

**Town of Dedham Annual Report 2011/2012**  
**Chapter I - Elections and Town Meetings**

Article 35 would designate a portion of the "Striar" property off Sprague Street as a dog park, under the control and management of the Parks and Recreation Commission, and remove its designation as park land.

**36. TRANSFER OF CONTROL OF PORTION OF DEXTER SCHOOL PROPERTY**

**ARTICLE THIRTY-SIX:** *By the School Committee.* To see if the Town will vote to transfer the care, custody, management and control of a portion of the property known as the Dexter School property and further described in a Deed dated May 5, 1960 and recorded on May 6, 1960 with the Norfolk County Registry of Deeds in Book 3813, Page 436, consisting of a two acre parcel, more or less, from the Board of Selectmen for the purpose of a Senior Center to the School Committee for school purposes, or take any other action relative thereto. *Referred to Finance Committee for study and report.*

**VOTED:** *That it be so voted.*

**BY 2/3 VOTE**

Article 36 would return that portion of the Dexter School property on High Street, formerly designated as the site of a new Senior Center, to the control and management of the School Committee for school purposes.

**37. TRANSFER OF CONTROL OF OLD AVERY SCHOOL PROPERTY**

**ARTICLE THIRTY-SEVEN:** *By the Board of Selectmen and the School Committee.* To see if the Town will vote to transfer the care, custody, management and control of the parcel of land with improvements thereon located at 123 High Street, Dedham, formerly known as the Avery School property and further approximately shown on a sketch plan called former Avery School, 123 High Street, on file with the Town Clerk's Office, from the School Committee for school purposes to the Board of Selectmen for general municipal purposes and for the purpose of leasing, and further to authorize the Board of Selectmen to lease the foregoing property or any portion thereof on such terms as the Board of Selectmen deems appropriate, or take any other action relative thereto. *Referred to Finance Committee for study and report.*

**VOTED:** *That it be so voted.*

**BY 2/3 VOTE**

Article 37 would "decommission" the old Avery School property, transfer its control and maintenance to the Board of Selectmen and authorize the Board of Selectmen to lease the premises.

**38. TRANSFER OF CONTROL OF TOWN PROPERTIES FOR PUBLIC AUCTION**

**ARTICLE THIRTY-EIGHT:** *By the Open Space Committee.* To see if the Town will vote to transfer the care, custody, management and control of the parcels of land identified below from the board or officer currently holding the same and for the purposes for which they are currently held to the Board of Selectmen for the purpose of conveyance, and to authorize the Board of Selectmen to convey such parcels by public auction or otherwise, in compliance with applicable laws, on such terms and conditions and for such consideration as the Selectmen deem appropriate, which parcels are approximately shown on plans entitled "2012 Surplus Land" and on file with the Town Clerk, and described as follows:

1 it be indefinitely postponed. Is there discussion  
2 on Article 35? There being none, the vote comes on  
3 the motion to indefinitely postpone. All those in  
4 favor, please say aye.

5 (Aye)

6 THE MODERATOR: Opposed, nay. The ayes  
7 have it. Article 36, transfer of the Dexter School  
8 property, transfer of town-owned land. It does  
9 require a two-thirds vote. Is there any discussion  
10 on Article 36? If not, we will vote on the motion  
11 that it be so voted. All those in favor, please  
12 say aye.

13 (Aye)

14 THE MODERATOR: Opposed, no. The ayes  
15 have it. We move to Article 37, transfer of  
16 control of the old Avery School property. This has  
17 been passed by the Chair. It requires a two-thirds  
18 vote. The Chair recognizes Selectman Michael  
19 Butler.

20 MR. BUTLER: Thank you, Mr. Moderator.  
21 My name is Mike Butler. I'm with the board of  
22 selectmen. I'd like to read a summary of remarks  
23 of how we got here with Article 37. The board of  
24 selectmen created the Avery reuse committee in

1           2010. Its purpose was to determine reuse options  
2           that would be, one, most desirable to the  
3           community; and two, feasible to implement.

4                     The membership was comprised of eight  
5           people, one each from the board of selectmen, the  
6           planning board, the finance committee, the school  
7           committee, one member from Precinct 3, from  
8           Precinct 6, a member of the East Dedham business  
9           community, and one at-large member.

10                    Transparency and public participation  
11           were priorities throughout. The committee held ten  
12           public meetings in 2011 to solicit public  
13           participation. All meetings provided extensive  
14           opportunities for public comment. Scores of town  
15           residents took advantage to voice their concerns,  
16           hopes, and preferences.

17                    Notice of the intent of the process and  
18           next meetings were sent to all residents of  
19           Precincts 3 and 6. Separately, an email list of  
20           interested neighbors and residents was developed,  
21           and all were regularly apprised of meeting dates.  
22           All meetings were also posted at town hall, and  
23           copies of the minutes filed with the town clerk.

24                    Ten different town agency heads

1 discussed programming needs and were asked to  
2 determine if the site was appropriate for municipal  
3 use. Members of the committee made site visits.  
4 They visited sites of a former Newton Middle  
5 School, the Wellesley Community Center, the Norwood  
6 Civic Center, the Norwood Middle School. They also  
7 visited a former high school in Concord that had  
8 been converted to an art center, and the Milton Art  
9 Center, which has been a former branch library.

