A regular Meeting of the Board of Selectmen was held on Thursday February 16, 2017, at 7pm in the Francis O’Brien Meeting Room, 26 Bryant Street, Dedham, Massachusetts. Present were:

Dennis J. Guilfoyle

Dennis J. Teehan

James A. MacDonald

Michael L. Butler

Brendan G. Keogh

Mr. Guilfoyle called the Meeting to order at 7:04 PM

**PLEDGE OF ALLEGIANCE**

Led by Mr. Guilfoyle.

**DEDHAM CITIZENS - OPEN DISCUSSION**

**Rita Mae Cushman – Town Meeting Member – Precinct 3.**

Ms. Cushman stated that last year, Town Meeting voted to appropriate to fix the Colburn Street dam. Ms. Cushman added that she attended a Conservation Commission meeting and they were discussing fixing the dam. It was stated at that meeting that it was not feasible to fix the dam. Ms. Cushman continued, saying that she informed the Conservation Commission that Town Meeting appropriated money to fix that dam. Ms. Cushman asked the board to help save the dam so we can pass this on to our children for many years to come.

Mr. MacDonald informed all that has asked Jason Mammone, Town Engineer, to speak on this issue as well as his agenda issue.

Mr. Guilfoyle asked Mr. Mammone if he could talk about the money appropriated for the Colburn Street dam.

Mr. Mammone stated that at last May’s Town Meeting, $755,000 was appropriated to do the design and construction rehab of the Colburn Street dam. Mr. Mammone added that the town is currently under contract with Dewberry and they are in the midst of designing the rehab project. Mr. Mammone continued, saying that the plans are out to several agencies that have interest in the project since it is within a direct resource area, being Mother Brook. This vetting of the permit process takes the most time and as we get comments back from the various agencies we will make adjustments as necessary and hopefully everything proceeds without delay. Mr. Mammone informed all that they hope to have construction start summer 2017 with an anticipated end date for the snow flies.

Dr. Teehan stated, just to be clear, the plan is on track, as approved by Town Meeting.

Mr. Mammone stated that the concept plan was approved by Town Meeting then the money to move will forward with the 100% design was approved.

Dr. Teehan stated that unless there is overwhelming evidence to the contrary, that basic concept should be going forward.

**DISCUSSION WITH TOWN ENGINEER & TOWN COUNSEL RE: EMINENT DOMAIN/SEWER EASEMENTS**

Mr. Mammone stated that he would like to bring up this next agenda item as a discussion so if we do go forward, it will not come across as a surprise to the board. Mr. Mammone added that this would be a different take on how we've typically done sewer easements in the town. This doesn't mean we will not continue doing them the same way. Mr. Mammone explained that what they do now is have the builder or the developer secure easements from each of the people that have interest in the private way that the sewer is going past. Mr. Mammone informed the board that this can become cumbersome when a high number of residents are involved; having to secure easements, title certification, subordination of mortgages and sometimes scare somebody off from doing it because the time and the money that is involved. Mr. Mammone explained to the board that there is another process that gets the town a little bit more involved called "friendly eminent domain taking" where there is a process where the town can help out and is less burdensome on the developer and helps them continue the project without having a long timeframe, possibly taking them off the project. Mr. Mammone stated that Jon Eichmann, Town Counsel, was present to help give a little more understanding as to what the ”friendly eminent domain taking” process is compared to how we typically do it.

Mr. Eichmann stated if the board is not familiar with this process already, it will become familiar through the private way policy, which is essentially an outline of a "friendly eminent domain taking". Mr. Eichmann added that a plan as prepared and presented to the landowners, showing where the easements would be taken and the landowners would essentially sign off by signing waivers of damages, referring to the plan and saying that we agree that the town may take easements for eminent domain in this location shown on the plan. Mr. Eichmann informed all that at that point it would come back to the town, town counsel would draft an order of taking, it would come to the board, who would be acting as sewer commissioners here, who would then sign off on the order of taking, that order is recorded and the sewer easements are in place. Mr. Eichmann continued, saying that the benefit of that procedure over the procedure we've been using, with respect to obtaining sewer easements, is that by eminent domain, the town's rights will immediately jump a line and title ahead of everyone else's and won't be subject to the mortgagees rights. Mr. Eichmann added that they can't be lost through foreclosure and title issues are simpler to deal with as there is one document instead of multiple documents. Mr. Eichmann continued, saying that the developer simply takes the waiver form and goes to the landowners to explain the process, then bring them back to the board for action.

