTION PLANNING**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$55,000 for the purpose of funding the development of a Climate Action Plan for the Town of Needham, to be spent under the direction of the Town Manager and to meet this appropriation that said sum be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Select Board

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

*Article Information: This request would fund a consultant to work in partnership with the Climate Action Plan Committee (CAPC) to provide services related to the coordination and development of the Needham Climate Action Plan (CAP). In September, 2022, the Select Board created the CAPC to guide the Town in developing a plan that meets or exceeds the State’s climate mitigation and resilience goals. The Committee was asked to make recommendations to the Select Board on approval of a CAP. In addition, the October 25, 2021 Special Town Meeting approved a resolution asking the Select Board to consider a number of climate change initiatives. The nine-member committee has conducted regular meetings since April 2022, researched peer community climate action plans, and has developed a draft outline plan. The plan will need to be expanded upon with greater community input and research. The consultant will provide technical expertise needed to validate the recommendations and finalize the CAP.*

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**ZONING ARTICLES**

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**ARTICLE 8:            AMEND ZONING BY-LAW – SCHEDULE OF USE REGULATIONS  
BREW PUB AND MICROBREWERY**

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

In Section 1.3 Definitions, by adding the following after the existing definition of “Basement” and before the existing definition of “Building (or part or parts thereof)”:

“Brew Pub – Eat-in restaurant, licensed under relevant local, state and federal statutes to produce and sell malt beverages at the location, whose primary business is the preparation and sale of food to be consumed on the premises, and whose accessory business is the production of malt beverages, including beer and ales, which may include packaging of such beverages and on-premises sale of such beverages for consumption on or off the premises. Malt beverages produced on the premises may be sold to other establishments in compliance with relevant state and federal statutes and regulations, but such sales shall not exceed 40 percent of the establishment’s production capacity. Accessory outdoor dining and live indoor entertainment is allowed if otherwise permitted in the zoning district in which the brew pub is located, if and as permitted by its license.”

2. In Section 1.3 Definitions, by adding the following after the existing definition of “Medical Services Building,” and before the existing definition of “Mixed-Use Building”:

“Microbrewery - A facility, licensed under relevant local, state and federal statutes, for the production and packaging of malt beverages, including beer and ales, for retail sale and for consumption on or off the premises or wholesale distribution, with a capacity and production of not more than fifteen thousand (15,000) barrels per year (a barrel being equivalent to thirty-one (31) gallons), and which may include as an accessory use preparation and/or sale of food for on-premises consumption or for take-out. Any such facility may also provide samples limited in size, provided that such sampling is allowed under relevant local, state, and federal statutes, regulations and licenses issued thereunder. The facility may host marketing events, special events, and/or factory tours. The facility may include as an accessory use an eat-in or take-out restaurant that may include outdoor dining, which restaurant may occupy more than half of the area of the facility and may include live indoor entertainment if otherwise permitted in the zoning district in which the microbrewery is located, if and as permitted by its license.”

3. In Section 3.2, Schedule of Use Regulations, Subsection 3.2.2, Uses in Business, Chestnut Street Business, Center Business, Avery Square Business and Hillside Avenue Business Districts, by inserting immediately below the row that reads “medical clinic” a new entry, which shall read as follows:

“ <u>USE</u>	<u>B</u>	<u>CSB</u>	<u>CB</u>	<u>ASB</u>	<u>HAB</u>
Brew Pub	SP	SP*	SP	SP	N

\*Applies only to the portion of the Chestnut Street Business District that is west of Chestnut Street and south of Keith Place, otherwise N.”

4. In Section 3.2, Schedule of Use Regulations, Subsection 3.2.1, Uses in the Rural Residence-Conservation, Single Residence A, Single Residence B, General Residence, Apartment A-1, Apartment A-2, Apartment A-3, Institutional, Industrial, and Industrial-1 Districts, by inserting immediately below the row that reads “medical clinic” a new entry, which shall read as follows:

“ <u>USE</u>	<u>RRC</u>	<u>SRB</u>	<u>GR</u>	<u>A-1,2</u>	<u>I</u>	<u>IND</u>	<u>IND-1</u>
	<u>SRA</u>			<u>&amp;3</u>			
Brew Pub	N	N	N	N	N	SP*	N
Microbrewery	N	N	N	N	N	SP**	SP

\*Applies only to the Industrial District any portion of which is located within 150 feet of the Arbor Street boundary and the Industrial District that is located east of Rte. 95/128, otherwise N.