10 The committee voted unanimously to  
11 recommend. The Avery is leased to a non-profit  
12 entity for the express purpose of creating an arts  
13 and community center to provide inter-generational  
14 arts and educational programming to seniors, youth,  
15 and the community at large.

16 The center would be required to be  
17 financially self-sustainable and would not require  
18 town funding to operate. The center would rent  
19 studio, gallery, and storage space to artists with  
20 a preference given to Dedham artists. It would not  
21 include housing in keeping with neighborhood  
22 preferences.

23 The center would also provide space to  
24 neighborhood meetings, social and cultural events,

1 performances. Those are all educational and  
2 municipal uses, such as a polling place or for mini  
3 town meetings, and perhaps some limited  
4 recreational and/or after-school programming for  
5 youth.

6 The need for facility space by local  
7 non-profits, the charitable organizations that  
8 serve the community, could also be served by the  
9 new center, depending on available space. The  
10 board of selectmen has unanimously endorsed this  
11 recommendation and respectfully request your  
12 support.

13 THE MODERATOR: Thank you, Mr. Butler.  
14 Mr. Lawlor.

15 MR. LAWLOR: Thank you, Mr. Moderator.  
16 Good evening. My name is Andy Lawlor, and it's my  
17 privilege to represent Precinct 6. I agree with  
18 this article's purpose to transfer the 3 1/2 acres  
19 and 35,000 square feet of building at the Avery  
20 site from the school committee to the board of  
21 selectmen. I question, however, the broad  
22 unrestricted authority this article grants the  
23 board of selectmen to lease the property.

24 My concern is raised based on the vote

1 and stated intent of the board of selectmen to  
2 transfer the property -- or I should say lease it  
3 for a long term to some form of artists' center.  
4 Now, in the hierarchy of public needs and important  
5 wants, I'm not quite sure where providing studio  
6 and business space for artists lies, but I have a  
7 firm conviction that that need is less than public  
8 safety and less than the welfare of our senior  
9 citizens.

10 At present, we have a documented  
11 inadequate police station. We have insufficient  
12 space for a senior center. So I question deeming  
13 this property surplus at the time when we have two  
14 very important public infrastructure needs.

15 Now, I'm mindful that the police  
16 department and the Council on Aging told the Avery  
17 reuse committee that the Avery School as it's  
18 currently constituted doesn't meet their needs and  
19 wants. So I suggest to you that it was the wrong  
20 question or the answer to the question does the  
21 Avery School as it currently exists meet your needs  
22 for a police station, for a senior center, and the  
23 answer was obviously no was the wrong question.

24 I suggest to you that the right

1 questions weren't asked, and at present, we don't  
2 have the right answers. The right question, using  
3 the senior center to illustrate my point, would  
4 have been what would it cost to renovate the  
5 current Avery School, just like they did in Norwood  
6 with the junior high school, into a senior center.

7 And the follow-up question to that is  
8 okay, it would cost "X" amount of dollars to  
9 renovate the Avery School into a senior center, and  
10 we use "X" amount of public land, and it would be  
11 so close to senior housing. The follow-up  
12 questions would be all right, what's your  
13 alternative to the Avery School for a senior  
14 center? How much would that cost? How much open  
15 space would that use? How far away is that from  
16 senior housing and other list of questions. And  
17 the same analysis I suggest should and still can be  
18 done with respect to the siting of the police  
19 station.

20 Now, in all fairness to the Avery reuse  
21 committee, many of whom are my friends, and I have  
22 a great deal of respect for, they never answered  
23 these questions, because they weren't provided the  
24 funding to hire an architectural and engineering

1 firm to provide that hard-core data that you would  
2 need to evaluate the feasibility of the Avery  
3 School for our two current public infrastructure  
4 needs.

5 So in sum, it's my suggestion that until  
6 we identify and settle on a cheaper and better  
7 location for both the police station and the senior  
8 center, that we ought not to enter into a long-term  
9 lease for a much lesser public need. Thank you.

10 THE MODERATOR: Thank you, Mr. Lawlor.  
11 The Chair recognizes Ms. Labadini.

12 MS. LABADINI: Thank you, Mr. Moderator.  
13 Michelle Labadini, District 5. My question on this  
14 article, is this building accessible to all?  
15 Because if we're going to make it accessible,  
16 that's going to incur financial hardship. So if  
17 someone can answer that question, that would be  
18 appreciated. Thank you.

19 THE MODERATOR: Does somebody want to  
20 tackle that question?

21 MR. MacDONALD: Can you just repeat the  
22 question, please?

23 MS. LABADINI: The question is is the  
24 building in question accessible to all? Last time

1 I was in the building, it didn't have an elevator,  
2 didn't have a ramp to the front door. If we're  
3 going to use this as an art center open to classes  
4 for youth and seniors, I would think that we would  
5 need that accessible to all.

