

**Town of Needham
Board of Selectmen
Minutes for November 13, 2018
Needham Town Hall
Selectmen's Chamber**

- 6:45 p.m. Informal Meeting with Citizens:
David and Sarah Miller, 95 Dana Place, and Steve and Sophia Buckley, 1049 Highland Avenue, as well as concerned neighbors spoke with the Board about continued MBTA train idling. Ms. Miller said she thought the issue had been solved, however after 15 months nightly train idling has resumed. She presented the Board data as to the harmful effects of noise/vibrations and air quality, and asked an environmental impact study be completed by the Town. She asked for the Board's support. The Board told neighbors it continues trying to remedy the situation. Mr. Bulian suggested Needham's Board of Health become involved, as the issue is intolerable. Ms. Fitzpatrick said she met with MBTA representatives, presented a series of questions regarding the issue, and expects a reply shortly from the MBTA.
- 7:00 p.m. The public portion of the Board of Selectmen meeting of November 13, 2018, was convened by Chairman Daniel P. Matthews.
- 7:00 p.m. Introduce Director of Conservation:
Lee Newman, Director of Planning & Community Development appeared before the Board to introduce Debora Anderson, the newly appointed Director of Conservation.
- Ms. Newman said Ms. Anderson has been a Conservation Specialist with the Town for eight years and holds a degree in wildlife biology. She said she has been actively engaged in several Town projects including the Rosemary Pool and Recreation Complex, trails at the PSAB building, and wetlands flagging for development of the new Sunita Williams Elementary School. Ms. Newman said she is pleased to promote someone from within who is committed to Needham. Ms. Anderson said she is excited to start her new position, hoping to continue making positive contributions to the Town. The Board congratulated Ms. Anderson.
- 7:02 p.m. Appointments and Consent Agenda:
Motion by Mr. Bulian that the Board vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS

- 1. Local Emergency Planning Committee See List at end of agenda.
All terms expire 6/30/2021.**

CONSENT AGENDA

- 1. Accept the following donations made to the Needham Community Revitalization Trust Fund: \$100 from Gregg Clickstein, \$100 from Louise Condon, and \$100 from Harry Carey, Jr.**
- 2. Accept a \$200 donation made to the Needham Health Department's Gift of Warmth Fund from Shahin Soli Sagafi.**
- 3. Accept the following donations made to the Needham Aging Services Account; \$200- Suzanne Roklan; \$40- Mary & Richard Johnson; and \$19 from Fitzroy Danglad.**
- 4. Accept a donation of a Ping Pong Table to the Needham Aging Services from Margaret Robbins, a Needham resident. The table is valued at \$200.**
- 5. Accept the following gifts received by the Needham Public Library for the period of July 1, 2018, to October 31, 2018: Maureen Fitzgerald donated the following puzzles: Smithsonian Hope Diamond (\$11.00), Marinas, Finnmark, Norway (\$15.00), Haberdashery Heaven (\$23.00), Saturday Evening Post Busy Lunch Counter (\$9.00), and Pomegranate, Mike Wilks, The Letter P (\$18.00); Deborah Bassett gave the library a copy of the transcript of her father, long-time Needham resident, Norman Fay's official accounting of the activities of the 30th Division, Artillery during World War II. The book will be added to the library's Archives Collection (priceless); Faith Crisley donated a copy of Women I've Undressed by Hollywood designer Orry-Kelly (\$27.00); Lu-Ann Caron-Leslie gave the library a copy of Boston Boy: A Greyhound Journey (\$26.00); Maureen Davison donated copies of the following new books: House of Broken Angels by Luis Alberto Urrea (\$27.00); The Sun Does Shine by Anthony Ray Hinton (\$26.99); Little Fires Everywhere by Celeste Ng (\$27.00); Kate Fitzpatrick donated a New Yorker cover puzzle, Shelved (\$16.99); Ellen Moskowitz gave the library eight Brio trains (\$20.00); Library Page Mary Lou Pierron arranged a grant from the Sisters of Loretto for a \$3,000.00 donation for the purchase of World Language books; Emily Rude gave the library two puzzles for the circulating collection: Brunswick and the Golden Isles of Georgia, and Cape Cod, Massachusetts; The following people made donations in Memory of Emily M. Salaun: Lois and Bill Bacon (\$25.00); Sandra E. Jaszek (\$50.00); Ann MacFate (\$50.00); Friends of the Needham Public Library (\$150.00); Tom Harkins (\$20.00); The following people made donations in memory of Cheryl Anne Miller Smith: Ann MacFate (\$50.00), and Tom Harkins (\$20.00); John T. Timmerman donated the following DVDs in memory of Robert T. Timmerman, Sr: Churchill: The Finest Hours (\$50.00), and Darkest Hour (\$15.00); The Needham Anime Club gave the library a \$500.00 donation for the purchase of electronic games for the Community Room; Gerard Clifford donated a copy of R. Bruce Hoadley's book, Understanding Wood (\$44.95); The following people made donations in memory of Roma Jean Brown: Lois and Bill Bacon (\$25.00), Ann MacFate (\$50.00), Linda and Paul Shaughnessy (\$50.00), Friends of the Needham Public Library (\$150.00), Beverly and Walter Pavasaris (\$100.00), Tom Harkins (\$20.00); Norfolk County Register of Deeds William P. O'Donnell sent the library a copy of the publication, 225th Anniversary Commemoration: Notable Land Records Project; Rick Hardy donated a copy of the Farnsworth Art**