\*\*Applies only to the Industrial District that is located east of Rte. 95/128, otherwise N.”

5. In Section 3.2.4 Uses in the New England Business Center District, Subsection 3.2.4.2 Uses Permitted by Special Permit, by adding a new paragraph (k) that states “Microbrewery, allowable only in the portion of the New England Business Center District located west and south of Second Avenue.” and new paragraph (l) that states “Brew Pub, allowable only in the portion of the New England Business Center District located west and south of Second Avenue.”
6. In Section 3.2.5, Uses in the Highland Commercial-128 District, Subsection 3.2.5.2, Uses Permitted by Special Permit, by adding a new paragraph (q) that states “Microbrewery, allowable only in the portion of the Highland Commercial-128 District located a) north of Highland Avenue and b) south of Highland Avenue and west of Second Avenue.” and a new paragraph (r) that states “Brew Pub, allowable only in the portion of the Highland Commercial-128 District located a) north of Highland Avenue and b) south of Highland Avenue and west of Second Avenue.” and by renumbering former paragraphs (q), (r) and (s) as paragraphs (s), (t) and (u) respectively.
7. In Section 3.2.6, Uses in the Mixed Use-128 District, Subsection 3.2.6.2, Uses Permitted by Special Permit, by adding a new paragraph (k) that states “Microbrewery” and a new paragraph (l) that states “Brew Pub” and by renumbering former paragraphs (k), (l) as paragraphs (m) and (n) respectively.

Or take any other action relative thereto.

INSERTED BY: Planning Board

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

*Article Information:* Article 8 provides for the establishment of Brew Pubs and Microbreweries within Needham. The Needham Zoning By-Law does not currently have any provisions for Brew Pubs or Microbreweries and because the noted uses are not specifically identified as permissible, they are prohibited. Accordingly, the proposed zoning amendment seeks to introduce Brew Pubs and Microbreweries as permitted uses in Needham and takes the following approach: 1) defines the terms “Brew Pub” and “Microbrewery;” 2) identifies the zoning districts in which a Brew Pub and/or Microbrewery will be allowed; and 3) establishes that a Brew Pub and Microbrewery will only be allowed by special permit either from the Planning Board or the Zoning Board of Appeals.

*Brew Pub Definition.* A Brew Pub is a hybrid between a restaurant and a Microbrewery. It sells at least 60% of its beer on-site with significant food services. At a Brew Pub the beer is primarily brewed for sale in the restaurant. Brew Pubs may sell beer to go or distribute to some off-site destinations. Under the proposed amendment a Brew Pub is defined as an eat-in restaurant, licensed under relevant local, state and federal statutes to produce and sell malt beverages at the location, whose primary business is the preparation and sale of food to be consumed on the

*premises, and whose accessory business is the production of malt beverages, including beer and ales, which may include packaging of such beverages and on-premises sale of such beverages for consumption on or off the premises. Malt beverages produced on the premises may be sold to other establishments in compliance with relevant state and federal statutes and regulations, but such sales shall not exceed 40 percent of the establishment's production capacity. Accessory outdoor dining and live indoor entertainment is allowed if otherwise permitted in the zoning district in which the brew pub is located, if and as permitted by its license.*

*Microbrewery Definition. A Microbrewery is a brewery that produces 15,000 barrels or less of beer per year. A Microbrewery completes its primary sales using one or more of the following approaches: (1) Three-tier system: The brewer sells to a wholesaler who sells to a retailer who sells to the consumer; (2) Two-tier system: The brewer acts as a wholesaler and sells to the retailer who sells to the consumer. (3) Direct Sales: The brewer sells directly to the consumer for on-site consumption and/or for carry-out. Under the proposed amendment a Microbrewery is defined as a facility, licensed under relevant local, state and federal statutes, for the production and packaging of malt beverages, including beer and ales, for retail sale and for consumption on or off the premises or wholesale distribution, with a capacity and production of not more than fifteen thousand (15,000) barrels per year (a barrel being equivalent to thirty-one (31) gallons), and which may include as an accessory use preparation and/or sale of food for on-premises consumption or for take-out. Any such facility may also provide samples limited in size, provided that such sampling is allowed under relevant local, state, and federal statutes, regulations and licenses issued thereunder. The facility may host marketing events, special events, and/or factory tours. The facility may include as an accessory use an eat-in or take-out restaurant that may include outdoor dining, which restaurant may occupy more than half of the area of the facility and may include live indoor entertainment if otherwise permitted in the zoning district in which the microbrewery is located, if and as permitted by its license.*