Mr. Butler asked if the process would have the opportunity to revisit everything that has been signed if the as-builts are different than the plans.

Mr. Mammone answered that he wouldn't go through the process if the plan was incorrect to start. Mr. Mammone added that the proposed plan would have to go through the engineering department for review to make sure that it is in accordance with the sewer regulations before we go forward obtaining the easement. Mr. Mammone stated that unless something drastic happened on the field, he believes there is a very slim chance of that happening.

Mr. Eichmann added that before going to the landowners that needs to be a plan showing the area in where the easement is and the waivers will be signed based on that plan. Mr. Eichmann continued, saying that if the plan changes because things need to be shifted, then you have to go back to the landowner to adjust it.

Mr. Butler asked how many projects have gone through the revised process.

Mr. Mammone answered, probably half a dozen.

**ACTION BY THE BOARD**

**Gift of $447 from the Dedham Junior Women’s Club to the Endicott Estate for the Purchase of a Tree to be planted on Estate Grounds in Honor of the Founders & Sustainers of the DJWC Summer Concert Series**

Mr. MacDonald moved approval; seconded by Dr. Teehan. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, yes.

**MINUTES APPROVAL - 1-5-17, 1-19-17 & 2-2-17**

Mr. Butler moved approval; seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, yes.

**APPOINTMENT OF STEPHANIE RADNER TO CONSERVATION COMMISSION – A 3 YEAR APPOINTMENT**

Mr. MacDonald moved approval; seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, yes.

**TOWN MANAGER’S REPORT**

Mr. Kern informed the board that the first round of interviews for the Council on aging director’s position wrapped up this afternoon. Mr. Kern stated that the next round of interviews would be the week after next to avoid the vacation week. Mr. Kern added that they hope to have the decision by the beginning of April.

Mr. Kern informed the board that he attended the West Suburban Health Group meeting where the rates were set for next year. Mr. Kern stated that the increases were 9-15% across the four providers, which was higher than anticipated.  We are about to begin the collective bargaining process so he can be prepared to make some changes to help stem the tide somewhat in FY19.

Mr. Kern informed all that he is continuing to work on budgets and you have met with all the departments to get their feedback. Mr. Kern continued, saying that there is a rather lengthy meeting with the finance committee last night to go over the new format, regarding Munis.

Dr. Teehan asked Mr. Kern for a brief update on the municipal campus.

Mr. Kern answered that he is going me with the owner's project manager tomorrow regarding the town Hall/senior center. Mr. Kern informed the board that he met with the architect and owner project manager about 10 days ago to go over potential change orders that have been accepted. Mr. Kern stated that there is an anticipated completion in August. Mr. Kern added that their little behind in schedule but this is the time where projects to get behind. But the next 4-5 months is when projects generally go faster.

**FY’16 EXIT INTERVIEW WITH POWERS AND SULLIVAN**

Andrea

**VIOLATION HEARING W/ THE IRISH ALEHOUSE, INC. D/B/A WATERFORDS, 2 BRIDGE STREET**

**OLD/NEW BUSINESS**

Mr. MacDonald moved to adjourn the Meeting; seconded by Mr. Butler. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, yes.

The meeting was adjourned at 8:07 PM.

The next Meeting is scheduled for Thursday, March 2, 2017 at 7p.m. This is to certify that the above is a true and accurate record of the Minutes of the Board of Selectmen’s Meeting held on February 16, 2017, which minutes were approved on, 2017.

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Dennis Guilfoyle – Chairman