Museum's N.C. Wyeth: Poems of American Patriotism (from the exhibition) (\$40.00); Keith McClelland gave the library a copy of his sister Ginger Bolton's latest book, Goodbye Cruller World (\$15.95); Leigh Rudikoff gave the library a copy of Divorcing a Narcissist: Rebuilding after the Storm by Tina Swithin (\$14.00); Nancy Herbstman donated \$27.86; and Friends Gallery Exhibitor Marguerite Swartz sold a painting and donated a 10% commission to the library for the purchase of a book on art (\$13.00).

6. Water and Sewer Abatement Order #1263.
7. Approve Open Session minutes of October 23, 2018 and Executive Session minutes of October 9, 2018.
8. Approve request from Rabbi Mendel Krinsky from the Chabad Jewish Center to hold a Menorah lighting ceremony on the Town Common on Monday, December 3, 2018 starting at 6:00 pm. Garrity Way cannot be accessed until 5:00 pm. Festivities include use of a Needham Fire Truck to dispense gelt to the attendees. (Pending approval of the Needham Fire and Police.)
9. Approve a request from The James to extend its liquor license on December 31, 2018 until 1:00 a.m. The Police Department has approved this request.

LEPC APPOINTEES	REP LEVEL		
Dennis Condon	Primary	Eddie Sullivan	Secondary
John Schlittler	Primary	Tiffany Zike	Secondary
Timothy McDonald	Primary	Debbie Anderson	Primary
John Regan	Primary	Shane Marchand	Secondary
Marc Mandel	Primary	Robert Lewis	Secondary
Barry Dulong	Primary	Tatiana Swanson	Secondary
Richard Merson	Primary	Christopher Coleman	Secondary
David Davison	Primary	Pam Sullivan	Secondary
Kate Fitzpatrick	Primary	Justin McCullen	Secondary
Barbara Singer	Primary	Rebecca Ping	Tertiary
Dale Wise	Primary	Tara Gurge	Tertiary
Wolfgang Flotgraf	Primary	Carys Lustig	Tertiary
John Kraemer	Secondary	Michelle Vaillancourt	Tertiary
Donald Anastasi	Secondary	Sandy Cincotta	Tertiary
		Keith Ford	Tertiary

Second: Mr. Borrelli. Unanimously approved 5-0.

7:02 p.m. Public Hearing: Application for a License to Store Fuel Aboveground at 585 Central Avenue:
 Hank Haff, Sr. Construction Manager, Building Design & Construction and Don Maver, Bacon Construction appeared before the Board requesting a license for the Town of Needham to install (4) 1,000 gallon tanks that will store 4,000 gallons of propane fuel aboveground at 585 Central Avenue, Needham, MA for the new Sunita Williams Elementary School that is under construction.

Mr. Maver explained the tanks will hold propane surrounded by jersey barriers and a six foot chain link fence, piped underground into a window to a heater inside the building. He said the use is temporary so construction can continue through the winter.

Ms. Fitzpatrick said all paperwork is in order and that the Town's two fire inspectors are in the audience to answer questions.

Ms. Borrelli asked when gas service to the building will be completed and if there is anything the Town can do to help? Mr. Maver said the gas company recently installed the gas meter, and as soon as the system is hooked up and signed off on by the plumbing inspector natural gas could be used. Mr. Borrelli surmised the four propane tanks will be used as backup until the natural gas system is completed. Mr. Maver concurred.

Mr. Matthews invited public comment.

Andrew Newman, 8 Cefalo Road suggested engineering plans for future projects be submitted to abutters. He commented temporary use of tanks was not disclosed, and it would be a good result if the tanks were never used. He commented on jersey barriers, trucks being a potential safety hazard, and that he hopes the fire department carefully reviewed the piping system.