*District Location. The amendment would permit a Brew Pub by special permit in the Business District, Center Business District, Avery Square Business District, portion of the Chestnut Street Business District located west of Chestnut Street and south of Keith Place, and the portion of the Industrial District located within 150 feet of the Arbor Street boundary. A Microbrewery would be permitted by special permit in the Industrial-1 District. A Brew Pub and a Microbrewery would be permitted by special permit in the Mixed Use-128 District, portion of the New England Business Center District located west and south of Second Avenue, the portion of the Highland Commercial-128 District located a) north of Highland Avenue and b) south of Highland Avenue and west of Second Avenue, and the portion of the Industrial District located east of Rte. 95/128.*

*Special Permit Requirement. Given the desire for close review, the amendment proposes to permit a Brew Pub and a Microbrewery by special permit from the Planning Board in circumstances where a Major Project Site Plan Review Special Permit is triggered and outside of those circumstances to name Zoning Board of Appeals as the special permit granting authority. The special permit requirement would allow for a meaningful review of design and transportation impacts, as well as a greater level of oversight and assurance that the facilities will be operated in a manner that is consistent with the intent of the zoning and other regulations.*

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## CAPITAL ARTICLES

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### **ARTICLE 9:     **APPROPRIATE FOR RIDGE HILL BUILDINGS DEMOLITION SUPPLEMENT****

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$225,000 for the purpose of the demolition and removal of buildings at Ridge Hill Reservation, to be spent under the direction of the Permanent Public Building Committee and Town Manager and to meet this appropriation that said sum be transferred from Overlay Surplus; or take any other action relative thereto.

INSERTED BY: Select Board

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

*Article Information: Two of the three buildings at Ridge Hill are in advanced stages of disrepair and pose potential health and safety risks to the public. In 2019, Town Meeting approved \$25,000 in feasibility funding for the demolition of the buildings, and the October 2021 Special Town Meeting appropriated \$603,091 for the completion of the project. The Town received three bids for the construction phase of the project, and the average bid including a contingency amount was significantly higher than the original estimate. It is expected that this request for \$225,000 in supplemental funding will allow the Town to move forward with the project. Bids are due prior to Town Meeting and additional information will be available at that time.*

*This project includes the demolition of the Ridge Hill Manor House and garage at 463 Charles River Street. The Manor House and garage have hazardous building materials within the existing structures that must be professionally handled, abated, and disposed of as part of the demolition project per Federal and State regulations. The demolition scope of work also includes removal of an underground fuel storage tank at the garage; complete removal of all building elements, foundations, portions of the exterior paved areas and utilities associated with the subject structures, and stabilization and restoration of the site following demolition.*

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### **ARTICLE 10:     **APPROPRIATE FOR EMERY GROVER RENOVATION SUPPLEMENT****

To see if the Town will vote to appropriate a sum for the renovation of and addition to the Emery Grover Building and associated grounds, including the temporary use of the Hillside School as swing space, as well as 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 \$13,000 be transferred from Article 32 of the May 2018 Annual Town Meeting, that \$32,000 be transferred from Article 6 of the May 2018 Special Town Meeting, that \$145,000 be transferred from Article 1 of the January 2019 Special Town Meeting, that \$150,000 be transferred from Article 21 of the June 8, 2020 Annual Town Meeting, that \$1,000,000 be transferred from Overlay

Surplus, and that the Treasurer, with the approval of the Select Board, is authorized to borrow a sum under M.G.L., Chapter 44, Section 7, M.G.L. Chapter 44B, or any other enabling authority; or take any other action relative thereto.