6 MR. MacDONALD: So the building  
7 currently is partially accessible. It does have a  
8 lift to get from the first floor to the second  
9 floor, and it does have a ramp to get from the main  
10 building to the gymnasium and the library.

11 MS. LABADINI: Is there a lift from the  
12 gymnasium to the floors, or is the lift elsewhere  
13 in the building?

14 MR. MacDONALD: It's located near the  
15 far staircase.

16 MS. LABADINI: Near the gymnasium?  
17 Because the gymnasium has access for accessibility  
18 to get into the building, but I'm questioning if  
19 the classes were to take place in other areas of  
20 the building, would it be accessible to all?

21 MR. MacDONALD: It would be accessible  
22 from the first floor to the second floor, yes. If  
23 you enter the building, and you go to the right all  
24 the way to the end, there's a staircase there.

1 That staircase has a lift that goes to the second  
2 floor.

3 MS. LABADINI: Thank you.

4 UNIDENTIFIED SPEAKER: That's the first  
5 floor lift.

6 MR. MacDONALD: I apologize, you're  
7 right, to the first floor. You're correct.

8 THE MODERATOR: The Chair recognizes Mr.  
9 Panagopoulos.

10 MR. PANAGOPOULOS: George Panagopoulos,  
11 Precinct 7. Forgive me, I didn't come too  
12 prepared. I might be rambling a little bit. We've  
13 been discussing for many different years now senior  
14 centers and art centers and things like this. I  
15 just wanted to stand up in support of this Mother  
16 Brooks Performing Arts and Community Center. I  
17 think this would be a great idea.

18 The youth, myself, I'm involved in art.  
19 I'd like a place where I can go and take a class.  
20 I can, you know, work on my painting skills,  
21 creative skills. It's a way to get the community  
22 involved again. There are so many young people who  
23 are out just walking around. They have nothing to  
24 do, walking aimlessly through town. They're not

1 involved in sports. They're starting to take their  
2 own path in life.

3 I think that this is a center that  
4 people can feel at home. They can go and they can  
5 use their creative skills and put them to good use.  
6 I've had a lot of support through Facebook with  
7 people contacting me seeing how they can get  
8 involved in something like this. I hope that we  
9 can support it. The school has been -- we've been  
10 working for many different years trying to find  
11 uses.

12 I think we should take a progressive  
13 movement forward and start implementing new  
14 programs, and I think this is a great idea, and  
15 this is a great new beginning, so I urge everybody  
16 to vote in favor of the granting the board of  
17 selectmen permission to use this building in the  
18 way that they see necessary.

19 THE MODERATOR: Thank you, Mr.  
20 Panagopoulos. Mr. Chaffee.

21 MR. CHAFFEE: Thank you, Mr. Moderator,  
22 town officials, my fellow town meeting members. I  
23 recognize and appreciate the hard work of the Avery  
24 reuse committee, and I don't have a problem with

1 the transfer even of the property over to the board  
2 of selectmen.

3 What I do have a problem with is a long-  
4 term lease for this building. As Andy Lawlor  
5 stated, we still don't have a senior center. In  
6 order for our police department to have a fully-  
7 functioning state-of-the-art headquarters, it's  
8 going to require a lot more land and a lot bigger  
9 slot than what we currently have at 600 High  
10 Street. So I think we really need to be careful  
11 here.

12 THE MODERATOR: Thank you, Mr. Chaffee.  
13 Mr. Driscoll.

14 MR. DRISCOLL: James Driscoll, District  
15 4. I just have one question, and that's if a long-  
16 term lease is given to this facility, and it turns  
17 out that the project is not self-supporting, what  
18 takes place then?

19 MS. MacDONALD: Mr. Moderator, a point  
20 of information.

21 THE MODERATOR: A point of information  
22 from Selectmen MacDonald.

23 MS. MacDONALD: Thank you. I just want  
24 to comment on the term long-term lease that's being

1 used. What the article does is, in fact, give the  
2 board of selectmen the opportunity to lease the  
3 building. The process that would be used next is  
4 for us to put out a request for proposals with  
5 certain factors, requirements, qualifications, and  
6 actually determine what our term of lease would be.

7 It is not the board's position at this  
8 time that long-term lease being 20 years, 30 years  
9 be the case. It's certainly nothing we've  
10 discussed as a group, but in looking at how these  
11 types of projects have worked in other communities,  
12 it always starts with a shorter opportunity, and it  
13 is the board's understanding and belief that the  
14 recommendation of the Avery reuse committee to  
15 reoccupy that building in the short term is very  
16 important for the neighborhood.

17 So the idea is to propose immediate  
18 reuse of that building in some way that benefits  
19 the community and not leave the building empty and  
20 the town paying for the maintenance and utility and  
21 insurance costs. Thank you.

22 THE MODERATOR: Thank you, Ms.  
23 MacDonald. Mrs. Schortmann.

24 MS. SCHORTMANN: I'm Kathleen Schortmann

1 from District 4. I would like to actually propose  
2 a compromise alternate amendment to the current  
3 article that would limit the initial leasing period  
4 to three years. The premise would be that this  
5 would be a reasonable amount of time for the art  
6 center to determine if their project is feasible,  
7 while also giving the town ample time to determine  
8 if there are viable locations for the police  
9 station and the senior center.