**Motion by Mr. Handel that the Board of Selectmen vote to approve and authorize the Chairman to sign a license for the Town of Needham to install (4) 1,000 gallon tanks that will store 4,000 gallons of propane fuel aboveground at 585 Central Avenue, Needham, MA for the new Sunita L. Williams Elementary School that is under construction.
Second: Mr. Bulian. Unanimously approved 5-0.**

7:13 p.m.

Continuation of Public Hearing for the Removal of One (1) Public Shade Tree at 195 Harris Avenue, Needham, MA

Edward Olsen, Tree Warden, Parks & Forestry reminded the Board this public hearing is a continuation of the hearing started on October 9, 2018, as there were questions which arose at the last meeting which needed to be addressed.

Ann Roman, homeowner respectfully requested to remove a Public Shade Tree. This tree will be negatively affected by the proposed installation of a new water service line to this property. The existing lead lined service dates back to 1924. The Tree Warden does not object to the removal of the tree. Furthermore, if this hearing is approved the Town will plant two (2) trees along the grass berm to replace this single invasive species.

Mr. Borrelli asked whether the new trees to be planted are better than the Norway Maple tree? Mr. Olsen explained the invasive properties of the Norway Maple tree. He said the species has a low value and could be replaced with two trees with a higher value due to esthetics and characteristics.

Mr. Matthews noted the Norway Maple tree is now banned in several states. He said no town in Massachusetts would plant a Norway Maple tree because of the invasive concerns.

Ms. Roman explained the tree has been a problem since 1994 when it was planted, with roots affecting her driveway and sewer system. She said it is too expensive and impossible for her to continually clear roots from sewer pipes. She said her garden is ruined because of roots and diminished sun from the large tree canopy.

Karen Riccardelli, Mrs. Roman's daughter showed a Powerpoint presentation. Photos of Mrs. Roman's home, the tree, garden, lawn, roots lifting sidewalk pavement, and roots invading sewer pipes in her basement were viewed. Ms. Riccardelli implored the Board vote to remove the Norway Maple tree and replace it with two ornamental trees.

Mr. Handel asked how many similar situations exist in Needham and the anticipated demand for replacing the Norway Maple? Mr. Olsen said hundreds of Norway Maple trees exist, and all tree hearings are treated individually. Discussion ensued on newly planted trees and expected growth over 3-5 years. Mr. Handel said he is starting to be persuaded, however continues to have grave reservations about setting a precedent.

Mr. Borrelli said he understands it is a quality of life issue and Ms. Roman has been persuasive in her argument. He concurred with Mr. Handel about setting a precedent.

Mr. Bulian agrees with the concern of setting a precedent. He questioned future building on the property and wondered, hypothetically, what would happen if a builder might want to remove the newly planted trees to reposition a driveway. Mr. Olsen said it is a fair question, but the new trees would be planted further down the street.

Ms. Cooley said the decision making process leading to discussion about removing the tree for lead line service replacement was flawed. She said the best way forward is to remove the tree and replant 2 new trees.

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

Mr. Handel said he came to the hearing prepared not to support removal of the tree. However, he said the argument he heard is compelling enough and he has changed his mind and will now support removing the tree. Mr. Handel reiterated his concern with setting a precedent, as there are many Norway Maple trees in Needham.

Mr. Matthews agreed the process has been a long haul and was flawed. He concurred with setting a precedent, commenting on the importance of a consistent

approach in the future. Mr. Matthews said in this particular case, the resident owned the property before the tree was planted and that fairness is required.

**Motion by Mr. Borrelli that under M.G.L. Ch. 87 the Board vote to approve and sign the Public Shade Tree Hearing form for the removal of one 18-inch Norway Maple tree in front berm of 195 Harris Avenue.
Second: Mr. Handel. Unanimously approved 5-0.**

Ms. Cooley said the process of lead line replacement must be prioritized.

7:48 p.m.

Regional Transportation Update:

Monica Tibbits-Nutt, Executive Director, 128 Business Council appeared before the Board with an update on the regional transportation system. She referred to a survey focusing on residents and employees of Needham and Newton, and showed a PowerPoint presentation discussing the current and future trends in regional transportation. Ms. Tibbits-Nutt commented on modes of public transit options including the commuter rail, the “T”, bike path, and the Needham shuttle (operating over 20 years.) She noted ridership has increased on the Needham shuttle and a second bus was added due to demand, anticipating a third bus will be added within the year. Discussion ensued on transportation mode preferences for work, play, evenings, and weekends, as well as the origin and destination. It was noted over 1,300 people responded to the survey. Ms. Tibbits-Nutt said based on data, public transportation options are not meeting the needs of residents and employees of Needham. She commented many of the traffic issues in Newton and Needham are from within each community, not due to people coming from Boston. Discussion continued regarding TNC (Transportation Network Companies) data including Uber and Lyft showing significant usage (124K trips for Needham and over 1M trips for Newton in 2017), noting most trips are one person traveling within the communities and therefore part of the congestion issue. Ms. Tibbits-Nutt said the main issue is how to get people to consider a different mode of transportation because the only system showing an increase in ridership are private shuttles open to the public. She said better bicycle and pedestrian options are needed, while infrastructure for buses, including dedicated bus lanes must be considered in order to reverse trends.

Mr. Handel asked how a small municipality can address the issue. Ms. Tibbits-Nutt said giving high capacity vehicles an opportunity to get thru intersections ahead of cars, as well as “queue jumps,” and changing the direction of some lanes during morning and evening commutes would help.

Mr. Bulian said there are a variety of challenges, noting a dramatically increasing population and the use of WAZE which brings cars into neighborhoods not previously travelled. He commented until the government and MASS DOT make mass transportation a priority, the situation will not change.

Ms. Tibbits-Nutt acknowledged intra-community transportation and changing the direction of traffic is the only option for alleviating traffic congestion.

Mr. Matthews said everyone agrees massive infrastructure improvement is required, but priorities and revenue can only go so far. He said the information is very helpful.

The Board thanked Ms. Tibbits-Nutt for the update.

8:21 p.m. Pedestrian Safety: Preliminary Recommendations for High-Risk Crosswalk Locations

Kate Fitzpatrick, Town Manager and Rick Merson, Director of Public Works appeared before the Board to discuss the consulting engineer’s preliminary recommendations for 11 high-risk crosswalk locations and course of action for the next few months. She noted Denise Garlick, State Representative was helpful in securing \$200,000 in the FY2019 state budget for pedestrian safety improvements, as well as an additional \$185,000 in Chapter 90 funds from the legislature. Ms. Fitzpatrick referred to the preliminary study completed in October 2018 showing a map of the top high-risk crosswalk locations. She said the consultant recommended installation of Rectangular Rapid Flashing Beacons, and increased lighting at the top sites.

Discussion ensued on the Highland Avenue at Memorial Field Stairs site and the uniqueness of the location, as well as traffic calming efforts to lower speed.

Mr. Borrelli commented the area from Chestnut Street to Linden Street is a mess, saying there must be a better way for people to cross the street. He also mentioned street lighting, yield markers, and sign fatigue. He acknowledged signs must be visible, but not overdone. Ms. Fitzpatrick commented on the LED conversion project scheduled for the next few months. Mr. Borrelli asked about phasing the improvements.

Mr. Bulian said he favors a “hawk signal,” which flashes yellow, then turns red in some locations.

Ms. Cooley asked about signs powered by solar. She said she has noticed the signs on Great Plain Avenue at North Hill Avenue do not work first thing in the morning when children are crossing, noting the winter season when there is less light makes it worse. Mr. Merson said consideration will be given for locations requiring hard wiring.

8:40 p.m. Town Manager:
Kate Fitzpatrick, Town Manager appeared before the Board with one item to discuss:

- 1. Town Manager’s Report

Ms. Fitzpatrick said the “Walk Aware” and “Heads Up, Phones Down” campaign reminding people to walk safely began with the distribution of reusable shopping bags through the Community Council. She said Green Needham is working with a high school group to distribute the bags at the supermarkets and many areas around Town.

Ms. Fitzpatrick reported the Home Rule Petition for changing the name of the Board of Selectmen to Select Board is now House Bill 4948. She asked the Board vote to allow her to write a letter on their behalf to State Senators about the importance of the name change.

Motion by Mr. Handel that the Board of Selectmen vote to allow the Town Manager to prepare and send a letter on behalf of the Board of Selectmen regarding the importance of House Bill 4948 to State Senators and to ask for their support.

Second: Mr. Bulian. Unanimously approved 5-0.

Ms. Fitzpatrick commented she is hopeful the bill is passed by December 31, 2018, otherwise the bill will need to be re-filed.

8:43 p.m. Board Discussion:
1. Committee Reports
No Committee Reports were made.

8:44p.m. Adjourn:
Motion by Mr. Handel that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of Tuesday, November 13, 2018.
Second: Mr. Borrelli. Unanimously approved 5-0.

A list of all documents used at this Board of Selectmen meeting are available at:
<http://www.needhamma.gov/Archive.aspx?AMID=99&Type=&ADID=>