INSERTED BY: Select Board

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

*Article Information: This article would provide additional funding for construction of a project to fully renovate the Emery Grover School Administration Building, at its present location on Highland Avenue. The additional funding request reflects construction price escalation. Not only are essential materials and skilled labor significantly more expensive, but supply chain pressures and shortages have made it difficult to secure needed construction materials.*

*This request supplements the \$19,400,000 budget for construction awarded at the 2022 Annual Town Meeting and the \$1,475,000 appropriated for design at the October 25, 2021 Special Town Meeting. Based on 60% Construction Documents, the updated project budget is estimated at \$25.330 million, which reflects an increase of \$4,455,000 over the May 2022 feasibility stage estimate of \$20.875 million. This increase is not unexpected; it was understood in May that total project costs could increase, based upon construction bids, and that the Town might need to seek additional funds to complete the project. Bids for the construction project are due prior to Town Meeting and additional information will be available at that time.*

*The scope of this 21,108 Gross Square Foot (GSF) renovation project remains unchanged from May and includes the following elements: historic renovation of the Emery Grover exterior (façade); renovation and modernization of the interior spaces; and minor modifications to the Hillside School, to serve as swing space during construction. The project scope modifies that originally described by BH+A Architects in the June 2020 Emery Grover Feasibility Study, which is available for review on the School Department's website. The revised concept reduces the original building scope by approximately one third from 34,717 GSF to generally fit within the building's existing envelope. It eliminates the 50ft. by 100ft., three-story 18,415 GSF addition that was originally proposed for the rear of the building, reflects a more efficient use of interior spaces (such as the use of shared spaces and common work areas), and relocates the educational technology/head end room function to other school buildings.*

*The Emery Grover construction project is anticipated to take 16 months. The Hillside School updates are in process and are expected to be completed in December 2022.*

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**ARTICLE 11:            APPROPRIATE FOR PROPERTY ACQUISITION**

To see if the Town will vote (i) to authorize the Select Board to acquire, by purchase, gift, eminent domain or otherwise, certain real property identified as 0 Charles River Street containing 130,680 s.f +/- as shown on Assessors Map 304, Block 0004 for conservation, open space and passive recreation purposes, a second parcel identified as 0 Charles River Street containing 130,680 s.f +/- as shown on Assessors Map 304, Block 0005 for conservation, open space and passive recreation purposes, and a portion of a third parcel identified as 484 Charles River Street containing

approximately 58.28 acres +/- as shown on Assessors Map 304, Block 0002 of which the Town would acquire approximately 28 acres +/- for general municipal purposes, and (ii) to appropriate \$2,500,000 to pay costs of such acquisition, including the payment of all other costs incidental and related thereto, to be spent under the direction of the Town Manager, and that to meet this appropriation, the Select Board, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7(1); or take any other action relative thereto.

INSERTED BY: Select Board

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

*Article Information: This article will provide authorization for the Select Board to acquire approximately 34 acres of open space in a partnership with Northland Residential that would provide public access to the Charles River, walking trails, and recreational opportunities. This land is a portion of the Castle Farm Property owned by the Foster Estate. If funded, the Town will acquire two parcels of land totaling approximately six acres along Charles River Street and an additional approximately 28 acres of meadowland along the Charles River. Each of these parcels directly abuts a portion of the existing Ridge Hill Reservation that was acquired by the Town in 1981. The acquired land will allow the Town to retain its existing trail network (a portion of which travels across currently private land along Charles River Street), preserve the scenic road view for residents and passersby, and expand public access to the Charles River. This proposed acquisition is consistent with the resolution approved at the October 25, 2021 Special Town Meeting, asking that the Select Board consider developing policies that protect Needham's trees, forests, and open spaces because they draw carbon from the atmosphere, and provide life-sustaining food and shelter to other species.*

*The Select Board has collaborated with Northland Residential on the plan to purchase the entire approximately 64.16 acre-Castle Farm, a partnership critical to preserving 34 acres from development. Northland has proposed building a residential development (including an affordable component) on an approximately 14-acre parcel and setting aside approximately 14 additional acres to serve as an open space buffer and setback from Whitman Road. In total, the envisioned partnership is projected to keep an estimated 48 acres, or 75 percent of the current property as open space, and prevents the type of clear cutting of trees that could take place if the land was sold to a private developer for the construction of a conventional subdivision.*