10 And if at the end of the three years,  
11 the Avery School location is needed for one of  
12 these necessary town buildings, this would give the  
13 town the right to reserve the use of the land.

14 THE MODERATOR: So Mrs. Schortmann is  
15 proposing that the article be amended to limit the  
16 authority of the board of selectmen to lease the  
17 foregoing property or any portion thereof for not  
18 longer than an initial lease of three years. Is  
19 there a second to that substitute?

20 UNIDENTIFIED SPEAKERS: Second.

21 THE MODERATOR: Okay. Now, there are a  
22 lot of people who want to speak. I think I've got  
23 everybody's name, so I just ask that you be  
24 patient. Mr. Divirgilio.

1 MR. DIVIRGILIO: Dominic Divirgilio,  
2 Precinct 6. Mr. Moderator, a clarification of the  
3 article.

4 THE MODERATOR: Yes, sir.

5 MR. DIVIRGILIO: The way this article is  
6 written, does this allow the board of selectmen, if  
7 three members sort of agree, to sell this property?

8 THE MODERATOR: The way the article is  
9 worded, it says for the purposes of leasing. So it  
10 would be my interpretation that a sale of the  
11 building is not within the scope of the article.

12 MR. DIVIRGILIO: Or deem appropriate, or  
13 to take whatever action necessary.

14 THE MODERATOR: The action necessary  
15 refers to the leasing.

16 MR. DIVIRGILIO: The leasing. I would  
17 recommend that it be indefinitely postponed for a  
18 year until we determine what other needs we need  
19 for that building. As it's already mentioned,  
20 we're looking for a police station. We're looking  
21 for a senior center. There are a lot of town needs  
22 that we need to look at before we lease anything  
23 out to other people. Thank you.

24 THE MODERATOR: Thank you, Mr.

1 Divirgilio. We have an unusual situation here. We  
2 have two amendments pending. One is to  
3 indefinitely postpone, and one is to amend the  
4 article, so keep that in mind as you line up to  
5 speak. Mr. McDermott.

6 MR. McDERMOTT: Thank you, Mr.  
7 Moderator, Shaw McDermott from District 1. I rise  
8 to support the article as originally proposed and  
9 to oppose the amendments that have been since put  
10 on the floor.

11 First, as to the obvious point, this has  
12 been the subject of a great deal of thought and  
13 analysis over a long period of time. Many people  
14 gave a lot of their volunteer time, including some  
15 distinguished architects who looked into the  
16 project and who concluded that among the various  
17 array of things that could be done on that site,  
18 that which was proposed was the best.

19 Secondly, it's a little hard to  
20 understand how we want to force the police  
21 department to take a facility that they have no  
22 interest in taking. Thirdly, it's a little  
23 difficult to bring up the senior center without  
24 full context, because we do know that there is a

1 vibrant proposal to put a senior center effectively  
2 in the barn on the Endicott Estate, which has the  
3 support of the Council on Aging. So if they don't  
4 want to go into the building, I'm not sure why we  
5 would want to force them into that building.

6 Fourthly, despite my esteem and  
7 affection for some people who have already spoken  
8 who say that we need to continue this analysis and  
9 that they have concern about the nature of the  
10 power given to the board of selectmen, what is true  
11 is that if you're going to do a lease, you have to  
12 have the people who are empowered to give that  
13 lease some flexibility.

14 A short-term lease of a period of three  
15 years, as was indicated, doesn't take into account  
16 some capital improvements that the potential group  
17 that would lease the property might be willing to  
18 undertake if they had a long enough period to do  
19 that. In other words, if you want to get a really  
20 nice facility that is really vibrant and meets the  
21 community needs, you may have to have a longer  
22 period of lease, and I think we can trust our board  
23 of selectmen who have taken a lot of care to think  
24 about this to come up with a term of lease that

1 makes sense with capital improvements included.

2 Fifthly, this is a thing that has won  
3 widespread community support in the very area in  
4 which it's located, and there's good reason for  
5 that. If you all remember the former senator of  
6 the United States, Paul Tsongas, when he was a city  
7 councilor of Lowell and then later as United States  
8 senator, one of the things that he did for the City  
9 of Lowell was to propose a lot of reuse programs  
10 for mill facilities and the like.

11 His widow, the current congressman of  
12 the United States, Nicky Tsongas, has said that one  
13 of the best things they did was to encourage the  
14 use by the arts community of some of these old  
15 facilities, and what it set in motion is exactly  
16 what we could predict will happen here, and that is  
17 that it would be a revitalization of small business  
18 throughout the whole Mother Brook community, not  
19 just at this location, but elsewhere.

20 There is a kind of a virtuous cycle that  
21 takes place when you get people who are willing to  
22 get into spaces that are unusual, and they create  
23 other centers of energy around and about, and it  
24 tends to generate a higher use of other buildings

1 and sites along the same area; in this case, the  
2 water course at Mother Brook. So you could predict  
3 that this is actually going to be an excellent  
4 thing to generate higher revenue for the town in  
5 various forms, and all the tax revenues considered.

6 So I strongly endorse this thing, and I  
7 think it's -- we've given it enough time and enough  
8 study, and the moment is now. We should support  
9 the original motion on the floor. Thank you.

10 THE MODERATOR: Thank you. Thank you  
11 for your patience.

12 MS. ZEOLLA: Thank you. Martha Zeolla,  
13 Precinct 6. This would be really good for our  
14 neighborhood. I think that's my main concern is  
15 that it would be really good for us all. The fin.  
16 comm. reviewed it and approved it. The police I  
17 think would stay where they are, rather than go  
18 here, and the seniors would go without a senior  
19 center, rather than go here, so I don't think it's  
20 up to us to make those decisions for them and for  
21 me.

22 The selectmen will be developing an RFP,  
23 and during that process, they will research whether  
24 this is viable, whether the proposals are viable,

1           whether the building is one that can be successful  
2           with this, and they have the management experience  
3           both in their careers and in their managing of  
4           properties now, so that they can make a good  
5           decision on that. So I think we're ahead of  
6           ourselves to be worrying about an arts center that  
7           won't be successful. That's what we'll go and  
8           process to be looked at now. I'm in favor of this.  
9           I hope that you'll vote for it. Thank you.

10                   THE MODERATOR: Thank you. Mrs. Pyle.

11                   MS. PYLE: Margot Pyle, Precinct 1,  
12           member of the Council on Aging. The Council on  
13           Aging took a very serious look at the proposal that  
14           this be a suitable place for the senior center, and  
15           it simply isn't. Winter weather, since we're not  
16           going to have another winter like last one,  
17           unfortunately, for quite a while, ice and snow  
18           would make it very difficult for seniors to get  
19           there, and, of course, the amount of rehabbing that  
20           has to be done is extremely expensive.

21                   THE MODERATOR: Thank you, Mrs. Pyle.

22           Yes, ma'am, go right ahead.

23                   MS. EMERY-BUTLER: Cecilia Emery-Butler,  
24           District 4. When the person suggested indefinitely

1 postponing this article, there is no money in the  
2 budget for fiscal year 2013 to support the Avery  
3 School as it is.

4 THE MODERATOR: Thank you, Mrs. Butler.  
5 Mrs. Keogh.

6 MS. KEOGH: Thank you, Mr. Moderator. I  
7 think we really need to get to the root of this  
8 issue. It's all about trust and faith in our board  
9 of selectmen. They represent us, and I believe  
10 that they will make the best decision for this  
11 community. So I would ask that we support the  
12 article. Thank you.

13 THE MODERATOR: Thank you, Mrs. Keogh.  
14 The Chair recognizes Mr. Podolski of the finance  
15 committee.

16 MR. PODOLSKI: Where were you when we  
17 needed you? When I started on this committee, we  
18 went through every department in the town trying to  
19 interest them to take this school over or move  
20 there or give us some suggestions, and talked to  
21 everyone, the school department, everybody, and we  
22 didn't get one shred of light out of any of them.  
23 It was the most difficult committee that I've ever  
24 served on, and I've been around here for 50 years.

1                   And I really enjoyed the people in  
2                   Precinct 3, because they came in, they attend  
3                   meetings, and they came to every meeting. They  
4                   were there in attendance making sure we're doing  
5                   the right thing. They don't want any rental  
6                   apartments there. They don't want other things in  
7                   there, and that's one of the things that we were  
8                   trying to get to, and we had --

9                   I don't want to offend anybody when I  
10                  bring these things up, but every department, when  
11                  they come in, they weren't interested. So you put  
12                  yourself in our position sitting there. The  
13                  Council on Aging wasn't interested. Nobody in the  
14                  town, rather than name names, they weren't  
15                  interested.

16                 So the committee started to go out into  
17                 the community, visiting other towns, seeing what  
18                 they were doing. Mr. Lawlor did state one thing.  
19                 We didn't have any money. We had a brief overview  
20                 by the architect, but it wouldn't hold up anything.  
21                 And also, there was no inkling from the town that  
22                 we were to do anything but to go in there, see what  
23                 we could find, and then present it to the  
24                 selectmen. We had no authority to do anything.

1                   I will say this. I'm not an art lover.  
2                   I'll probably never go there if there's an art  
3                   studio, but I'll tell you what. There's interest  
4                   in other towns. It's busting at the seams. So you  
5                   start hearing that stuff. You see the big old  
6                   school there. It's going to cost us a lot of money  
7                   for us to remodel. And so that's what turned the  
8                   committee towards this thing here.

9                   If they could have found something from  
10                  the Town of Dedham to go in there and really  
11                  utilize the school, we would have done that. We  
12                  didn't get that from the townspeople, from the  
13                  police department, fire department, Council on  
14                  Aging or anybody. So just put yourself in our  
15                  position. I guess that's it.

16                 THE MODERATOR: Thank you, Mr. Podolski.  
17                 Mrs. Lombardi.

18                 MS. LOMBARDI: Hi, Eileen Lombardi,  
19                 Precinct 6. My only concern is if we lease it, we  
20                 become landlords. And I know the art center is  
21                 very good, but who's going to pay for the  
22                 maintenance? Who's going to pay for the  
23                 reservation? Who's going to pay for the lighting?  
24                 When you say it's not going to cost Dedham a cent

1 to taxpayers, I find that very hard to believe,  
2 because there is no way we're going to come out  
3 even on this. We're going to end up paying for it,  
4 and that's my concern.

5 THE MODERATOR: Thank you, Mrs.  
6 Lombardi. Mrs. Schoenfeld.

7 MS. SCHOENFELD: Good evening. Cheryl  
8 Schoenfeld, Precinct 7. I think that we're missing  
9 the point on this. We're debating an arts center  
10 there, when actually this article is whether we're  
11 going to vote to transfer the care and custody to  
12 the board of selectmen, and I think that's what we  
13 should speak.

14 No one is against -- I'm not against an  
15 arts center. I got emails presuming that I was  
16 against it. I never said that. But let's speak to  
17 the article. An arts center's wonderful. I just  
18 want to make sure that whoever leases this building  
19 is able to pay for it, pay for the upkeep, the  
20 maintenance, the taxes, the insurance, the water  
21 and sewer, the landscaping, the electricity.

22 That's what you want to make sure. It's  
23 nothing to do with us dissing an arts center.  
24 We're not. We want something like that. The

1 community needs it. But let's speak to the  
2 article, transferring it to the board of selectmen.  
3 Thank you.

4 THE MODERATOR: Thank you. Ms. Moran.

5 MS. MORAN: Lisa Moran, Precinct 6.  
6 Similar to those that have already spoken, I'm not  
7 opposed to transferring it back to the selectmen.  
8 That's the natural process of what needs to be  
9 done. My only concern is because the accounting  
10 brain kicks in, fiscal year '13 starts July 1.  
11 RFPs are going to take a while to kick in, whether  
12 it's an arts center or whatever comes in there.

13 Whoever is there isn't going to be there  
14 July 1. My concern, based on what Derek said last  
15 week in mini town meeting, there is not a dime in  
16 this budget coming up to cover anything for this  
17 Avery School. I just spent ten years there, ten  
18 years with my kids as we transferred to the new  
19 school, and it's falling down around you. So my  
20 only concern is if something happens before  
21 somebody gets in there, whether it's the arts  
22 center or whatever it is, how is the town paying  
23 for it?

24 There could very well be some big costs

1 that come up, and we're going to have to pay for it  
2 if it is not transferred and if it's not under  
3 lease, and I'm just questioning. I'd like to hear  
4 what a game plan might be when you take from some  
5 other pocket. I'm a little concerned about that.

6 THE MODERATOR: Thank you. Mrs. Gula.

7 MS. GULA: Barbara Gula, District 6. I  
8 served on the Avery reuse committee, and it was  
9 quite an experience. Once we transfer it back to  
10 the selectmen -- and I hope you will vote for that  
11 and not vote for the three-year lease. That's too  
12 short if, indeed, an arts center goes in there.  
13 The one thing an arts center will do for East  
14 Dedham is bring a vibrancy to the community that it  
15 needs. Please support this article.

16 THE MODERATOR: Thank you, Mrs. Gula.  
17 Mr. Chaffee.

18 MR. CHAFFEE: Bob Chaffee, District 6,  
19 one more time. I don't think I got up there and  
20 said I wanted to force the Dedham Police Department  
21 into an existing building, nor do I want to force  
22 our seniors into an existing building. What I'm  
23 talking about is a huge lot of land that runs all  
24 the way from Mother Brook or the mill pond as we

1 call it, and I'm a lifelong East Dedham resident,  
2 all the way to High Street that could be used for  
3 multi-municipal purposes. Thank you.

4 THE MODERATOR: Thank you, sir. Mr. Jay  
5 O'Brien.

6 MR. O'BRIEN: Hello, folks, Jay O'Brien,  
7 planning board. I sat on the Avery reuse committee  
8 as the vice chairman, and to be honest with you, it  
9 was quite a long process, almost a year. And as I  
10 was going over this, this is a long process and all  
11 that, a lot of these questions were raised, and I  
12 see the same -- if we stick to what the vote is,  
13 and Ms. Schoenfeld brought up, you know, basically  
14 the right question.

15 There's really only three things you can  
16 do with this. It's either, A, reuse it, and we  
17 asked every chair to come up -- from every  
18 municipality to come up and see if they would be  
19 interested in using this facility at all, and most  
20 said it didn't fit their needs either logistically,  
21 financially, it would be a huge cost.

22 As an ironworker, I've been to the bare  
23 bones of buildings. I didn't really need to have  
24 the money as a report or an architect telling me

1           what it would take to restructure a building like  
2           this. I understand what it costs. It would be a  
3           huge amount of money to restructure this whether as  
4           a senior center, whether as a police station, and  
5           try to force people into something they didn't want  
6           to be in to begin with.

7                        So what's the second thing, sell it. I  
8           think we've been through this before. The master  
9           plan basically specifically said any surplus  
10          buildings we have, try to reuse it to the best of  
11          the ability that we could. Just look at the Ames  
12          School. We let that go. There's talk about now  
13          taking it by eminent domain.

14                       Now, I'm not saying that the Avery  
15          School is a historical building, but it's a strong  
16          building. That thing was built to last, and it  
17          will probably be here for another hundred years if  
18          allowed to. So sell it, you know, what are you  
19          going to sell it for.

20                       So the next thing we looked at after  
21          nobody wanted to use the building, finally somebody  
22          came and had an interest in using this building for  
23          viability. Then actually the neighborhood came out  
24          and went for it. I'm an East Dedham kid. I've

1           been there my whole life. My family's been there  
2           for multi-generations, and I never saw so much  
3           output that came out there and specifically asked  
4           for an arts community center.

5                         Now, I'm not here to promote that.  
6           Really, as Ms. Schoenfeld said, let's stick to what  
7           the merit of the vote is. It basically is to give  
8           it to the selectmen to vote for a lease. Now,  
9           that's the only way this building is actually going  
10          to be refurbished, is somebody else needs to come  
11          in, because obviously the town doesn't have the  
12          money to do this. Where are we going to get the  
13          money to do this?

14                        Everybody can come up here and give a  
15          nay vote and say no, but where is the money going  
16          to come from? What's the alternative? Are we  
17          going to sit here for another year, another couple  
18          of months, while the building remains vacated. We  
19          actually have somebody sitting out here. It just  
20          so happens there's an arts community that's willing  
21          to come in here that actually has -- is looking, as  
22          we speak, money to be dropped in here to start  
23          doing some of this infrastructure that needs to be  
24          done.

1 I heard somewhere, well, let's -- the  
2 three-year idea is actually not a bad idea, but for  
3 infrastructure work, as Mr. McDermott says, three  
4 years is not enough for any kind of capital  
5 improvements. But if you have somebody that's  
6 coming in here looking at what they call in the  
7 real estate business, a turnkey operation. They  
8 come in there, they fix the building up, they use  
9 it for their specific purpose of use, and that's  
10 what we need to find.

11 The selectmen need to lease this out to  
12 somebody who is willing to put money into it for  
13 their particular use. If it doesn't work out,  
14 Option A, Option B is still available. The  
15 building is still ours. At least give this time  
16 for it to work, whether it's five years or longer.  
17 So that's all I'm saying. This was a long process.  
18 I'm thankful for the neighborhood coming out there  
19 and basically asking and saying this is what we  
20 want. So again, I appreciate your time.

21 THE MODERATOR: Thank you, Mr. O'Brien.  
22 Mr. Jim MacDonald.

23 MR. MacDONALD: Thank you, Mr.  
24 Moderator. First, you know, as I sit listening to

1 all this discussion, this is really a great  
2 position to be in, and you know why it's a great  
3 position, is because this body a few years ago  
4 voted to believe and to reinvest in the East Dedham  
5 community by building a brand new school that is a  
6 state-of-the-art facility that our children and  
7 grandchildren and relatives and friends have now to  
8 go and to get a great education by a great school  
9 system.

10 But to do nothing with this article, to  
11 indefinitely postpone, will accomplish nothing  
12 other than to create another vacant building in our  
13 town, which we don't need. To do nothing will put  
14 this once again that Dedham can't -- nobody can  
15 decide what they want to do. But we put together  
16 the board of selectmen, the Avery reuse committee  
17 who spent a long time interviewing, discussing, and  
18 you've heard Bill Podolski give a great history of  
19 what they did.

20 So I think we should look at what that  
21 committee did and the work that they did and their  
22 recommendation. And quite frankly, I think this  
23 board of selectmen has proven over the years that  
24 we're a very transparent board, that everything we

1 do is either up or noticed. We have frank  
2 discussions during our meeting.

3 So I would ask that the two motions that  
4 were made that, first of all, the three years, that  
5 you reject that, because if you accept that, then  
6 you're not giving this board of selectmen the tools  
7 in order to do it correctly, in order to find a  
8 tenant through an RFP, a procurement process that  
9 will be open, that will be public, that would be  
10 chaired by our town administrator, who is the chief  
11 procurement officer of the town.

12 And one of the parts of the RFP, which  
13 Sarah and Mike have been working on, is that there  
14 will be no town subsidy. The question was asked  
15 earlier I don't want the town to pay anything. I  
16 don't want the town to have to be able to  
17 subsidize, so to speak. Well, the proposal that we  
18 would put forth will not have a subsidy from the  
19 town, that it will be self-sufficient. And, in  
20 fact, many others have more eloquently stated the  
21 benefits to this community.

22 So I would ask that you support the  
23 recommendation of fin. comm., that you not accept  
24 any of the amendments, and that you let us, the

1 board of selectmen, proceed with what you elected  
2 us to do, and that is to continue to move this town  
3 forward, to continue to revitalize neighborhood,  
4 and to continue to revitalize the East Dedham  
5 community. Thank you.

6 THE MODERATOR: Thank you, Mr.  
7 MacDonald. Yes, sir.

8 ? : ?, Precinct 5. So here's my  
9 problem. I agree with everyone. I want to go be  
10 an artist, absolutely. I'm also an accountant, and  
11 I'm looking for actually someone to give me an  
12 answer, because, again, I agree with everyone. So  
13 we voted a few years ago to build a brand new  
14 school, because I thought a school was falling  
15 apart. The kids weren't safe in there anymore. I  
16 may be wrong, but the kids weren't safe in there.  
17 We needed a new facility.

18 We're talking about handing it over to  
19 someone. And again, I'm confused, because the  
20 committee said Mother Brook arts should do it, but  
21 we're developing an RFP to go out for anyone who  
22 wants to take it. Do we know if a group takes  
23 over, they can financially pay for a 100,000-dollar  
24 roof, fixing the walls, making it accessible, all

1 the issues? I'm just confused. I'm wondering does  
2 anyone have any of those answers?

3 THE MODERATOR: Thank you, sir. Yes,  
4 ma'am.

5 MS. McINTOSH: Susie McIntosh, District  
6 1. I propose that we move the question.

7 THE MODERATOR: Mrs. McIntosh has moved  
8 the question, which means cutting off debate, as  
9 you know from our previous venture down this path.  
10 It requires a two-thirds vote. It's not debatable,  
11 so we're going to go right to the vote. If you  
12 want to stop debate and move to consideration of  
13 the three motions before you on this article, you  
14 should vote yes. If you want to continue  
15 discussing it, you should vote no. All those in  
16 favor of closing debate, please say aye.

17 (Aye)

18 THE MODERATOR: Opposed, no.

19 (Nay)

20 THE MODERATOR: It is a two-thirds vote.  
21 Now, we have the original motion, which is that it  
22 be so voted, we have an amendment from Mrs.  
23 Schortmann, which limits the initial term of any  
24 lease to three years, and we have an amendment from

1 Mr. Divirgilio, which indefinitely postpones the  
2 entire article. The town's bylaw makes provision  
3 for what do you do when you have more than one idea  
4 about how to dispose of an article.

5 MR. DIVIRGILIO: Mr. Moderator, is it  
6 possible for me to withdraw my motion?

7 THE MODERATOR: Sure, absolutely.

8 MR. DIVIRGILIO: I make a motion to  
9 withdraw my recommendation that we indefinitely  
10 postpone this and limit it to three years.

11 THE MODERATOR: I was just going to show  
12 off that I read the book. You could have left it  
13 for a few more minutes, Archie, and let me get  
14 through that. Thank you, Mr. Divirgilio. So we  
15 are now voting in a more simple fashion. The  
16 amendment from Mrs. Schortmann would amend the  
17 original motion by limiting the term of the  
18 original lease, the initial lease and the initial  
19 lease only, to three years. If you are in favor of  
20 that, you should vote yes.

21 If that vote fails -- even if that vote  
22 passes, we would then go and vote on the final  
23 motion, and the final motion, if you vote yes the  
24 first time, will include that three-year provision.

1 If you vote it down, it will be exactly as it's  
2 printed in the book with no limitation on the term  
3 of the lease. Is that sufficiently clear? No?

4 We're going to vote on Mrs. Schortmann's  
5 amendment that any lease be limited to three years.  
6 Now, what I will tell you is that if you approve  
7 that, we still have to take one more vote. How  
8 about if I put it that way. So if you're in favor  
9 of limiting the lease to three years, you should  
10 vote yes. If you think that's not a good idea, you  
11 should vote no.

12 So all those in favor of the amendment  
13 which would limit the term of an initial lease to  
14 three years, please say aye.

15 (Aye)

16 THE MODERATOR: Those opposed, say no.

17 (Nay)

18 THE MODERATOR: The amendment fails.

19 Now we go to vote on the original motion unamended,  
20 because you've chosen not to amend the original  
21 motion. The original motion is that it be so voted  
22 exactly as it is written. This is the position  
23 that has been promulgated by Mr. MacDonald and Mr.  
24 Butler, et cetera. All those in favor, please say

1 aye.

2 (Aye)

3 THE MODERATOR: Opposed, no.

4 (Nay)

5 THE MODERATOR: The ayes have it. It is  
6 a two-thirds vote.. Is there any question that it's  
7 a two-thirds vote? There being none, we move to  
8 Article 38. Article 38 also provides for the  
9 transfer of land. It requires a two-thirds vote.  
10 Is there any discussion on Article 38? We're  
11 almost done, folks, almost done. We're within  
12 minutes of going home. You've already missed  
13 Dancing With The Stars. Just hold on a few  
14 seconds. Is tonight decision night? It can't be  
15 decision night, because my wife is still here, and  
16 she'd be gone.

17 Article 38, all those in favor of the  
18 original motion, please say aye.

19 (Aye)

20 THE MODERATOR: Opposed, no.

21 (Nay)

22 THE MODERATOR: The ayes have it. The  
23 original motion carries. We move to Article 40.  
24 Article 40's been passed. Is there discussion on