*The proposed acquisition would be subject to a conservation restriction on all of the property along Charles River Street (approximately six acres) creating a buffer to any future development. The balance of the parcel will be acquired for general municipal use with the express intent that it will be held perpetually as open space.*

*As of the printing of the Warrant, the developer and seller were finalizing the Purchase & Sale Agreement. If Town Meeting approves the Town's acquisition of a portion of the property, and Northland satisfactorily completes its review period, it will close on one of the three-acre parcels. Northland has until the spring of 2023 to complete its permits and approvals (from the Commonwealth and the Town) and the balance of the property would be conveyed by late spring, 2023.*

**ARTICLE 12:                      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:

Project	Town Meeting	Article	Authorized	Rescind
Public Works Storage Facility (Jack Cogswell Facility)	2018 ATM	35	\$3,503,000	\$2,218,000
Total				\$2,218,000

or take any other action relative thereto.

INSERTED BY: Select Board

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.

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**RESERVE ARTICLES**

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**ARTICLE 13:    APPROPRIATE TO CAPITAL IMPROVEMENT FUND**

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$351,662 to the Capital Improvement Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* Massachusetts General Law Chapter 40, Section 5B, allows the Town to create one or more stabilization funds for different purposes. A stabilization fund is a special reserve fund into which monies may be appropriated and reserved for later appropriation for any lawful municipal purpose. Monies accumulated in a stabilization fund carry forward from one fiscal year to another. Interest earned from the investment of monies in the stabilization fund remains with that fund. The 2004 Annual Town Meeting under Article 58 approved the creation of Capital Improvement Stabilization Fund for the purpose of setting aside funds for time-sensitive and critical capital items at times when ordinary funding sources are limited or not

available. Over time, as the fund grows and is supported, it will be one of the tools in the overall financial plan of the Town. Maintaining and supporting such funds is looked upon favorably by the credit rating industry. The balance in the fund as of July 31, 2022 was \$1,102,238.

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## GENERAL ARTICLES

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### **ARTICLE 14: AUTHORIZE COMMUNITY ENERGY AGGREGATION**

To see if the Town will vote to grant the Select Board authority to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town and for other related services, independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation; or take any other action relative thereto.

INSERTED BY: Select Board

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

*Article Information: Community Electricity Aggregation (CEA) is the process by which, under state law, a town or city purchases electricity in bulk from a competitive supplier on behalf of the residents and businesses within the community. A CEA allows cities and towns to pool the purchasing power of residents and businesses to directly purchase energy from competitive power suppliers and secure a cleaner mix of energy at tiered rates for the community. Over 170 cities and towns in Massachusetts currently have a CEA in place. Resident and business participation in a CEA is voluntary, and those who participate still receive a single electricity bill from Eversource, who will continue to deliver the electricity, maintain poles, and wires, and provide other customer services. Customers who choose not to participate in a CEA will continue to receive Eversource's basic electricity service.*

*The October 25, 2021 Special Town Meeting approved a resolution asking the Select Board to prioritize climate change initiatives and in particular projects that reduce greenhouse gas emissions. The Climate Action Plan Committee – approved by the Board in 2021 – has identified a CEA as the single most impactful step that Needham can take in the immediate term to reduce greenhouse gas emissions. Needham can enter into an aggregation with no cash expenditure by the Town, and residents and businesses may opt out of the aggregation program at any time, without restriction or penalties. A vote of Town Meeting is required to authorize the Select Board to start the process, which will take several months to complete. Specific details about the structure of the plan will be developed and communicated, and public input will be sought by the Select Board. The Town may also choose not to finalize a contract for a CEA if the bids received from competitive electricity suppliers are unfavorable.*

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 13<sup>th</sup> day of September 2022.

Marianne B. Cooley, Chair  
Marcus A. Nelson, Vice Chair  
Kevin Keane, Clerk  
Matthew D. Borrelli, Member  
Heidi Frail, Member

*Select Board of Needham*

A TRUE COPY

Attest:

Constable: