

TOWN OF DEDHAM

In Re:

DEDHAM TOWN MEETING

DATE: Monday, May 21, 2018

PLACE: Dedham High School Auditorium
140 Whiting Avenue
Dedham, MA

COMMENCING: 7:10 p.m.

P R O C E E D I N G S

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THE MODERATOR: A quorum of 217 having been established by the town clerk, the 2018 spring annual town meeting will please come to order.

This is the 93rd year that the representative town meeting form of government has been in place in the Town of Dedham. Please rise for the Pledge of Allegiance, and remain standing.

(All rise.)

THE MODERATOR: The Chair is pleased to welcome the Reverend Doctor James E. Butler from St. Luke's Lutheran Church in Dedham to offer our opening prayer. Reverend Butler.

REVEREND BUTLER: I was telling Dan, I was very fortunate to be able to come tonight. I always come on the quiet meetings. Two years ago, early childhood, you know, that was nothing, and then, tonight, the rail trail. So I'm always blessed to be with you.

Two words from James' letter come to mind as I think of tonight, and that's going to

1 be the basis for my prayer. But from his first
2 chapter, Number 1, from Verse 5, "If any of you
3 lacks wisdom, you should ask God, who gives
4 generously to all without finding fault, and it
5 will be given to you." And then a little bit
6 later, he says, "My brothers and sisters, take
7 note of this. Everyone should be quick to
8 listen, slow to speak, and slow to become
9 angry." With those two thoughts in mind, let us
10 pray.

11 Oh Lord, our God, we are so thankful
12 to you that you have given us this great country
13 to live in. We ask your blessing, oh Lord, upon
14 all who lead: upon our President, upon the
15 governor of Massachusetts, upon all who make,
16 administer, and judge our laws.

17 We thank you, oh Lord, for our
18 selectmen, for the gifts that they give, for the
19 work that they do. We praise you, oh Lord, for
20 all the town staff and all the hard work they
21 do. And we thank you, Lord, for the men and
22 women of this town meeting. We pray this night,
23 Lord, you would give them wisdom as they hear,
24 as they think, as they decide.

1 Lord, may all conversation this night
2 be sprinkled with salt, and may we always put
3 the best construction on every comment, and may
4 we listen to one another. And give us wisdom,
5 oh Lord, to make the best decisions this night.
6 We ask, oh Lord, for you to be present and for
7 you to be with us in our homeward ways and on
8 every day that we live. Hear us, Lord, for
9 Jesus's sake. Amen.

10 **THE MODERATOR:** Will all newly-
11 elected town meeting representatives and newly-
12 reelected town meeting representatives please
13 rise to be sworn in by the town clerk.

14 **MR. MUNCHBACH:** Just raise your right
15 hand and repeat after me. I, and state your
16 name, please, do solemnly swear that I will
17 faithfully and impartially and to the best of my
18 ability perform the duties as a town meeting
19 representative for the Town of Dedham, so help
20 me God. Congratulations.

21 **THE MODERATOR:** The Chair is called
22 upon to nominate a deputy moderator and is
23 pleased to once again nominate my longtime
24 partner, Cherylann W. Sheehan. Is there a

1 motion? Second? All those in favor, please say
2 aye.

3 (Aye)

4 **THE MODERATOR:** Opposed, nay. The
5 ayes have it. Thank you. I ask the town clerk
6 to swear in Ms. Sheehan.

7 (Ms. Sheehan sworn in)

8 **THE MODERATOR:** The tellers for this
9 evening's meeting are, on my left, Cheryl
10 Schoenfeld and James Driscoll, in the middle
11 section, Fred Civian and Charles Krueger, and on
12 my right, James Sullivan and Lisa Moran. The
13 Chair requests all the tellers to please
14 approach the stage.

15 (Tellers approach stage)

16 **THE MODERATOR:** In the years
17 following the passing of Proposition 2½, the
18 deputy moderator has presented a rule to the
19 meeting each year, which required that any who
20 would seek to increase a budget line item needed
21 to identify another line item to reduce, so as
22 to offset the proposed increase. This rule,
23 which many towns used, was necessary to insure
24 that the town meeting did not appropriate more

1 money than was allowed by law. This limit is
2 called a levy limit.

3 In recent years, the Town of Dedham,
4 through careful and conservative budgeting, has
5 presented to you budgets which are below the
6 levy limit so that, technically speaking, a
7 motion to increase a line item or a money
8 article would likely not exceed the levy limit.
9 With this change in circumstances, it is no
10 longer appropriate for the moderator and the
11 deputy moderator to present you on their own and
12 with their own recommendation that you vote this
13 proposed rule.

14 This does not mean that the meeting
15 itself cannot move to vote to adopt this rule,
16 but the moderator and deputy moderator are
17 stepping back and allowing the meeting to make
18 the decision on their own, to either adopt this
19 rule, which would come from a motion from the
20 floor, or to proceed without this rule. Are
21 there any questions? Mr. Fish.

22 **MR. FISH:** Robert Fish, Precinct 6.
23 I move that we adopt that rule.

24 **THE MODERATOR:** So the rule, which

1 you have heard at all town meetings in many,
2 many years, requires that if you want to
3 increase a line item or an article which has
4 money as part of the process, you would need to
5 determine where in the budget what you are going
6 to offset that with. So is that clear? A yes
7 vote is a vote to require anybody who wants to
8 spend more money to offset it with a cut
9 somewhere else. All those in favor, please say
10 aye.

11 (Aye)

12 **THE MODERATOR:** Opposed, no.

13 (No)

14 **THE MODERATOR:** The ayes have it.

15 Let's take a review of the rules
16 quickly. This is a representative town meeting.
17 Elected town meeting representatives are the
18 only people that can vote. In order to vote,
19 three things must happen. You must be an
20 elected town meeting representative, you should
21 have your lanyard on, and with the exception of
22 several people, who for physical reasons, have
23 asked to be waived, you must be seated in the
24 area in front of the tape.

1 So if you are elected, and you do
2 have a lanyard on, and you're standing in the
3 back, the tellers have been instructed not to
4 count your vote. So you need to be where the
5 town meeting representatives are designated to
6 sit, and of course, please have your lanyard on
7 -- that assists the tellers in identifying
8 people -- and then you can vote.

9 When speaking, please use the
10 microphone and state your name, even if you are
11 a well-known person in the town. This is for
12 the benefit of our court stenographer, our
13 official stenographer. And each speaker is
14 limited to ten minutes, unless otherwise voted
15 by the town meeting.

16 At the request of seven town meeting
17 representatives, a standing vote may be held on
18 any article, and at the request of 15 town
19 meeting representatives, a roll call vote may be
20 held on any article, and the moderator may call
21 for a standing vote at his discretion.

22 All articles will be deliberated in
23 the order in which they are printed in your
24 book, unless there is a motion which is accepted

1 by the body to take an article out of order.
2 All articles and all budget line items will be
3 read by the moderator. If you wish to discuss,
4 question, or amend any article, you should
5 indicate by simply calling out the word "pass."
6 You don't have to be recognized, you don't have
7 to stand, just call out the word "pass." That
8 budget line item or article will then be set
9 aside for discussion.

10 It sometimes happens that people ask
11 that something be passed. They get their
12 question answered by somebody that they're
13 sitting near. That's fine. If you think you
14 have a question, it is better to call out
15 "pass," because once we go through all of the
16 articles in the budget line items, we will take
17 one vote to accept everything that was not set
18 aside. So it's a lot more difficult at that
19 point to bring up a question or to disagree with
20 the original motion on any article.

21 The finance and warrant committee's
22 recommendation have the force of the original
23 motion, with the exception of zoning articles,
24 in which case the planning board's

1 recommendation has the force of the original
2 motion.

3 We ask, whenever possible, that all
4 substantive amendments be presented in writing,
5 in triplicate, to the town clerk. We exercise a
6 degree of flexibility with this rule, because
7 sometimes in the give and take of debate, an
8 idea comes up, and we can certainly make that
9 kind of fair exception.

10 Motions for reconsideration of an
11 article can be done with a majority vote if that
12 motion is made within one hour of the original
13 vote. If it is more than an hour, it takes a
14 two-thirds vote to reconsider something.

15 Matters of law will be referred by the moderator
16 to the town counsel. Questions of procedure are
17 in the domain of the moderator. Any questions
18 on the rules?

19 The Chair would like to express
20 gratitude to those members of the finance and
21 warrant committee whose terms will be ending at
22 the end of this town meeting: Susan Carney,
23 Marty Lindemann, and Kevin Hughes.

24 Please silence your cell phones, and

1 all members, please remove your hats. The Chair
2 would like to recognize Cheryl Schoenfeld, who
3 is chair of the public service recognition
4 committee.

5 **MS. SCHOENFELD:** Good evening. Thank
6 you all for coming tonight. Annually, we give
7 out an award for unsung heroes. This year,
8 we're happy enough to give out an award for
9 youth, and one for an adult. And before we
10 start, I wanted to say a special thank you to
11 Michael Humphrey. Every year, he donates the
12 plaque that we put on these paintings, and
13 Michael is with Cherokee Trophy, and Nancy Hull,
14 who did the paintings.

15 The members of our committee are
16 Jerry Roberts, Maryann Martin, Drew Sullivan,
17 Fred Wofford, and Marybeth Kelly. Tonight, I'm
18 going to ask Maryann Martin to introduce the
19 youth awards. Maryann.

20 **MS. MARTIN:** It is a great honor that
21 I get to present our younger Dedham public
22 recognition recipients, Jack and Eric Linari,
23 a/k/a the Pirates.

24 I'd like to begin my recognition with

1 a few of my favorite public service quotes: "For
2 it is in the giving that we receive," St.
3 Francis of Assisi; "Life's most urgent question
4 is what are you doing for others," Dr. Martin
5 Luther King., Jr.; "Those who are happiest are
6 those who do the most for others," Booker T.
7 Washington; "Only a life lived for others is a
8 life worthwhile," Albert Einstein; "We make
9 change one cup at a time," and "Paying forward
10 and giving back. That is the pirate way," Jack
11 and Eric Linari.

12 For those of you not fortunate enough
13 to know about the Pirates, let me tell you a
14 little bit about lemonade stands. The lemonade
15 stand, it is the first step into the American
16 dream for many a young entrepreneur. One of the
17 earliest documented lemonade stands was operated
18 by a 10-year-old named Eric Boch of Brooklyn,
19 who in 1873, on a hot summer's day, took to the
20 streets to sell glasses of iced water to fellow
21 New Yorkers for a penny. Soon, other kids
22 hoping to cash in opened competing stands on the
23 same street.

24 So Boch, like every good

1 entrepreneur, upped his game and added lemon and
2 sugar to his icy water, and boom, the concoction
3 we know as the lemonade, and the lemonade stand
4 was born. Edward Boch would later gain fame as
5 the 30-year tenured editor of the Ladies Home
6 Journal magazine and as a Pulitzer Prize-winning
7 author. Not a bad career start for the lemonade
8 stand.

9 Fast forward 135 years to about ten
10 years ago, when then 4-year-old Eric and 7-year-
11 old Jack asked if they, too, could set up a
12 lemonade stand to earn some cash for toys.
13 Their request was answered with a challenge.
14 Their dad noted that they were not longing for
15 toys and asked them, instead, what else could
16 you raise money for. The Pirates were born,
17 forever changing the path of these two and all
18 who benefitted from their generosity and the
19 rest of us by their example.

20 Benefactors have included the
21 replacement of a stolen Gregory M. Riley
22 playground sign, the Dedham Food Pantry, the
23 Animal Rescue League, the Pink Rose Foundation,
24 the Home Base Program, Toys for Dedham, Our

1 Friends in Need, the Martin Richard Memorial
2 Fund, the Nicole M. Ahl Memorial Foundation, the
3 Teddy Bear Club and Nicole's Bears, and the
4 Tommy Quinn Scholarship Foundation, and the list
5 continues.

6 There are many lessons learned by the
7 lemonade stand. It teaches hard work,
8 accountability, financial literacy, customer
9 service skills, and independence, invaluable and
10 much needed life skills. But this is not a
11 complete list when it comes to our friends here,
12 the Pirates. Winston Churchill said, "We make a
13 living by what we get. We make a life by what
14 we give."

15 So before I present this small token
16 of our collective appreciation, I would like to
17 leave you with another observation. This is
18 from a man, who as a 10-year-old boy gave birth
19 to the lemonade stand, Edward Boch, and mastered
20 by the Pirates. "The making of money, the
21 accumulation of material power is not all there
22 is to living, and the man who misses this truth
23 misses the greatest joy and satisfaction that
24 can come into his life, the service of others."

1 They say there are lessons learned
2 from running a lemonade stand. Jack and Eric, I
3 think it is both of you who have taught many of
4 the grownups in this community the lessons and
5 joy of giving to others. You have generously
6 sacrificed your time, given lessons and joy to
7 others the fruits of your labor, and you have
8 welcomed all of us to become pirates.

9 And as you guessed, I'm a fan of good
10 quotes. My new favorite one belongs to the two
11 of you. "Paying forward and giving back.
12 That's the Pirate way." So let's make it our
13 way, too. So on behalf of the Town of Dedham,
14 we're going to present you with this painting,
15 which for years and years, I suspect, will be
16 proudly hung in your parents' livingroom,
17 forever to be enjoyed by the McDonald and Linari
18 families.

19 **JACK LINARI:** Eric and I would like
20 to thank Ms. Martin and the rest of the
21 committee for this incredible honor. We do what
22 we do simply because it's the right thing to do.

23 We would also like to thank our
24 grandmothers and aunts and uncles who are always

1 there for us, including tonight. Thanks as well
2 to all our friends, including Tracy and Lily and
3 Bobby Zahka for being Dedham pirates, too. We
4 couldn't do it without you.

5 **ERIC LINARI:** We would also like to
6 thank Selectman McDonald for the recommendation
7 letter he wrote on our behalf and for supporting
8 our charitable mission from the start. We would
9 also like to thank the many town officials who
10 have come to the stand over these many years.
11 Finally, we would like to thank the Dedham
12 Farmer's Market and everyone in the town who
13 have helped make what we do possible. Thank
14 you.

15 **MS. SCHOENFELD:** That's great. Next,
16 we are going to honor Dimitria Sullivan -- and I
17 will be quick. Dimitria, as you know, served on
18 the school committee. She's new to the town, 25
19 years. And Dimitria, in 2001, she was elected
20 to the school committee. She also was in the
21 Riverdale PTO, and she and a group of her
22 cohorts raised \$100,000 to build a playground at
23 Riverdale. And then you fast forward. She
24 started DEP in 2005. In 2008, she started

1 Dedham Dancing with the Stars, which to date has
2 raised over \$200,000.

3 And I'd like to, Dimitria, present
4 you with this beautiful painting of the
5 Fairbanks Estates, Nancy Howell, and then once
6 you get this, I'd like you to come up.
7 Dimitria, if you'd say a few words. Thank you.

8 **MS. SULLIVAN:** First, I'd like to
9 thank the committee for selecting me as one of
10 the 2018 public service recipients. Receiving
11 this award is a very proud moment for this kid
12 from JP. As Cheryl said, I've only been here
13 for 25 years, so I'm relatively new to the town.

14 When my husband Jimmy and I moved to
15 Dedham, the only people we knew were my
16 childhood friend, John Bethoney, and his wife
17 Christine. Johnny and Christine welcomed us to
18 the town and introduced us to many people.
19 Ironically, it was Johnny's involvement in the
20 community which led me to my involvement,
21 bringing me -- excuse me, beginning my journey
22 into this incredible moment.

23 My journey has taken many turns, from
24 school committee member working to align

1 curriculum between our schools and successfully
2 building two beautiful new schools, PTO member
3 and president running events for our students,
4 assisting in raising funds for our new
5 playgrounds in our town, and the light projects
6 here at Dedham High School, to ultimately being
7 a founding member of the Dedham Educational
8 Partnership, leading to my best known story,
9 Dancing with the Dedham Stars.

10 Being a part of Dancing with the
11 Dedham Stars team that has insured a successful
12 show has been second to none. I could not have
13 done it without the support of so many. The
14 group dancers, the stars, members of the DEP,
15 behind the scenes crew, they're the reason the
16 show is a real accomplishment, and I can never
17 forget my Bella's.

18 A very special thanks to the Dancing
19 with the Dedham Stars Committee: Jackie
20 Sullivan, Carmen Delloiacono, Bob Stanley, Paul
21 Munchbach, and Madeline Marino. And I cannot
22 forget the exceptional talents of Rob Blaney,
23 Alex Shumway, Nicole Munchbach, Bob Coughlin,
24 and Beth Florentino. I'm not sure if Beth could

1 make it this evening, but I have to take a
2 moment to thank her. She is not a member of our
3 town, but she is a member of our community. She
4 gives so much time and choreographs almost every
5 single dance routine that those of you who have
6 gone to the show have seen. She is an
7 incredible woman.

8 My journey has seen me achieve
9 political success, navigating political
10 situations, to working and encouraging eight
11 young men to dance in front of 900 people last
12 year, helping to raise money for our town.
13 Every step along the way has taught me a little
14 something. I've learned that attention to
15 detail is important, but not to sweat the little
16 things. I've learned that good enough is not
17 good enough, and I've learned that in my
18 personal, public, and professional life, I
19 should always strive for success to actually be
20 successful.

21 But most importantly, I've learned to
22 enjoy my journey. I'm thankful that I did not
23 walk this journey alone. I walked with my
24 family and friends, who stood next to me, and

1 because of their support and willingness to put
2 up with my idea of the day insured my success.
3 Bringing ideas to light required effort, and
4 sometimes along the way challenges arose, but
5 every obstacle was overcome because they
6 believed in me.

7 It is true that there can be no
8 leaders without a community to serve and without
9 a community of supporters if the leader is
10 unable to be of service. I want to thank my
11 beloved Riverdale neighbors and my PTO partners
12 in crime, Marlene Nelson, Ginger Walter, and
13 Maggie Kelly, and to my incredible family,
14 Jimmy, Jackie, Allison, James, and Rory.

15 I do want to go on record to thank
16 them, because I know how difficult it is to live
17 with me. I'm constantly asking them to give up
18 their time so they can help with one of my
19 endeavors. I love you madly. You are the best.
20 To my parents above, thank you for showing the
21 way.

22 And I do want to read a quote, which
23 I feel is very appropriate for this evening.
24 "Volunteering is the ultimate exercise in

1 democracy. When you volunteer, you vote every
2 day about the kind of community you want to live
3 in." And I vote for Dedham. Thank you very
4 much.

5 **THE MODERATOR:** Thank you.

6 Congratulations. As you know, police
7 departments are increasingly called upon to deal
8 with matters beyond the traditional focus of
9 police departments. Chief Michael D'Entremont
10 has requested a few moments of our time to talk
11 about a program that he is interested in
12 bringing to the Town of Dedham. Chief
13 D'Entremont.

14 **CHIEF D'ENTREMONT:** Good evening.

15 I'm Mike D'Entremont. I'd just like to take a
16 few moments of your time this evening.

17 Almost two years ago, through a
18 collaboration of many departments within the
19 town, we reached out and subscribed to a mental
20 health referral service called the Interface
21 Service offered by William James College. It's
22 a very valuable service to have. It doesn't
23 cost anyone that calls anything extra to call.
24 And tonight, we have Tanya Snyder from William

1 James College to tell you a little bit more
2 about this program. Thank you.

3 **MS. SNYDER:** Hi. Thank you for
4 having me tonight. Can everyone hear me okay?
5 I'll try to yell. I'm short.

6 So I think they're putting up my
7 slides, and I'll try to -- I know I only have a
8 few moments, and town meeting is pretty long, so
9 I'll try to keep it kind of short and sweet.

10 Many of you saw our table out there
11 and said, you know, I'm not going back to
12 college, and so it's a little misleading. We
13 live at the college, and we live inside the
14 Freedman Center, which is a center for the
15 promotion of child and family development.

16 For those of you who have children,
17 some of the interesting things we also do out of
18 the Freedman Center are offering new mom and dad
19 playgroups and support groups. For those of you
20 professionals in the mental health field, we
21 also offer continuing education opportunities
22 through the Freedman Center. But tonight, I'm
23 here to talk about Interface Referral Service
24 specifically.

1 database as long as they're licensed in the
2 state, and we vet them yearly to make sure there
3 is no significant disciplinary action on their
4 record. So you can be assured that everyone
5 that we're providing to you as a referral is
6 licensed and vetted.

7 What would happen is -- and I handed
8 some of you these sheets as you came in, and
9 they'll be also at the table outside, as well as
10 some postcards. We have a resource and referral
11 help line. We're available Monday through
12 Friday, 9:00 to 5:00, and you call us. We do
13 about a 30-minute intake over the phone. We're
14 collecting important information.

15 And when you call, you reach someone
16 like myself. I'm a licensed mental health
17 counselor. We have licensed independent
18 clinical social workers, doctoral level
19 practitioners, and because we are at a college,
20 we also have students who work our help line who
21 are training to be doctoral level practitioners
22 out in the field.

23 So we do about a 30-minute intake,
24 and we're collecting information about what your

1 needs are for mental health services, what
2 locations you can get to, what time you can get
3 there, and if you want to use your insurance,
4 what type of insurance you have. We then assign
5 you a code. That's to protect your
6 confidentiality.

7 Within two business days, we assign
8 you a lead counselor. The lead counselor is
9 responsible for looking in our database of over
10 8,000 providers and finding matches for you that
11 are a good fit based on those criteria that I
12 mentioned, where you can get to, what time you
13 can get there, what type of insurance you want
14 to use, as well as your needs.

15 They then reach out to the providers
16 and present a little bit about those four
17 issues, utilizing only the code, so they never
18 provide your name, your address, your phone
19 number. Their goal is to maintain your
20 confidentiality. When a provider feels like
21 it's a good fit for their practice, they would
22 call us back. At that point, we would call you
23 and notify you of the practitioner's name,
24 address, phone number, and specialty.

1 This process takes about two weeks.
2 We aim to have at least two matches for you
3 within two weeks time. I'll talk a little bit
4 later in a moment about our research, which
5 actually talks about that turnaround time being
6 much quicker, typically.

7 We also are committed to follow up.
8 So once we provide you a match, we do continue
9 to check in with you to insure that you are able
10 to connect with that provider, and also if that
11 provider was a good fit for you. We don't close
12 your case until we feel like you're connected
13 with someone and that that is a good fit for you
14 to continue working with that person.

15 So that's kind of how our process
16 works. I like to remind people we're a help
17 line, not a hotline, and we help connect people
18 with outpatient mental health. So that's
19 traditional, psychiatry, therapy. If you're in
20 crisis, we don't turn people away. We just
21 would redirect them to the local emergency
22 services provider. And if you need more
23 intensive services, we would direct you in a
24 different direction as well.

1 We also have a really great public-
2 facing website, which is also listed on our
3 flier, and that's full of wonderful material
4 about mental health and mental wellness that I
5 would encourage anyone to visit. Each community
6 also has their own page under community tabs on
7 our website, and that lists local and free
8 nonprofit resources within the Dedham community
9 as well. So that could be another wonderful
10 resource for people.

11 A couple of important core values.
12 We respect the caller's voice and choice and
13 their concerns for confidentiality. I mention
14 the concerns by identifying the code we're going
15 to use to talk about the person, but that means
16 that we are really going to meet you where
17 you're at and what you're looking for.

18 And we want people to understand the
19 process. Insurance is complicated, mental
20 health is complicated, and so part of our goal
21 is not just to connect you with outpatient
22 mental health services, but to also educate and
23 empower you to be an informed consumer. We also
24 know that we're at the beginning part of care,

1 so our goal is to be a warm, supportive person
2 on the line and help you with that warm handoff
3 to the ongoing provider.

4 The next one shows our website, so
5 that just can kind of show what that looks like.
6 I'm not going to belabor studies because they
7 can be a little bit boring, but on our website,
8 you can find two really great studies that were
9 done on our service by graduate students. I
10 think the first one really just highlights that
11 about 58 percent of people who called us said
12 they tried to find providers on their own and
13 were not successful. I think that we help get
14 rid of the barriers.

15 And what I mean by that is that
16 sometimes people get lists from places, but
17 those lists are outdated -- even the insurance
18 company lists are often outdated -- or they're
19 not broken down into what kind of service they
20 provide or who they treat. And so after calling
21 multiple people and telling your story in the
22 moment of crisis, only to find out they don't
23 take your insurance or they don't treat
24 teenagers or X, Y, and Z, it can be a very

1 frustrating process.

2 So we help remove those barriers and
3 make it easy that when you're finally calling
4 someone, it's a person who can actually treat
5 you and has the availability and takes your
6 insurance and meets your needs. So you only
7 have to do that story one time with us and then
8 one more time when you actually meet with the
9 provider you're going to see.

10 I think another piece about the
11 newest study, the 2017 study, that's important
12 to know is that, as we all know, sometimes in
13 the middle of crisis striking when the iron is
14 hot, so to speak, means that we move forward
15 with that. And the more time that goes by
16 between the iron being hot and something
17 happening, the harder it is sometimes to keep
18 that momentum going and the ability to connect.

19 So where we're able to keep that time
20 frame with two weeks, and the study actually
21 said we're often quicker, we're able to get
22 people connected while they really need services
23 and maybe are sort of more motivated to move
24 that along and move that forward. So that can

1 be a wonderful piece as well.

2 And last, but not least, I'm going to
3 move to the specific Dedham data, because I
4 think that's helpful. We provide twice a year
5 opportunities like this to speak, and we also
6 provide twice a year reports back to the
7 community about utilization of services. And
8 again, all of that is kept confidential.
9 There's no identifying data.

10 But we've been involved in Dedham
11 since July 1, 2016. Since that time -- I pulled
12 data earlier this month, so this isn't totally
13 like up-to-date as of today, but there were 85
14 callers that utilized our service since that
15 time. And as with most communities, the biggest
16 issues are anxiety and depression, although in
17 the most recent reporting period, there were six
18 callers who reported recent or current suicidal
19 ideation.

20 So I just want to put it out there
21 that we're here. We're here for the entire
22 community, regardless of age, and we really want
23 to help people get connected to outpatient
24 mental health services and resources. So please

1 take fliers. I'll leave them on the table
2 outside. Pass them along to anyone and everyone
3 that you know who you think might benefit. And
4 again, the website is good for all of us. Great
5 information for everybody on there. Thank you
6 very much. My cards will be out there, too, so
7 if you have questions, feel free to call me or
8 email me.

9 **THE MODERATOR:** Thank you, and thank
10 you, Chief D'Entremont, for facilitating this
11 service for the residents of the Town of Dedham.

12 We are now going to proceed reading
13 the articles and the budget line items. If
14 there's one you want to discuss, question,
15 etcetera, call out the word "pass."

16 Article 2. In Article 3 on Page 2,
17 I'm going to read each budget line item, but I'm
18 going to do it at a fairly quick pace. If I'm
19 going too fast for you, please speak up.

20 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10.
21 Finance department, 11, 12, 13, 14, 15, 16, 17,
22 18, and 19. 20, 21, 22, 23. Top of the next
23 page, 24, 25, and 26. 27, 28, 29, and 30. 31,
24 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43,

1 44, 45, and 46, 47. Police department, 48, 49,
2 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61,
3 62, 63, 64, 65, 66, 67, 68, 69, 70, 71.

4 **UNIDENTIFIED SPEAKER:** Pass.

5 **THE MODERATOR:** Pass on Line Item 71.
6 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83,
7 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95,
8 96, 97, 98, 99, 100, 101, 102, 103, 104, 105,
9 106, 107, 108, 109, 110, 111, 112, 113, 114,
10 115, 116, 117, 118, 119, 120, 121, 122, 123,
11 124, 125, 126, 127, 128, 129, 130, 131.

12 **UNIDENTIFIED SPEAKER:** Pass.

13 **THE MODERATOR:** Pass on 131. 132,
14 133, 134, 135, 136, 137, 138, 139, and 140. Did
15 we miss anything on the budget?

16 The Chair passes on Article 4, the
17 capital improvements budget, so we will come
18 back to that one. On Page 11, Article 5. Next
19 page, Article 6. Article 7. Article 8, which
20 is on Page 14. Article 9.

21 **UNIDENTIFIED SPEAKER:** Pass.

22 **THE MODERATOR:** Article 9 is passed.
23 Article 10 is passed by the Chair. Article 11.
24 Article 12. Article 13. Next page, Article 14.

1 Article 15 is passed by the Chair. Article 16.
2 Article 17. Article 18.

3 **UNIDENTIFIED SPEAKER:** Pass.

4 **THE MODERATOR:** Article 18 is passed.
5 Article 19 is passed by the Chair. Article 20
6 is passed. It's a zoning article. It requires
7 a two-thirds vote. Go to Page 28, with a
8 recommendation of the planning board on that
9 article, and then Page 36 of the next article,
10 which is also a zoning article, we'll pass that.
11 It requires a two-thirds vote.

12 Article 37 is a zoning article, but
13 the original motion is for indefinite
14 postponement, which does not require a two-
15 thirds vote. Oh, 22. Sorry, 22. Are there any
16 passes on 22? No pass. 23, 24, 25.

17 **UNIDENTIFIED SPEAKER:** Pass.

18 **THE MODERATOR:** 25, pass. 26, 27,
19 28, 29 -- 28 is passed. 29. And that is it.
20 Did we miss anything? Is anybody having second
21 thoughts?

22 **UNIDENTIFIED SPEAKER:** Pass.

23 **THE MODERATOR:** Pass on which, 24?
24 Is that what you said?

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UNIDENTIFIED SPEAKER: Pass on 29.

THE MODERATOR: Pass on 24, which is on Page 40, and pass on Number 29, which is --

UNIDENTIFIED SPEAKER: Pass on 13.

THE MODERATOR: My goodness, folks. Pass on 13, sewer enterprise fund. I'm not asking again. Do you have a list of the pass ones there, Paul? In Article 3, the town budget, the Line Item Number 71 has been passed. Is there a discussion on Line Item 71 of Article 3? Mr. Barich.

MR. BARICH: Mr. Moderator, I would like to ask at this time for town meeting to consider taking Article 19 out of order.

THE MODERATOR: Mr. Barich, hold that thought for one second. All the articles and line items that were not passed, it takes one vote to accept them. Is there such a motion? Second? All those in favor, please say aye.

(Aye)

THE MODERATOR: Opposed, no. The ayes have it. Thank you.

Mr. Barich has moved that Article 19 be taken out of order and done when, Mr. Barich,

1 would you propose?

2 **MR. BARICH:** After Article 3.

3 **THE MODERATOR:** After Article 3. Is
4 there a second on Mr. Barich's motion? Any
5 discussion? All those in favor, please say aye.

6 (Aye)

7 **THE MODERATOR:** Opposed, no.

8 (No)

9 **THE MODERATOR:** The ayes have it.

10 If people doubt the vote, it takes
11 seven to do a standing vote. So we're back to
12 71. Does anybody wish to speak? Are there
13 seven people who doubt the vote? I see three,
14 four, five, six --

15 **MR. MUNCHBACH:** Seven.

16 **THE MODERATOR:** Okay, standing vote
17 then, please. All those in favor of taking
18 Article 19 out of order, please stand. Again,
19 remember, we are not counting anybody, with two
20 exceptions, who is not in the correct area and
21 wearing the laniard.

22 We need to count the center section
23 again, please. Those in favor of Mr. Barich's
24 article, please stand in the center only. We've

1 got the other two. Center only, center only,
2 please. Thank you.

3 Thank you. Please be seated. All
4 those opposed to the motion, please stand.

5 Thank you. You may be seated. 172
6 town meeting representatives having voted in
7 favor and 73 in the negative, we will take
8 Article 19 out of order after we complete
9 Article 3.

10 Line Item 71 was passed. Is there
11 any discussion or questions on Line Item 71?

12 **MS. FRASCA:** Anne Frasca, Precinct 4,
13 and I promise to be brief. I was also the
14 person that passed on 131, and really, they were
15 more symbolic than anything else. I'm looking
16 at a town budget that if you exclude the catchup
17 for the pension provision has gone up over 18
18 percent since 2016. And I would just suggest
19 that since we're now over the \$100 million mark,
20 I'd like to first understand who on the FinCom
21 voted against it, and why they voted against it.
22 And my broader question is when are we going to
23 start exercising some fiscal responsibility on
24 behalf of the taxpayers?

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THE MODERATOR: Thank you, Ms.

Frasca.

MS. CARNEY: Sue Carney, District 7.

I am one of the folks who voted in the negative on the budget. I would say that this past year, the finance committee collected comparable data from 14 different towns, mostly towns, and some cities in terms of comparable size and population and how many miles of roads and so on and so forth we have in close proximity to a city and things like that. So we looked at 14 cities and towns that the finance department and the town manager department felt were comparable.

The finance committee did not select the cities and towns. The folks up at town hall did. And when I looked at that comparative data, I felt that in some cases, we're overstaffed. And I honestly don't know if people seriously looked at all of that information that we gathered how they could solidly get behind a budget that I think is a very generous one.

And so that's the reason, quite

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MR. KERN: I probably still can't do it.

Fred, to your question, and the questioner identified this, even if you -- what is happening in fiscal year 2017 is the extraordinary payment to the pension plan. So right above 103,344, if you go up and see Pensions Contributory, it jumps in '16 from \$4 million to \$12 million in '17. So having answered Fred's question, I hope, you see it's pretty level after that.

Just for the benefit of the body, the drivers -- first of all, the primary cost of virtually any government enterprise is the personnel. But there are a couple of other drivers that have affected the Town of Dedham. And let me say also that the increase in the required levy over this period of time is well below. It averages in the low two percent. It's well below the average for the Commonwealth, and that's because of some of the things we've been able to do.

Two other drivers for us are health insurance, that we've put a lot of effort into

1 in the last year, and some of that we reaped the
2 benefit of this year with \$1 million savings,
3 and debt service, which was properly identified,
4 and that's because we are taking votes and
5 working on projects that, again, I think it's
6 the judgment of most of the officials in the
7 positions to make this judgment, that in the
8 long run, that will serve the town in a
9 beneficial way, which is to say postponing or
10 deferring big construction projects generally
11 just increase the cost. So Dedham has caught up
12 on roads and then caught up on buildings, and so
13 the debt service has increased.

14 **THE MODERATOR:** Thank you, Mr. Kern.
15 Further questions? The vote comes on the motion
16 that is printed in your book. All those in
17 favor, please say aye.

18 (Aye)

19 **THE MODERATOR:** Opposed, no. The
20 ayes have it.

21 Line Item 131, debt service. There
22 being no questions, the vote comes on the
23 original motion. All those in favor, please say
24 aye.

1 (Aye)

2 **THE MODERATOR:** Opposed, no. The
3 ayes have it. Thank you.

4 Per the vote just taken, we will now
5 go to Page 20 to take up Article 19. First,
6 we'll call upon the finance and warrant
7 committee, who have proposed the original
8 motion. Mr. Preston.

9 **MR. PRESTON:** The source of the
10 \$135,000 contained in the recommendation of the
11 finance and warrant committee is recapped.

12 **THE MODERATOR:** Would the tellers
13 please approach the stage? Before we begin
14 discussion on Article 19, in an effort to save
15 some time and avoid some confusion, I'm going to
16 explain the difference between the article and
17 the motion and to lay out the parameters of what
18 can happen this evening and what cannot happen
19 this evening, the goal being not to restrict
20 what people want to say, but to try to get the
21 discussion focused on what is on the table this
22 evening, because this issue has been discussed
23 over many years.

24 So you're getting two pieces of

1 paper. One is titled Articles and Motions --
2 we're going to talk about that one first -- and
3 then the second one is entitled Article 19,
4 where we're going to look specifically at the
5 rail trail article. Just give it another
6 minute. If you'd look at the Articles and
7 Motions page -- oops, still making their way
8 around. There are two pieces of paper. Give
9 each person two pieces of paper. They're
10 different pieces of paper. One says Articles
11 and Motions, and one says Article 19. Mr.
12 Goodwin.

13 **MR. GOODWIN:** Thank you for
14 recognizing me. I understood you to say we were
15 to receive two pieces of paper.

16 **THE MODERATOR:** We are, sir.

17 **MR. GOODWIN:** Well, we only in this
18 section only received one piece of paper.

19 **THE MODERATOR:** It's on the way.
20 Help is on the way.

21 **MR. GOODWIN:** Could somebody get
22 their act together --

23 **THE MODERATOR:** Yes, sir.

24 **MR. GOODWIN:** -- and have a more

1 organized meeting? Thank you.

2 **THE MODERATOR:** There were 300 of
3 each printed, one Articles and Motions it's
4 entitled.

5 **UNIDENTIFIED SPEAKER:** There's no
6 Article 19 here. We still don't have the piece
7 of paper that states --

8 **THE MODERATOR:** Hold on folks,
9 please. This article has been contentious
10 enough. Let's just lower the temperature a bit.
11 There were 300 printed of the two different
12 pieces of paper. Now, what we're trying to
13 figure out is how -- between the stage and out
14 there, somehow that got confused, but there were
15 300 printed. There are two pieces of paper.
16 One is printed on two sides, one is printed on
17 one side. Also, I'd like to remind if anybody
18 does not have a lanyard on, please do not sit in
19 front of the signs. Did the tellers distribute
20 those papers to other than town meeting
21 representatives?

22 **UNIDENTIFIED SPEAKER:** We did not
23 over here.

24 **THE MODERATOR:** Yes, sir.

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MR. FLEISCHER: Andrew Fleischer,
Precinct 6.

THE MODERATOR: Yes, sir.

MR. FLEISCHER: Can I suggest that we
read from each paper aloud in order to expedite
this process?

THE MODERATOR: Yeah. I'm going to
go through everything that's on each piece of
paper. The distribution of the written copy was
just made to make it a little easier to go
along. We're making some extra copies. There
were 300 copies of each sitting on this table
ten minutes ago. I'm not sure what happened. I
saw the stack myself.

So let's start with the Articles and
Motions. How many people do not have the
Articles and Motions page? Do any of the
tellers have extra Articles and Motions that
they haven't passed out? How many people do
not have the one that's entitled Article 19? So
everybody has got Article 19, and this group is
in the process of getting Articles and Motions.

Okay. I think we're up to the 90th
percentile now, so let's just begin. If you

1 attended the hearings or the district chair's
2 warrant review committee, you picked up
3 certainly that there was a good deal of
4 confusion about what was on the table, what was
5 not on the table, are we changing the article,
6 are we changing the motion, what's a substitute,
7 what's an amendment. And the confusion reached
8 a point that we were, in some instances, not
9 actually able to discuss the issues themselves
10 because it got so confusing.

11 So the article sets out the subject
12 matter and the limits of an issue the town
13 meeting may vote on. So I want to build a fence
14 between my house and Paul Munchbach's, who lives
15 next door to me. I want that fence to be six
16 feet tall, to be made out of cedar, and it's
17 going to have two gates. That's the article.
18 That sets out the limits of what we can talk
19 about under that article. But it's just an
20 article sitting there. Nothing has happened to
21 it yet.

22 So what can happen to it? We need a
23 motion. The motion can be let's do everything
24 that's in the article, the motion can be let's

1 not do any of it, indefinite postponement, or I
2 like some parts of it, I don't like others. I
3 want to propose we do something closely related
4 to that. So Paul says I want the fence to be
5 eight feet tall, and I don't want the gates
6 because I don't really like you that much, and I
7 want it to be stockade instead of cedar. That's
8 his amendment. That's what's on the table.

9 So where do those original motions
10 come from? The finance and warrant committee
11 spends months studying the articles. They have
12 public hearings, which are well attended, to
13 hear from any interested person that wants to
14 speak. They then make a recommendation to town
15 meeting. The recommendation is what is printed
16 in your book, and it's called the original
17 motion, or the recommended motion.

18 What do you do if you don't agree
19 with it? You can propose to indefinitely
20 postpone it, say no to it, or you can make
21 changes in it, but the changes have to be
22 related to the original wording in the article,
23 and that's to prevent something coming up at the
24 last minute that people weren't aware of.

1 It's a safeguard to be sure that
2 nobody is caught off guard by an idea that is so
3 very different from what was printed in the
4 article, mailed out to the town meeting
5 representatives, discussed at the public
6 hearing. We don't want a last minute idea that
7 is really very divergent from that being
8 presented to the town meeting members.

9 So in the example of the fence, the
10 ideas presented to change the original article,
11 "the article," were related to that. It's still
12 going to be a fence. Munch would like it to be
13 eight feet instead of six. He doesn't want the
14 gates, and he wants a different material.
15 That's related.

16 If he said I don't want a fence, I
17 want a moat, and I want it on the other side,
18 that's not related to the original. It's not
19 related to the article. The person on the other
20 side might not want that fence or moat, and they
21 weren't notified that that was going to be an
22 issue. They thought we were talking about the
23 boundary between my yard and his yard.

24 It's always the wording of the motion

1 that is on the table for discussion that we are
2 talking about. You can certainly reference the
3 wording in the article, but what you're really
4 voting on is the motion. Now, most times,
5 frankly, we all do it interchangeably. We're
6 voting on the article. And in almost all cases,
7 the distinction is one that is not worth our
8 hammering home to people, but it does on this
9 article because of the level of contentiousness
10 and because of the number of ideas that have
11 been floating around out there and being
12 proposed.

13 So on Article 19, applying that
14 general rule to this particular article, again,
15 the articles are written to set the outside
16 limits of what is to be considered. Once the
17 article is published, you can't add any ideas to
18 the article. The article is set. So the
19 outside boundaries of what can be done tonight
20 are fund the design of a rail trail, fund a
21 traffic circulation study, if necessary acquire
22 land, and form a committee. Those are the
23 outside boundaries that we can talk.

24 Now, we can talk within those

1 boundaries, and that's what the original motion
2 does. So the original motion from the finance
3 and warrant committee, which was done after
4 consulting and getting votes from the board of
5 selectmen and the school committee, was to bring
6 in an independent third party to look at the
7 interests, concerns, and goals of those living
8 near the abandoned rail bed and the community at
9 large concerning the reuse, if any, of the
10 abandoned rail line. That's within the
11 boundaries of the original article.

12 They're also recommending that this
13 third party make a recommendation to the board
14 of selectmen should there be a committee; if the
15 recommendation is that there be a committee,
16 what does the third party recommend that it look
17 like. The original motion also suggests that we
18 fund a traffic circulation study, and it also
19 suggests that the board of selectmen be
20 requested to give updates to the town meeting
21 this November and in May.

22 So what does all this really mean?
23 There can be no -- and by the way, there are
24 plenty of people who have worked hard on this

1 issue that know these things, but we're not
2 going to assume that everybody here tonight has
3 followed it as closely as the people that have
4 been very active. There can be no action taken
5 at this town meeting that will result in
6 building a rail trail. There is no motion, no
7 idea, no suggestion that can be made to build a
8 rail trail tonight that would be acceptable.
9 Why? Because the article does not propose
10 building a rail trail.

11 There can be no action taken at this
12 town meeting that would prohibit in the future,
13 after another town meeting, that a rail trail
14 would be built. If we indefinitely postpone
15 Article 19 as it is currently written, it does
16 not stop the rail trail. It does mean that
17 there would be no collaborator third party,
18 potentially no traffic study, and obviously, no
19 report from the board of selectmen. So you
20 can't stop something that isn't already being
21 proposed. And again, that's why it's important
22 to look at what is on the table.

23 Ideally, we would only discuss what's
24 on the table. Now, we do this two nights a

1 year. Nobody is a professional at it, so we
2 allow a little bit of flexibility, but not
3 infinite flexibility. If the original motion
4 passes, it does not mean that anybody is
5 authorized to build a rail trail. It means they
6 can hire the third party, do the traffic study,
7 and report back to town meeting.

8 The original motion does not permit
9 the third party to make any binding decisions.
10 So discussions about this third party taking
11 over the prerogatives of the board of selectmen
12 or the school committee, that's not proposed.
13 It's probably not even legal, but it's not
14 proposed. It's not on the table. The original
15 motion does not permit a committee to be formed
16 based on what the third party recommends, unless
17 the board of selectmen agrees. This third party
18 has virtually no power. They are only a
19 recommender.

20 The original motion requires that the
21 traffic study be overseen by the school
22 committee. Now, do you have to stick with the
23 wording of the original motion? No, you don't.
24 You can make an amendment, as long as it is

1 related to, within the scope of the original
2 article. So a motion to fund the full design is
3 actually in order. I haven't heard anybody
4 suggest it at this point, but that is
5 technically in order because it's in the
6 article. An amendment to do some parts of the
7 original motion, but not all -- because there
8 are three parts to the original motion -- that
9 would be in order.

10 An amendment to propose a different
11 use of the abandoned rail bed is not in order,
12 because it's not in the article. So a motion to
13 why don't we do community gardens, why don't we
14 sell it to the abutters, why don't we use it as
15 a snow dump, none of those are within the scope
16 of the article. They're not related to the
17 article as it was written. Therefore, we could
18 not vote tonight to do that.

19 My suggestion to you is that when you
20 get up to make your presentations, look at the
21 language of what is on the table. And right
22 now, what's on the table is the original motion.
23 Now, ten minutes from now, there may be a
24 different but related idea on the table, but

1 right now, what's on the table is the original
2 motion, and that's what we should be discussing.
3 Are there any questions about this? This would
4 be a good time to ask.

5 Yes, sir. Yeah, I wish it went a
6 little more smoothly, but thanks, and it's not
7 the tellers' fault. We handed them these big
8 stacks of paper. They only had a two-minute
9 briefing. That's what we were talking about at
10 the front of the stage; that along with making
11 sure that everybody that votes is entitled to
12 vote, because a number of you have raised that
13 with me as a concern, so I'm trying to be a
14 little stricter about that tonight.

15 Okay. The Chair is going to
16 recognize the chairman of the board of selectmen
17 -- no, the former chairman of the board of
18 selectmen, Dennis Teehan.

19 **MR. TEEHAN:** Thank you, and good
20 evening. As always, it's an honor to address
21 town meeting. So I would like to give a little
22 background on this issue and how we got from the
23 original article, which was proposed, to where
24 we are today, because they're very different

1 articles.

2 It's important to reiterate, as the
3 chairman just said, that there is no money being
4 appropriated for design of the study today, that
5 what we're talking about is a very specific
6 article, which we'll go into, and Selectmen
7 Butler will speak about as well.

8 Over my time on the board, my four
9 years on the board, I've seen this issue develop
10 and certainly increase in intensity over the
11 last four years. It has become a true town-wide
12 issue, and I think an unprecedented amount of
13 interest on it from all corners of town.

14 Any fair or honest assessment of this
15 issue would have to admit that there is both a
16 huge amount of opposition and a huge amount of
17 support for the project, which perhaps creates a
18 large part of the challenge here. The question
19 remains, given the challenges, how do we
20 proceed, and, of course, there has been a call
21 for leadership from both sides.

22 Like many, I personally love the idea
23 of trails and recreation, but I also understand
24 some of the concerns with logistics and, most

1 importantly, the concerns of the abutters, who
2 clearly have the most at stake in this project
3 and deserve respect. I think that based on the
4 complex dynamic that there was -- it was hard to
5 know exactly how to proceed.

6 Over the last couple of years, we
7 voted on some critical articles, an ECEC, a
8 public safety building, and I think that the
9 rail trail kind of took a backseat to that, and
10 all the while it was building up in intensity
11 and festering, and signs were popping up all
12 over town. As time passed, it hit a crescendo.
13 And I think that over the last year, I sort of
14 began to feel strongly that, one way or the
15 other, it was time for things to move forward,
16 and I know a lot of people felt the same way.

17 I can say as chairman last year, I
18 looked at -- a lot of people have asked me why
19 can't we vote on this, why can't we do a ballot
20 question, and I considered that, but we would
21 have to change the town charter, because town
22 meeting appropriates the money. So it really
23 wasn't realistic to do a ballot question, or a
24 binding ballot question. And town counsel said,

1 well, we could do a non-binding ballot question,
2 or we could have a non-binding referendum on it,
3 but that seemed like it would cause a lot of
4 controversy and a lot of energy for something
5 that you guys, as town meeting members, might
6 not necessarily have to adhere to.

7 So as the winter came this year, the
8 article was proposed by a group of proponents
9 for design of the project. And, you know, I
10 think that I personally didn't feel like the
11 full design was appropriate, given the
12 logistical challenges of the project and the
13 abutters' concerns. Four years ago, to go back,
14 a feasibility study was approved by the board of
15 selectmen.

16 And you can pull the minutes from
17 that meeting, but one thing the board asked for
18 was abutter interviews, and there was no money
19 in the study to do the interviews. So I felt
20 like if we were going to go back and ask for
21 money from you to in any way support this
22 project that it had to begin and end with some
23 kind of acknowledgment of the abutter study that
24 the board initially wanted.

1 Furthermore, I felt like any money
2 spent on this project had to acknowledge the
3 fact that since it was initially conceptualized,
4 which I think now was almost 20 years ago,
5 there's been two schools built right in that
6 area. And so there are major changes and major
7 traffic issues with that area. And I think that
8 if you really look at it objectively, you know,
9 you'd have to say that those issues certainly
10 will set the parameter for what can and can't be
11 done.

12 Because if we can't answer these two
13 questions, okay, is it really worth proceeding
14 if we can't figure out how to get any use of
15 this land through the schools, and we can't
16 figure out how to get any answer to the
17 abutters' questions, should we be spending
18 money.

19 So around the same time, Selectmen
20 Butler had a similar viewpoint, and his solution
21 to the problem was to look at hiring the
22 collaborator. And the collaborator would be
23 there to engage all the stakeholders in a way
24 that really gave everyone involved some kind of

1 voice. It would be someone that wasn't an
2 expert in building rail trails, okay, but
3 someone whose expertise was engaging
4 stakeholders and creating a framework and
5 creating a table for issues that are polarized
6 and for issues that are controversial.

7 So we, as a board, engaged both
8 sides, we engaged the school committee, we
9 engaged other stakeholders, and we sort of came
10 up with the proposal that you have before you
11 today. This is not an attempt to design a
12 trail. It is an attempt to engage stakeholders
13 and to define what is even logistically possible
14 for what at the end of the day is ten acres
15 almost of town-owned land, and that's what this
16 is, ten acres of town-owned land that some
17 people think we should do something with, some
18 people would rather do nothing with, and we
19 really lacked a framework to do that, to settle
20 that.

21 All possibilities, including a rail
22 trail, to be fair, will be considered, but the
23 stakeholders and the abutters will be engaged.
24 We mention the rail trail in the article

1 because, quite honestly, there was a little bit
2 of conversation about that, and we didn't want
3 anyone to say that we were trying to, you know,
4 sneak a rail trail, pass people or that we were
5 trying to, you know, not mention it.

6 So we wanted to be very up front that
7 yeah, we understand there are people that
8 support this. We wanted it mentioned in the
9 article, okay, but we also are going to have --
10 we also wanted to put the phrase "land use
11 study" in there, because we're going to mention
12 -- we're going to look at all possibilities for
13 what's there for, again, ten acres of town-owned
14 land.

15 What we hope to offer with this
16 article more than anything is not necessarily a
17 rail trail, but answers. It will be considered,
18 but we're hoping to offer a process. We're
19 hoping to offer a path out of the quagmire,
20 right, that has divided in some ways this town
21 that has developed over the last four years,
22 right, a road, a framework, to formalize the
23 process, to engage stakeholders, and to answer
24 the most important question related to ten acres

1 of town-owned land.

2 We are creating a table. We know
3 some will support it. We know some would prefer
4 the conversation not be had. We're considerate
5 and respectful of both sides, and we're offering
6 you, town meeting, this option as a way to move
7 forward, okay, in a way that I think pays
8 respect to proponents and opponents and really
9 takes some ownership of the situation and helps
10 us move forward in a way that is very much going
11 to be more formal than what we've had the last
12 four years.

13 So at this point, I'm going to pass
14 off to my colleague, Selectmen Butler, and he's
15 going to tell you a little bit more about how
16 this will all work in more detail, and then I
17 think Steve Bilafer is going to come up from the
18 school committee side and will be here to answer
19 questions after that.

20 **THE MODERATOR:** The Chair will
21 recognize those folks as they stand up. Thank
22 you. The Chair recognizes my colleague, Michael
23 Butler.

24 **MR. BUTLER:** Thank you, and good

1 evening. A collaborator is akin to a mediator.
2 A collaborator is akin to someone who helps
3 build a consensus. A collaborator is someone
4 who is akin to a specialist in conflict
5 resolution. So our proposal is that we would
6 use a collaborator to assist our town to assess
7 the potential for an incredible process by which
8 the key stakeholders, the decision makers, can
9 work together to evaluate and provide advice
10 about the future reuse, if any, of the abandoned
11 rail bed.

12 The third party firm would have four
13 steps in the first part of their engagement.
14 First, they undertake an assessment whereby they
15 work with project leaders to scope the
16 assessment and develop a list of interviewees,
17 which help them understand the interests and the
18 concerns and values of the community.

19 Second, they schedule and conduct
20 confidential interviews with the stakeholders.
21 Third, they summarize and analyze the findings
22 from the interviews to identify key interests
23 and concerns, identify common and opposing
24 views, and identify opportunities for and

1 barriers to undertaking a collaborative process,
2 and those interviews are all confidential.

3 Fourth, the phase -- this phase of
4 the work includes with a final summary report
5 and a draft process recommendation. Based on
6 what is learned from the assessment findings,
7 the collaborator would develop recommendations
8 for, if, and how the town might convene an
9 advisory group to guide deliberations on
10 potential reuse of the bed.

11 The plan is to have these first four
12 steps begin in September and be complete by the
13 end of this year. The firm would prepare a
14 written report to the selectmen, which will
15 include recommendations on the appropriate
16 composition of a committee. If the board of
17 selectmen decides to form a committee, it would
18 do so early next year.

19 If appropriate, the collaborator
20 would also draft a set of protocols for the
21 process, which would provide a clear shared
22 framework for participants on the goals, roles,
23 and responsibilities, etcetera. This would
24 include also how to interact with the traffic

1 and circulation study that is also part of this
2 proposal. The board of selectmen respectfully
3 requests your support of this article.

4 **THE MODERATOR:** Thank you, Mr.
5 Butler. Mr. Bilafer, chairman of the school
6 committee.

7 **MR. BILAFER:** Thank you, Mr.
8 Moderator, ladies and gentlemen of town meeting.
9 As a result of a 2018 town meeting vote, the
10 Dedham Public Schools attained care, custody,
11 and control for the portion of the abandoned
12 rail bed at a point near the end of the high
13 school parking lot off Stonefield down to Mount
14 Vernon Street.

15 The opening of the new Avery
16 Elementary School six years ago created a campus
17 with a very busy driveway between the Avery and
18 the high school that is fed by Recreation Road
19 off High Street on one side and the high school
20 parking lot on the other.

21 This path where the rail bed once
22 extended is the point of access for both Avery
23 and Dedham High School for staff, delivery
24 trucks, student buses, parent and guardian pick-

1 up and drop-off for Avery, athletic buses for
2 our high school teams and visiting schools, fans
3 of athletic contests, as well as access for
4 members of the community and others who use or
5 rent the school facilities or the field at Stone
6 Park on the weekends or other non-school hours.
7 When you add the very busy schedule of the pool
8 and pool field, that only increases the
9 congestion in the area.

10 As a result, both the school
11 committee and the school administration have
12 followed very closely all discussions for a
13 proposed trail or other use on this site. The
14 school committee's position has been consistent
15 for years now. We have long believed that a
16 traffic study of the access road and the public
17 roads around the three-school campus should be a
18 first step in the consideration of any reuse of
19 the abandoned rail bed.

20 That is why the school committee
21 voted unanimously to have Section 2, the traffic
22 study portion, included in this new original
23 motion for Article 19. We believe the study as
24 proposed is comprehensive, both geographically

1 and in terms of the different times of day of
2 the school days for the various schools and in
3 the school year and in off months to catch the
4 rhythms of school days and all major events,
5 rentals, and other uses of the facilities. This
6 study will get us valuable baseline data to help
7 us consider suggestions and/or potentially
8 propose changes to improve the flow around the
9 schools and for our neighbors, and that is true
10 with or without any reuse of the rail bed.

11 The school committee would like to
12 thank the board of selectmen for allowing the
13 school committee's interests to be included in
14 this article, and we're available to take any
15 questions. Thank you.

16 **THE MODERATOR:** Thank you, Mr.
17 Bilafer. There are a number of town meeting
18 representatives who have emailed, called me, or
19 in person asked me -- let me know that they're
20 interested in speaking, and I've given the same
21 message to everybody. I've made note of those
22 names, but you still need to draw attention to
23 yourself, be recognized, and come forth. So the
24 Chair recognizes Margaret Matthews.

1 **MS. MATTHEWS:** Hello, my friend in
2 the back, Nate, who is going to drop the -- I
3 just have a very few slides, photographs I
4 wanted to include. While the screen is dropping
5 down, good evening. My name is Margaret
6 Matthews. I am a town meeting member from
7 Precinct 6. I am a member of the steering
8 committee, of the Friends of the Dedham Heritage
9 Rail Trail, and I'm one of the 23 endorsers of
10 the article.

11 I didn't know when I labeled the
12 presentation. This was just an attempt at
13 Gallows humor, my reference to the Grateful
14 Dead. What a long, strange trip it's been. But
15 after this evening, I think that is the correct
16 title with what we've gone through.

17 If you are confused, I understand it.
18 I don't want to repeat what Mr. Driscoll has
19 done. I think he did an admirable job, and I
20 didn't know he was going to go into the detail
21 he was, so I will try and not be redundant
22 tonight, and I'll try and adjust on the fly
23 here. But I wanted to be clear what we're
24 working on tonight.

1 started. Since our original motion was drafted,
2 I count six additional motions that have been
3 crafted by a variety of boards or individuals to
4 get to where we are tonight.

5 Next slide, please. Things have
6 changed and evolved in the last three months,
7 mostly positive, as our elected town meeting
8 members -- as our elected town leaders have
9 become more officially involved. As
10 disappointed as we are tonight to not be
11 bringing a design -- an article for the -- a
12 motion for the design phase forward, we
13 recognize that the issues are complex. The
14 changes to the motion have induced a certain
15 level of confusion, and as the vote neared the
16 level of the heat, the arguments has arisen.

17 Perhaps we do need to take this a
18 little more slowly as we consider what to do
19 with this public parcel. Perhaps we need to
20 insure a fair process where all stakeholders
21 have a legitimate voice. Perhaps we need to
22 expand the discussion, not just from this
23 specific public land usage, but to all public
24 land usage.

1 The motion before you tonight -- I'm
2 not going to go into detail. I'll skip over
3 this part. I think you've gotten it. It's the
4 collaborator who will help us talk. It creates
5 the metaphorical table that has been missing,
6 the school campus traffic circulation study,
7 because of -- and that includes vehicles, bikes
8 and pedestrians.

9 This issue addresses safety issues
10 that exist on the campus as it is now, and our
11 town has suffered two children being hit in the
12 last few years. The Avery PTO in January pled
13 with the school committee to do a study like
14 this. I'd like to honor that request. Finally,
15 the report allows for impartial and unbiased
16 observations and recommendations back to us.

17 Next slide, please. This motion has
18 zero bearing on whether the town ever builds a
19 rail trail. You may hear in the discussion that
20 follows that no one had a seat at the table to
21 discuss these issues before and that it's too
22 late to start now. This process creates that
23 metaphorical table, and I believe it is never
24 too late to start talking.

1 You may hear about land rights, does
2 the town really own it, imminent domain, the
3 trail is too short, the trail is in the wrong
4 place, Dedham has too many trails, Dedham
5 doesn't have enough trails. This motion does
6 not address those very natural issues that would
7 have arisen and been discussed in a normal
8 design process. It doesn't mean these valid
9 issues won't be discussed eventually. They're
10 just not pertinent tonight.

11 You may hear about environmental
12 concerns, fears of connecting to Boston, fears
13 that the connection to Boston won't happen,
14 fears that this trail will allow waves of crime
15 sprees from an apartment complex that's not even
16 built yet. There's plenty of evidence to refute
17 many of these concerns, but the bottom line is
18 none of that is relevant tonight.

19 You may hear this will cost millions
20 in the future, that we're hiding money, that
21 we're covering all sorts of costs or needs to
22 purchase additional land. Actually, the
23 Department of Transportation program that Dedham
24 is already taking advantage of with other

1 projects in town, we know it will cost the town
2 zero for the construction. Again, that is not
3 relevant. We are asking this money, \$135,000,
4 for two pretty specific reasons. One is to
5 establish a fair process for the town to engage
6 and decide if this is something they want to do
7 with a ten-acre parcel of publicly-owned land,
8 and secondly, to increase school safety in
9 regards to traffic flow.

10 The last slide made -- if you could
11 just do them one at a time until you get to the
12 end. Well, this didn't convert well. I
13 apologize. I don't know what the technical
14 issue was, but they did not convert well. What
15 you are seeing is, either forward or sideways,
16 pictures of next door neighbors on abutting
17 streets that have completely different
18 viewpoints about this project. These are from
19 Clark, Charles Streets, and Whiting Ave. These
20 are next door neighbors.

21 This is the best reason to vote yes,
22 in my opinion. We need an outside objective
23 voice in this issue. Thank you to Selectmen
24 Teehan and Butler. The board of selectmen

1 recognize this. We need to take the step of the
2 circulation study for traffic around our
3 schools. The superintendent and the school
4 committee have asked for this.

5 Finally, we need to report back to
6 town meeting who will ultimately -- town meeting
7 will ultimately decide the fate of this public
8 land, as we will other parcels of public land.
9 For example, the Striar property, Wigwam Pond,
10 the future of the present police station, trails
11 along the Mother Brook later this evening.

12 One last comment I would like to
13 address to the abutters, who I believe are
14 clearly important stakeholders. Do not think
15 proponents of a rail trail do not recognize
16 that. Abutters deserve and merit an important
17 part in this conversation. Mitigating their
18 concerns for adjacent property is imminently
19 reasonable, but they are not the only
20 stakeholders.

21 We live in the most densely populated
22 part of the U.S. Land is at a premium,
23 publicly-owned land is even rarer, and ten-acre
24 parcels are possibly the rarest. Abutters do

1 not get to dictate what happens with this
2 adjacent property that they do not own any more
3 than I get to dictate to my neighbor that he
4 can't paint his house purple. I don't own it.

5 I believe going forward with the
6 status quo, this land, as an abandoned,
7 unmanaged secondary town dump, as my photos have
8 shown tonight, is not an option either. Let us
9 create a conversation about this topic that
10 isn't dominated by social media, with its total
11 lack of rules, lack of standards regarding the
12 truth, and frankly, the lack of ethics of
13 acceptable behavior. There is no going back, so
14 let us move forward on these issues. Thank you.

15 **THE MODERATOR:** Thank you, Ms.
16 Matthews. The Chair recognizes Mr. Fish.

17 **MR. FISH:** Robert Fish, Precinct 6.
18 I believe we've done traffic studies for the
19 Avery School, the middle school, Dedham Square.
20 We have done a bunch of traffic studies, all
21 encompassed in the area that has been asked.
22 And to hear tonight, it seems like there was
23 never a traffic study done ever, which is a
24 little deceptive.

1 I wouldn't ask that we vote no on
2 Article 19, and I believe we all know what a
3 collaborator is, but I hope the boards know what
4 a voter is. Thank you.

5 **THE MODERATOR:** Thank you, Mr. Fish.
6 Ms. Butler. Are you speaking? You can speak
7 here.

8 **MS. BUTLER:** Hi. Susan Butler,
9 Precinct 6 town meeting member, and I ask to
10 show town meeting members a couple of slides.

11 Hi, everyone. Thank you for your
12 patience this evening and over the past five
13 years, and especially the last few months.
14 We'll make this fast, and I'd like to introduce
15 my friend right here.

16 **MR. BARICH:** Lyndsay Barich, town
17 meeting member, Precinct 6.

18 **MS. BUTLER:** So on behalf of the
19 abutters and the opposers to Article 19, we
20 believe this motion is only the beginning. To
21 spend additional funds for design and
22 engineering of rail use or a rail trail, hiring
23 a collaborator is only prolonging this proposed
24 rail trail for what we already know.

1 And as Selectman Teehan said earlier,
2 a feasibility was done four years ago, and since
3 that time, there's been five revisions to that
4 feasibility study, but it still shows two severe
5 impediments, which is no parking and no access.
6 Also, in terms of the collaborator, we have met
7 several times, probably about two or three
8 times, with the engineer group, Weston &
9 Sampson, and I can tell you, I'm sure that they
10 certainly have notes from those meetings.

11 In addition, we do have another
12 concern, which is the title, which we find to be
13 still undetermined of who owns the property by
14 parcel, and the title is still not certified.
15 In addition, walking the corridor, you can see
16 problem areas of where they intersect with
17 private property, especially near the Mount
18 Vernon Bridge is one example.

19 Next slide, please. So the traffic
20 study. We are not questioning the need for a
21 traffic study at the school campus and
22 surrounding neighborhoods. We are questioning
23 this study and how it's connected to obtain a
24 50,000-dollar state grant from the Department of

1 Conservation and Recreation and the timing of a
2 traffic study with the many construction
3 projects that are underway.

4 To obtain this grant, the town has to
5 spend \$50,000 up front, submit the response that
6 shows the town followed the requirements, with
7 supporting documentation, in order to be
8 reimbursed by the Department of Conservation and
9 Recreation. The traffic study of the school
10 campus area stands on its own merit. It should
11 not be rushed for the purpose to possibly obtain
12 state money for a proposed rail use or a rail
13 trail, especially since the grant expires in
14 October 2018.

15 **MR. BARICH:** December 2018.

16 Concerning the grant reimbursement, the town has
17 to follow certain criteria. Certain areas that
18 will not be enforced for repayment or
19 reimbursement is for a planning study, also a
20 feasibility study, and not to be used for any
21 alternative analysis. The question is has the
22 collaborator considered an alternative analysis.
23 Like Susan said, it expires on December 31,
24 2018. According to what we heard tonight, a

1 traffic study would take place probably by
2 September 2019, in the hopes to put this
3 collaborator together within the first four
4 months, which would be in January of 2019.

5 There's a lot of inaccuracies in this
6 grant. Some of it is very disturbing. I've
7 done a lot of research on the narrative of the
8 grant, read the grant and have been in touch
9 with the woman in charge of the grants for the
10 state. So there is no guarantee the town will
11 get reimbursed on this grant if they don't
12 follow the certain criteria and certain
13 interpretations.

14 **MS. BUTLER:** So to repeat, we totally
15 support a traffic study around the school campus
16 area, which the corridor goes through three
17 campuses. So what construction is going on
18 right now? A partial list of construction
19 projects -- oh, next slide, please.

20 There are a list of partial -- a
21 partial list of construction projects that are
22 underway that will impact the traffic study,
23 which is why it should not be rushed and,
24 instead, be carefully implemented. With the

1 current developments planned, would the traffic
2 study increase or decrease?

3 Next slide. You know it will
4 increase. So first, we have the Whiting Ave.
5 duplex. Closer to the school campus there is
6 more construction, including the NWA water main
7 project, which is slated to continue until the
8 end of 2019, according to their website.

9 Next slide. We also have
10 construction in Readville. We have five
11 commercial complexes, Sprague Street, which will
12 be building five warehouses and an office
13 complex.

14 Next slide. Here, we have a 600-unit
15 apartment complex built on Sprague Street. This
16 is the single biggest Hyde Park development in
17 decades and includes restaurants and a gym. So
18 this is just a partial list of construction
19 projects that will be underway that really need
20 to be considered carefully in order for this
21 traffic study to be successful.

22 The next slide is, of course, a
23 400-unit apartment complex going up in Readville
24 and Hyde Park, which also plans for three

1 buildings and a five-deck parking garage.

2 Next slide. So just to show you,
3 here is the entrance to the rail corridor. It's
4 at East Street and Avery, and the other side is
5 another congested neighborhood called Clark
6 Street. I'm not sure where the people will be
7 parking here for this access because there isn't
8 any parking, except for the Gonzales Field,
9 which is a beautiful field and has, actually, a
10 walking path already around it. But that lot is
11 filled about three-quarters of the day, either
12 from parents using the field, people using the
13 field, as well as shoppers.

14 Next slide. So this is the end of
15 the rail corridor. The rail corridor, as I
16 mentioned, begins at East Street. The corridor
17 is 1.27 miles in length, or 0.83 of a mile, with
18 our school controlled property. You will hit
19 the chainlink fence at the end of the rail
20 corridor and before the Boston border, which is
21 500 yards away from this chainlink fence.

22 Article 19, I believe, has an error
23 in it, since it states the corridor goes from
24 East Street to the Boston line. We don't want

1 you to be confused about that, because the
2 Boston line makes it sound like it may go to the
3 Readville train station, which it does not. It
4 ends at this chainlink fence, and 500 yards
5 beyond that chainlink fence is the Boston line.
6 At Whiting Ave. extension, that's where it ends.

7 All right. So next slide. So here's
8 an overview of the project. It highlights the
9 construction from the beginning to the end. You
10 can see the beginning of all the construction
11 that starts in Dedham Square, and then it goes
12 through -- the corridor goes through the Dedham
13 Middle School -- or by Dedham Middle School,
14 then it goes through the Avery School property,
15 the Dedham High School property, and then it
16 ends right there before that red line.

17 That first red line is the Dedham-
18 Boston line, and then you have another 500 yards
19 until you get to the I5 apartment complex, and
20 then you have about three-quarters of a mile
21 until you get to the Readville train station.
22 There is no connection to the Readville train
23 station. It also points out the close
24 proximity, as well the congestion and how

1 congested this whole area is.

2 Also, a reminder about care, custody,
3 and control. Yes, as Selectmen Teehan says and
4 other people, the town generally owns the town,
5 but then you have elected boards that have care,
6 custody, and control of certain parcels. So the
7 school committee has care, custody, and control
8 of a third of the parcel that begins at Mount
9 Vernon Street and ends at Walnut Street. The
10 board of selectmen and the town manager and no
11 group can dictate to the school committee what
12 they should be doing with that parcel. It is
13 only up to the school committee to decide how
14 they should be using that parcel.

15 I'll give you an example,
16 Conservation Commission. They have care,
17 custody, and control of a parcel; the board of
18 selectmen has care, custody, and control; the
19 Park & Rec has care, custody, and control of the
20 parks. The board of selectmen and the town
21 manager cannot tell those elected boards what to
22 do. So right away, this ten-acre land reduces
23 to seven acres, and again, it is up to the
24 school committee, working with the school

1 department, to decide what is the best use for
2 students with this rail corridor.

3 Next slide. So we believe Article 19
4 is not about other uses. It is an opening to
5 funding additional design or an engineering
6 study for this one-mile path. Actually, it's
7 0.83 of a mile, minus the school committee
8 controlled property.

9 We ask the school committee to return
10 to town meeting in the fall and ask for funding
11 for their own traffic study separate from any
12 50,000-dollar grant, supporting a rail use or a
13 rail trail, plan accordingly, and scope out the
14 study to include the impact of all these new
15 projects from Dedham Square all the way to Hyde
16 Park. If not, this traffic study will be
17 obsolete before we even need it.

18 So we ask you to consider the
19 multiple signs on Whiting Ave., the signs, which
20 the majority of signs on Clark Street, the
21 majority of signs on Hazelnut, and the majority
22 of signs on Avery that are no to Article 19, and
23 it's time the taxpayers put some more money back
24 into their pocket. Thank you.

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THE MODERATOR: Thank you, Ms. Butler. The Chair recognizes Mr. Davey. Why don't we leave that down. You never know who's next. Thank you.

MR. DAVEY: Thank you, Mr. Moderator. I can take this off.

THE MODERATOR: You can take that out if you want. There you go.

MR. DAVEY: Nate, no laser pointer?

UNIDENTIFIED SPEAKER: No.

MR. DAVEY: Thank you. Steve Davey, Precinct 3. I have been going -- I've gone on a couple of trips down the rail trail lately with some people who hadn't been on it, mostly Avery parents, and they were really kind of surprised by how it looked. So it kind of inspired me to go and take some photos of my own.

Since I think the opponents and the proponents have been offering tours of the property, not many people have been showing up. And I also thought that maybe some people could not see it via access, so I went and took kind of an end to end shot of it, and it doesn't include the chainlink fence that they were

1 talking about.

2 This is my daughter -- and it starts
3 at River Street. You can see on the little box
4 that I've created where we are, basically. But
5 we couldn't go down further to that 500-yard
6 border with Boston because there's a lot of
7 poison ivy there, and I don't want my daughter
8 to go through it. So here we are at River
9 Street. There is a chainlink fence here as
10 well.

11 Slide. So from there, we just
12 basically climbed up from there. Slide. And
13 then we're at the top. Here's the chainlink
14 fence that's there anyway, and you can get
15 access, and you can see here -- you can kind of
16 get -- what I wanted to do is kind of show
17 people more of a breadth of how wide it was and
18 the space that was actually there.

19 So slide. So now you can see we're
20 moving down the trail a little bit. You can see
21 that there already is some border on each side.
22 Slide. And here, you can see the corridor.
23 Here, it's actually already asphalted. A lot of
24 people I took did not realize that. They didn't

1 realize that there was already vehicle access
2 there, and they were quite surprised.

3 You can see on the right-hand side
4 the work that some of the volunteers have done.
5 There have been some volunteers from Whole Foods
6 and from L.L. Bean and some local volunteers as
7 well who cut down -- there was a lot of knotweed
8 there, which is an invasive species, and you can
9 see it's starting to come back.

10 Slide. So right across from there --
11 that other side was a long building, and right
12 across from there, you can see that this
13 business is here, and it was kind of -- it
14 looked like a landscape business. It was pretty
15 close to the trail, but they didn't really have
16 a fence. We found a lot of dis-repaired fences
17 and some trash, not like the ones that Margaret
18 showed, because that was before the big
19 cleanups, but still, the trash seems to be
20 coming back.

21 Slide. My daughter here is pointing
22 to a bike. It's right about in the same spot.
23 So there was one bike that we saw on the side
24 and some other trash items that really can't be

1 shown in the photograph. Slide. Here's that
2 same business. If you saw that building, kind
3 of tent building, that's off to that side, and
4 my daughter is basically -- she's standing near
5 the edge of the trail bed.

6 Slide. Then here, basically the same
7 building from another angle and how they're
8 using it. Slide. So now we moved up. You can
9 see the building on the left-hand side. We're
10 under the bridge, the bridge being about -- it
11 looks like about 15, 20 feet high. We found
12 another bike here that was not there on Friday,
13 but it was on Sunday, so there are people that
14 are obviously using the trail right now. A lot
15 of graffiti on the bridges, as many people have
16 shown.

17 Slide. Then just a little bit
18 further up from that, now we've crossed under
19 the bridge. You can see where the red dot is,
20 and just on that side, you know, like the
21 vegetation is kind of, you know, overgrown.
22 It's not really manicured or anything like that.
23 It's basically just left to itself, as what
24 happens sometimes.

1 Slide. On this side, there were two
2 or three houses that didn't have fences, and on
3 one of them they put a two-by-eight across there
4 to build a bridge, so apparently, they're using
5 the bridge. Slide. Here are some of the Avery
6 moms, and you can see that one of them actually
7 brought a stroller, so it's, you know, pretty
8 accessible that way.

9 Slide. Here is one of the properties
10 along the trail. We're about 20, 25 feet from
11 that fence, but it's, you know, seen better
12 days. Slide. In another area in the
13 foreground, you can see where more knotweed was
14 cut out by volunteers, and you can see again
15 where it's coming back in the bottom and, you
16 know, some problems with the fences, and I
17 believe some of that on the upper right is
18 knotweed.

19 Slide. And then now as we get closer
20 to the Avery School, I think this is a look
21 back, but you can see kind of she's on the trail
22 now. You can see the tire tracks that have gone
23 through and how far away it is from the fences
24 there. Slide. On the other side, as I said,

1 some people don't have fences. Some people have
2 broken fences. This is a different type of
3 fence that some people have. That little sign
4 there is actually a private property sign on the
5 back of the garage.

6 Slide. Now as we approach the Avery
7 School, you can see that it comes up. You can
8 see that's basically the Avery School in the
9 distant background there, and it really kind of
10 opens up here. Slide. So here, you can see
11 there's somebody's shed on the left-hand side,
12 and those are the parking lot, and you can see
13 the flagpole at the high school field there, and
14 you can see just in the lower left portion --
15 sorry, the lower right portion just where the
16 trail is.

17 Slide. As we were coming out, we saw
18 a woman walking in, walking her dog. She says
19 she walks her dogs there sometimes, she lives in
20 the neighborhood, so she said we could take her
21 picture. Slide. Then basically from that
22 point, this is looking down the rail bed,
23 basically, that's been developed into a roadway,
24 and we're right next to the football field on

1 the left, and that's the Avery School on the
2 right.

3 Slide. And now I really moved to the
4 other end of the campus. This is the pool,
5 Juju's Place pool, and we're really -- and we're
6 looking backward now. Slide. And then one
7 more. This is still the pool on the right, and
8 it shows the exit out to High Street. Slide.
9 And then we turned around. At this point up to
10 Mount Vernon, it gets very dense, much more
11 dense than the other side, so it's a much
12 different experience here. Beyond the left
13 side, you can see the knotweed here, but beyond
14 the left side, there are houses, and this is
15 where the tennis courts are on the right side.

16 Slide. Now we just took a shot from
17 up on the bridge on Mount Vernon Street. Slide.
18 And now we're below. You can see -- if you look
19 up on the top left, you can see the rail,
20 basically, that my daughter was standing at, and
21 now we've gone way downhill, and I had to access
22 this from the other side. There's really no
23 access to it right now.

24 Slide. So looking forward from

1 there, as you can see, the vegetation is a lot
2 more overgrown on this side. It doesn't get
3 used often, but people do use there. There were
4 some bottles and cans in there, you know, a
5 little bit of drinking going on, but, you know,
6 I think maybe they've cleaned up most of it
7 after themselves, so, you know.

8 Slide. On this side, and a few other
9 places, we saw gates coming out to the corridor.
10 Slide. And right here, this is in the same
11 place on the other side, that's actually the St.
12 Mary's rectory. That's Avery Street right
13 beyond this fence, and then on the other side of
14 the street are the houses and St. Mary's.

15 Slide. Now we're just coming further
16 out. You can kind of see it start to open up on
17 the end. Slide. And one look back at where we
18 just were. Slide. And now this is where it
19 comes out and the vegetation. You can see the
20 trees on the right -- I think Susan showed this
21 in her last slide -- and it kind of shoots out.
22 In the background, you can see Gonzales Field,
23 you can see town hall.

24 This is Avery Street coming down the

1 side. On the other side of the street, there
2 are houses there. Slide. And then this was
3 just the top of the -- I just think one of the
4 same photos that it seems like Susan took, but
5 this is from across East Street. Slide. And
6 then, you know, just toward Endicott. Slide.
7 And toward High Street, the streets.

8 So I just wanted, you know,
9 basically, to give people a tour so that we all
10 know what we're arguing about. And that's it.
11 Thank you.

12 **THE MODERATOR:** Thank you, Mr. Davey.
13 The Chair recognizes Mr. Healy. Mr. Healy --
14 oh, I'm sorry, Fred. You've got the same
15 moustache as Tom Healy. Sorry.

16 **MR. HEALY:** Come on. I'm better
17 looking than he is.

18 **THE MODERATOR:** I'm sorry, Fred.

19 **MR. MATTHIES:** Fred Matthies,
20 Precinct 3. I just want to bring up a couple of
21 points. If you drive down Whiting Avenue, there
22 may be two signs in favor of the rail trail.
23 There's one house right after another -- no, no,
24 no -- and if you look back on past town meeting

1 votes, they've always gone with a neighborhood.
2 The army base, Harding Terrace, Rock Ave., Birch
3 Street, they gave that to the town. I believe
4 it falls under the Parks & Rec so that they
5 wouldn't build another state house there --
6 state-owned place, like they do on Hitchins
7 Drive. The Striar property was going to be
8 developed housing. The people in the
9 neighborhood didn't want it, so town meeting
10 bought the Striar property.

11 Wilson Mountain. Reebok wanted to
12 come in. They would have suited our kids in
13 sports and the town and the schools with
14 uniforms, shoes for years, and we turned it down
15 because the neighbors didn't want it. And the
16 last is the senior center up the Endicott
17 Estate. Those people wanted their green space.
18 It was respected, and it was voted down.

19 I don't see how -- or maybe there's a
20 problem with the people on Whiting Avenue, but
21 they don't want it. How can we pass this and
22 vote it? We should respect their wishes and
23 vote no.

24 **THE MODERATOR:** Thank you, sir.

1 Laura Park.

2 **MS. PARK:** Laura Park, Precinct 5.
3 This is directed to Susan Butler. I very
4 respectfully disagree with her statement that
5 now is not the time for a traffic study. I was
6 in front of the high school last year and
7 witnessed one of the students being hit. So I
8 guess my question -- I have two questions -- is
9 when is the last time a traffic study involving
10 Whiting Ave. was done, and when would you
11 propose that a study be done?

12 **THE MODERATOR:** Susan Butler.

13 **MS. BUTLER:** Thank you. Hi, Laura.
14 Susan Butler again, Precinct 6 town meeting
15 member. So Laura, the point of my statement was
16 it is absolutely critical that we do a traffic
17 study in this area. There's no doubt about it.
18 I would say everyone in this room probably
19 supports a traffic study, just like everyone
20 supported a senior center, a first responder's
21 building, and a new town hall in Dedham.

22 The point is that it should not be
23 manipulated in a way to include the words rail
24 use or rail trail. It should not be connected

1 to secure a 50,000-dollar grant, state money,
2 from the Department of Conservation and
3 Recreation. It's critical enough that we do not
4 want to rush that study. We need to include
5 every project that's happening in Dedham. If
6 the school committee comes back in the fall and
7 asks for money, that's when we can start
8 planning and scoping out the items that should
9 be in that traffic study and implementing it the
10 correct way without having it wrapped around a
11 rail use project. And I'll turn it over to the
12 speaker.

13 **THE MODERATOR:** Thank you, Ms.
14 Butler. Mr. Gilchrist.

15 **MR. GILCHRIST:** Ken Gilchrist,
16 Precinct 3. I've got to say this. Just if town
17 meeting has another flier to put together, could
18 we have it like a little done more organized?
19 Maybe we can fit everything on one sheet and
20 change a little bit of margins?

21 **THE MODERATOR:** Yeah. This was --

22 **MR. GILCHRIST:** At the point back to
23 -- I would like to pass the question.

24 **THE MODERATOR:** Move the question?

1 **MR. GILCHRIST:** I'd like to move.

2 **THE MODERATOR:** You want to stop
3 debate?

4 **MR. GILCHRIST:** I want to stop debate
5 and move it as renegotiation. It should be
6 separated.

7 **THE MODERATOR:** Well, moving a
8 question is about the only thing you can talk
9 about when you want to move the question.

10 **MR. GILCHRIST:** Move the question.

11 **THE MODERATOR:** Move the question.
12 We have no choice. Although I know that there
13 are speakers who were planning on speaking, the
14 motion to move the question means we end debate.
15 It's not debatable itself, and it does require a
16 two-thirds vote. So we're going to do a
17 standing vote. All those in favor of ending
18 debate, please stand.

19 While all the votes are being
20 counted, at the risk of being repetitive, I want
21 to remind town meeting representatives that a
22 motion to move the question or stop debate is
23 not debatable and must be taken immediately. So
24 I have a list of people here who indicated to me

1 their interest in speaking.

2 Please understand, this vote does
3 take precedence, and there's really nothing that
4 can be done unless this motion fails. Thank
5 you. You may be seated.

6 All those opposed to moving the
7 question, all those opposed to stopping debate,
8 please stand up.

9 197 people having voted in favor of
10 terminating debate, and 46 opposed to
11 terminating debate, the debate is over, and we
12 come for a vote on the original motion. We're
13 voting on the original motion that is printed on
14 Page 21 and is described by Selectman Teehan,
15 Selectman Butler, and Chairman Bilafer.

16 Are there any questions about what
17 we're voting on at this point? All those in
18 favor of the original motion, please stand.

19 Thank you. You may be seated. All
20 those opposed to the original motion, please
21 stand.

22 105 town meeting representatives
23 having voted in favor of the original motion,
24 and 146 in opposition, the motion fails. We now

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return to Article 4.

The town clerk has reminded me, and asked me to remind you, that we have a number of articles left to consider, and if we do not finish them, we will have to come back tomorrow evening. And until all articles are considered and voted on, the meeting can't dissolve, and until the meeting dissolves, any vote we've taken is not final. Any vote we've taken is not final until the whole meeting is over. So use your phones to check the Celtics game, but please stay here, and help us get through this.

Article 4 is the capital improvements budget. It is on Page 7. It is a complicated article, but I think we can break it into three parts. Just by way of explanation, these ideas come from the department heads to the town manager. They are then reviewed by the capital expenditures committee, and finally, the finance and warrant committee. So there is a bit of a process that goes on here.

So if you would look on Page 7 under the bolded print, recommendation of the finance and warrant committee, you'll see there are

1 three votes there. The first vote is a list of
2 42 projects that will come from free cash.
3 That's a simple majority vote. The second vote
4 is a sum of \$1.6 million that will come from the
5 sewer enterprise fund, and that's a majority
6 vote. And then the third vote is, let's see,
7 three items that are to be borrowed, and that
8 requires a two-thirds vote. It's always a two-
9 thirds vote to borrow.

10 So what we're going to do is take
11 those three votes separately, just so that we
12 can get the quantum right and so that we can
13 keep it a little bit less confusing. So the
14 original motion on Article 4, the first part of
15 the original motion, is that the town
16 appropriate \$2.6 million-plus from free cash to
17 pay the costs of the different projects that are
18 numbered there, and then on the following pages
19 are spelled out with a little bit more language.

20 Is there any question on that part of
21 Article 4? The vote comes on the original
22 motion. All those in favor, please say aye.

23 (Aye)

24 **THE MODERATOR:** Opposed, no. The

1 ayes have it.

2 The second vote is on \$1.6 million
3 from the sewer enterprise fund. Are there
4 questions, comments? Seeing none, all those in
5 favor, please say aye.

6 (Aye)

7 **THE MODERATOR:** Opposed, no. The
8 ayes have it.

9 Finally, the third part of the vote,
10 which proposes to borrow \$1.8 million for the
11 items enunciated as B1 through B3, questions?
12 If there are no questions, we will move to a
13 vote. All those in favor, please say aye.

14 (Aye)

15 **THE MODERATOR:** Opposed, no. It is a
16 two-thirds vote. Thank you.

17 We move to Article 9. The Chair
18 calls on John Heffernan from the finance and
19 warrant committee.

20 **MR. HEFFERNAN:** Thank you, Mr.
21 Moderator. Good evening. John Heffernan,
22 finance and warrant Committee, District 6. I
23 just want to make some clarification here.

24 Going back through our meetings back

1 to 2009, to me, it was never clear, or I
2 remember that in the meeting that we discussed
3 that there was any -- additional funds could not
4 be put into the fund beyond the hotel and meals
5 tax. What was clear in our meetings was that we
6 would not fully fund all of our projects through
7 the Robin Reyes Stabilization Fund and that
8 there would be additional funds required. Where
9 they came from, we didn't discuss that at the
10 time.

11 The second thing that was also clear,
12 with regard to roads and sidewalks, it was clear
13 that we had a plan to catch up on our roads and
14 sidewalks and that we would one day meet our
15 goal, which is road index that was in the mid
16 '80s. We have met that.

17 So in our meetings, what we had
18 discussions on was taking now that money that we
19 no longer needed to put into the roads and
20 sidewalks as catchup and move it across into the
21 stabilization fund where we were going to need
22 additional money. If we do not do that, we're
23 still going to have to find the money someplace,
24 because, again, the stabilization fund is not

1 going to cover it one hundred percent. So it
2 was felt by the committee that this was the best
3 way of being able to fund future major capital
4 projects. Thank you.

5 **THE MODERATOR:** Are there questions
6 on Article 9? Mr. Delloiacono.

7 **MR. DELLOIACONO:** Thank you, Mr.
8 Moderator, town meeting members. Good evening.
9 Welcome all new members. Carmen Delloiacono,
10 Precinct 4, and also a town employee, the wiring
11 inspector, for the record.

12 Robin Reyes was created nine years
13 ago. Who would have thought that it would be
14 worth millions and millions of dollars? I
15 actually did. Yeah, Jim. When that original
16 idea came up, I had stated at the mini last week
17 that the idea of that was to grab other people's
18 money.

19 It was very clear at that town
20 meeting the intention that they had moving
21 forward with that was to grab tax money off the
22 meals at the new Legacy Place at the time.
23 Eighty to 85 percent of the people coming in
24 would be funding this fund. I was corrected by

1 Mr. Kern at the mini town meeting, and he's
2 correct, once it's accepted, it's our money,
3 which is true.

4 The difference here is we would never
5 be collecting that money if it wasn't for the
6 Robin Reyes Fund. We never had any intention of
7 adopting it. Governor Deval Patrick at the time
8 was the one that allowed it, and we embraced it,
9 took it, and we said we'd move forward and be
10 diligent about the way we handled that money and
11 made sure it goes into the stabilization fund.

12 We added the hotel money to it, and
13 now, we have this beautiful fund with millions
14 of dollars to build buildings. That was the
15 intent. Was it intended to build all buildings
16 and continue forward? It wasn't. It never was.
17 It was never the intent to use taxpayers' money
18 out of the budget to offset whatever future
19 projects are coming online. That was not the
20 intent of the Robin Reyes.

21 Robin Reyes, actually, was renamed
22 for Robin after he passed away, and quite
23 honestly, I put that forward, and the board of
24 selectmen at the time, with myself, embraced

1 that and changed the name, because Robin
2 listened when I approached him about the idea of
3 this fund. He supported it with me. And I'll
4 get the name right, with at the time Town
5 Administrator Bill Keegan, not Mr. Kern. He
6 wasn't here.

7 So at that point in time, we had the
8 board of selectmen sat and endorsed this, and
9 then I had Robin Reyes and Bill Keegan. And
10 now, today, nine years later, we're looking at
11 taking taxpayers' money and putting it in. And
12 it might not be a big deal to some, but the
13 thing is the second you put an extra penny in
14 that, it stays. So we're taking away from
15 roads, putting it into the Robin Reyes to build
16 buildings.

17 What you're not hearing is what
18 happens when the roads fall under the Walt
19 Disney quality road that we have and it goes
20 below 80, because that's the way it was
21 presented? Do we go back in, do we take it out
22 of Robin Reyes? I don't think that's ever going
23 to happen. The second you start funding Robin
24 Reyes with taxpayers' money, it will never stop.

1 So what I'm asking you tonight is to
2 not support this. Let it go back to the drawing
3 board. Figure out another solution. I don't
4 care if you take the \$700,000 and try to do
5 side, but stay away from the Robin Reyes. I ask
6 you do not support this move of the \$700,000
7 into the Robin Reyes Fund. Thank you.

8 **THE MODERATOR:** Thank you, sir. Mr.
9 Kern.

10 **MR. KERN:** I don't think I actually
11 identified myself earlier. I'm Jim Kern, the
12 town manager. I'm going to be brief and to the
13 point, but I will point out in Page 1 of your
14 appendix -- I'm sorry, Page A4 of your appendix
15 presents a pro forma major building funding
16 schedule. It's right here. The third column
17 identifies additional contributions to paying
18 for the projects that town meeting has approved.

19 So I'm going to describe it this way.
20 We've talked about the two -- the three major
21 capital building projects that town meeting has
22 approved in the last six or seven years, the
23 ECEC, and two dual purpose buildings, a public
24 safety building, which will hold fire and

1 police, and a town hall renovation, which is the
2 senior center and town offices. Those projects
3 have already been voted. Most of the money has
4 been borrowed. So the question now is how do
5 you best want to plan to pay for that.

6 The plan has been put forth in each
7 of those cases before those votes and has been
8 put through the finance committee and supported,
9 and supported by the board of selectmen, is to
10 take the Robin Reyes Foundation that has been
11 described -- and there is a good amount of
12 money, and Mr. Delloiacono pointed out that I --
13 I disagree with the idea that it's just other
14 people's money.

15 It's the money that is raised through
16 taxation that this body has every right to
17 decide how to spend, and quite a bit of it comes
18 from Dedham, too. Every time you buy a
19 sandwich, it goes into that fund. You really
20 have to decide how you want to fund it.

21 You have to pay the debt service on
22 those projects, and those were projects that
23 were decided by this process. We submit that
24 the best way to do that is to make

1 contributions. As I used last week, an analogy
2 might be making contributions to a college fund
3 before the bill comes due. If you don't, the
4 bill doesn't go away, and you have to come up
5 with another process, and that other process
6 would involve tax money.

7 So how do you want to do it? This is
8 the process that we've put forward. I would
9 say, as Mr. Heffernan said, the roads program is
10 obviously related, but at the point where you
11 get into the high 80's for that pavement control
12 index or pavement condition index, you're going
13 to spend less money on roads, regardless. That
14 doesn't mean you can't maintain specific roads.
15 And we will. And if there's a decision that
16 needs to be made to reallocate, we're in a
17 position to do that.

18 So the question you have to ask
19 yourself is do you want to make some prudent
20 planning decisions relative to paying for the
21 debt service for those buildings or be kind of
22 reactive when you get there and we don't have
23 enough money to pay for it?

24 **THE MODERATOR:** Thank you, Mr. Kern.

1 Mr. Delloiacono.

2 **MR. DELLOIACONO:** Mr. Moderator,
3 thank you. I hear the sigh out there. Sorry.
4 I know it's getting late. Mr. Kern, could you
5 clarify for me is the Robin Reyes currently
6 supporting the buildings that this town meeting
7 has already voted, because you just made it
8 sound like it's not enough money in the fund.

9 **MR. KERN:** Because there is a balance
10 in the Robin Reyes Fund, it is in a position to
11 support the borrowing that has already occurred,
12 but within a very short period of time -- and
13 you could see it on that spreadsheet, if you
14 want to look at it, within a very short period
15 of time, that's not going to be the case.

16 So we've modeled, for example, the
17 next school project, and if you don't make some
18 contributions and augment the balance that
19 exists today in the Robin Reyes Fund, you won't
20 be in a position to have Robin Reyes and those
21 other contributions fund that building program
22 going forward.

23 So the three buildings we've already
24 voted, one school and two municipal buildings,

1 but any future building depends on a combination
2 of a very smart idea to take those two tax
3 sources, but also to augment it so that you can
4 execute and pay the debt service on the projects
5 that you've already approved.

6 **THE MODERATOR:** Thank you.

7 **MR. DELLOIACONO:** Last one.

8 **THE MODERATOR:** Last one? Is that
9 what you said, Carmen? Okay.

10 **MR. DELLOIACONO:** Thanks for that
11 explanation, but the way that you just explained
12 it and the way I interpret it is if this vote
13 goes through tonight, it would be binding to
14 future town meetings, which you can't do. So if
15 this goes in, and it funds out future projects,
16 future town meetings will have no choice but to
17 fund the project. And I'm almost positive this
18 -- I know I'm positive. I just read the
19 verbatim from when this was originally voted,
20 and Mr. Delaney asked the question it cannot --
21 this town meeting cannot vote and bind a future
22 town meeting.

23 So I get clarification on that, but
24 on the final words for this for me, if Robin

1 Reyes is sustaining the buildings that we have
2 in place now, then come up with a creative way
3 to fund the buildings another way, whether it's
4 a debt exclusion or not, but don't take
5 taxpayers' funds now and put it into Robin
6 Reyes. Thank you.

7 **MR. KERN:** In no way would a vote to
8 contribute \$700,000 to the Robin Reyes fund bind
9 future town meeting in any decision. What
10 you're doing is putting money into a special
11 purpose stabilization fund. The debt service --
12 it's the next article -- will never be spent out
13 of that without a vote of town meeting. So
14 you're making a transfer into a fund. It
15 doesn't bind you to spend anything out of that
16 fund. You can decide not to at any given time.

17 So again, it's nice to say come up
18 with a creative way, but you have to have enough
19 money to pay debt service. Once you've borrowed
20 the money, you have to pay, and we are in a
21 really, really good position. We're in a
22 position to be able to allocate, as the
23 moderator said early on in this meeting, well
24 below the levy limits, such that it gives you

1 the flexibility to use the Robin Reyes Fund,
2 which brings in -- will bring in within two or
3 three years about \$3 million a year.

4 But our building program calls for
5 the expenditure debt service with some very good
6 interest rates that we get right now of a little
7 under \$5 million a year. So a combination of
8 Robin Reyes and some other augmentation -- and
9 it comes from taxes, but they're both taxes --
10 you're in a position to pay the debt service.
11 If you don't, you're going to have to pay the
12 debt service without having that fund being
13 populated ahead of time.

14 **MS. CARNEY:** Mr. Moderator, if I may
15 speak.

16 **THE MODERATOR:** You certainly may,
17 Ms. Carney.

18 **MS. CARNEY:** Thank you. If you read
19 the letter, the back of the booklet, "Dear Town
20 Meeting Members," from the town manager, he gave
21 the background in terms of capital expenditures
22 and stabilization fund. In that explanation, or
23 in that description, he says, "The main purpose
24 of the fund is to reduce the town's need to

1 adopt debt exclusions to pay for new buildings."

2 Now, I agree with John Heffernan,
3 seated to my right. When we initiated the Robin
4 Reyes account, the emphasis, clearly, was on
5 funding the Reyes account, which was to be used
6 for capital building projects. Meals and hotel
7 tax, meals and hotel tax, meals and hotel tax.

8 We heard it over and over again in
9 the last few years when we've gone to that to
10 initiate projects, ECEC, public safety building
11 -- I'm losing the third one -- oh, town hall,
12 I'm sorry, and I think sometime before the end
13 of the world, town hall will be ready.

14 But nonetheless, let me put it to you
15 this way. This is the way I look upon this.
16 There was never much mention, if any, that real
17 estate taxes would be put into this fund. Now,
18 Mr. Kern, the town manager, did say last week,
19 and he's absolutely correct, that historically,
20 way back when, town meeting was the final say in
21 terms of funding of capital projects and very
22 expensive projects, and he's absolutely right.

23 In the Commonwealth of Massachusetts
24 in the late '70s and early '80s, taxes started

1 to escalate at such a rate that the people
2 petitioned, and there was an act called
3 Proposition 2½ to try and contain what our taxes
4 -- how they would increase and how rapidly they
5 would increase, and they capped it to 2½
6 percent. The people in Massachusetts voted for
7 that, because they could see that their taxes
8 were escalating, probably faster than their
9 earning power, but be that as it may.

10 Now, when that happened and that
11 piece of legislation was put into place, we also
12 recognized that, indeed, there would be times
13 when we needed more money than the tax cap of 2½
14 would allow, and so built into that piece of
15 legislation was the opportunity to use a general
16 override to increase the base or to approve debt
17 exclusions for projects that we needed.

18 And, interestingly enough, until the
19 enactment of the Robin Reyes account, this town
20 has been extremely generous in supporting debt
21 exclusions, and rightfully so. As a matter of
22 fact, I think for every debt exclusion that's
23 been put before the voters, they've, in fact,
24 approved every single one but one. They

1 approved debt exclusions to refurbish the labs
2 here at the high school, they passed the
3 approval for the Avery School, they -- these are
4 all the debt exclusions now -- for the middle
5 school. And the people, the taxpayers in the
6 town, had a right to vote, because the law said
7 they had to.

8 Now enters in the creation the Robin
9 Reyes account, and this is where I take
10 exception to the statement that says the purpose
11 is to reduce the town's need to adopt debt
12 exclusions. In other words, don't allow the
13 residents and taxpayers to vote. And I don't
14 think that's fair.

15 Now, it's very seldom that I regret a
16 vote that I've taken, and I regret one that I
17 took on this one, because I was in support of
18 putting the \$700,000 in from the budget account,
19 from the general budget account in there, into
20 the Robin Reyes. That was never the way it was
21 emphasized to us when it was created.

22 Now, if you look at the back of your
23 book, starting in July in FY '19, yes, we're
24 putting \$7,000 in this year, and next year --

1 we're talking real property tax dollars now in
2 general budget. Next year, it goes to \$1
3 million, and the year after, we're going to ask
4 for \$1.25 million, and then we're going to ask
5 for \$1.5 million until, ultimately, we get to
6 the point where we will be putting into the
7 Robin Reyes account hotel and meals tax, hotel
8 and meals tax up to \$2.5 million a year out of
9 our real estate property taxes to support that
10 fund without any input whatsoever from the
11 taxpayers of this town.

12 And the taxpayers, you and I, are the
13 ones that keep this place going on a daily
14 basis. And when it gets to appropriations like
15 that, I certainly think for what's right and
16 fair, the taxpayers ought to have a right to
17 vote on it. Thank you.

18 **THE MODERATOR:** Thank you. Mrs.
19 Overman.

20 **MS. OVERMAN:** I think Ms. Carney
21 answered my question, so I'll move the question.

22 **THE MODERATOR:** The question has been
23 moved. All those in favor of moving the
24 question and stopping debate, please say aye.

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(Aye)

THE MODERATOR: Opposed, no.

(No.)

THE MODERATOR: It is a two-thirds vote.

We now move to vote on the original motion that the sum of \$700,000 be raised and appropriated to the Robin Reyes Major Capital Facilities Stabilization Fund. All those in favor, please say aye.

(Aye)

THE MODERATOR: Opposed, no.

(No.)

THE MODERATOR: It is not a vote.

Move to Article 10. This was passed in order to allow for a two-thirds vote. It does require a two-thirds vote to appropriate money from a stabilization fund. Are there any questions on Article 10? Ms. Duncan.

MS. DUNCAN: I'd just like to question that vote, or count the vote.

THE MODERATOR: The previous vote. Are there seven people who doubt the vote? Okay. Thank you. You may sit.

1 So we're back to Article 9. All
2 those in favor of the original motion, please
3 stand, and remain standing until you are
4 counted.

5 The question has been asked what are
6 we voting on, which is always a good question.
7 Article 9, the original motion, is that the
8 \$700,000 be put in the Robin Reyes Fund. If you
9 are in favor of that, you should be standing
10 now. If you're not, you should sit, and we'll
11 take that vote next. So in favor of the
12 \$700,000 to the Robin Reyes Fund.

13 Thank you. All those opposed. The
14 ayes should sit. All those opposed. Thank you.

15 83 town meeting representatives
16 having voted in favor of the original motion,
17 and 153 in opposition, the motion fails.

18 Article 10. Any questions on Article
19 10? I would caution town meeting
20 representatives who are considering leaving, we
21 will be back here tomorrow night, and nothing
22 that's been voted is final. It can be
23 reconsidered. Think about that. Article 10, no
24 questions. All in favor of the original motion,

1 please say aye.

2 (Aye)

3 **THE MODERATOR:** Opposed, no.

4 (No.)

5 **THE MODERATOR:** It is a two-thirds
6 vote.

7 Article 13 on Page 17. That was
8 passed from the floor. Are there questions? No
9 questions. All those in favor of the original
10 motion.

11 (Aye)

12 **THE MODERATOR:** All those opposed to
13 the original motion. The original motion does
14 carry.

15 Article 15 was passed by the Chair.
16 It's indefinitely postponed, but the town
17 meeting representatives from District 6 have
18 asked the town manager to report on progress on
19 the town hall senior center building, and this
20 is the article we would do it, so I'll entertain
21 a motion to allow the town manager to speak
22 under this article. Second. All those in
23 favor, please say aye.

24 (Aye)

1 **THE MODERATOR:** Opposed, no. The
2 ayes have it. Thank you, Mr. Kern. Article 15.

3 **MR. KERN:** Thank you, Mr. Moderator.
4 I'll go through this as briefly as I can. The
5 Aims project started probably four years ago
6 with the original vote. The notice to proceed
7 was issued late July of 2016 to CTA
8 Construction, Incorporated. So middle of the
9 summer 2016, if it was started and properly
10 staffed at that time, the project was intended
11 to be finished in just under 12 months.

12 Even as late as the middle of last
13 summer, had it been staffed properly, it
14 appeared it could be completed, and that
15 appearance was to our owner's project manager,
16 which is a separate firm that is required by
17 statute to be hired by municipalities to manage
18 construction projects of this size and scope.
19 They believe that it could be finished by the
20 middle of September.

21 There's a number of discussions that
22 occurred between the general contractor, the
23 architect, and the owner's project manager about
24 completing. Soon thereafter, the date extended

1 to later in the fall. It was at that point that
2 the board of selectmen voted to contact and
3 invoke official communication to the Surety
4 Company, which provides the performance bond for
5 this kind of project. So there's a performance
6 bond through which, if the general contractor
7 fails to finish a project, the insurance company
8 provides enough money to complete it.

9 That occurred right around
10 Thanksgiving. We went through about a month
11 where there wasn't a lot of activity because it
12 was the holidays, and shortly thereafter, the
13 end of December through about the beginning of
14 March, the staffing and the pace of the project
15 moved pretty close to where it should have been
16 for the previous six months. As a result, the
17 board of selectmen deferred decisions about
18 really the only other option they have in that
19 case, which is to terminate the general
20 contractor.

21 The end of March, that pace slowed
22 down again. We conferred with counsel, and
23 April 23, at a public meeting, the board of
24 selectmen voted to terminate the general

1 contractor. So we are now in the status of the
2 general contractor being terminated, and there's
3 a rather considerable legal process that ensues
4 after that.

5 The Surety Company is in a position
6 to hire a replacement contractor. We've invoked
7 the clause that prevents them from using the
8 same contractor, because that happens sometimes.
9 So they have a due diligence investigation
10 process they go through, and then sometime in
11 the next month or so, they'll be engaging
12 another contractor, and at that point, we'll
13 have a meaningful estimate of when we would
14 complete the job. I don't think it would be
15 meaningful until that process has completed.

16 So we're in a little bit of limbo
17 waiting for the Surety Company, the insurance
18 company, to go through the process of engaging a
19 replacement contractor so that they can finish
20 what is actually about nine percent of the
21 project. The board was convinced that the
22 uncertainty that is involved in the path that
23 was taken was less uncertain than staying with
24 the contractor as it was.

1 **THE MODERATOR:** Thank you, Mr. Kern.
2 Questions? That does not require a vote.
3 Article -- oh, sorry.

4 **MR. GILCHRIST:** Ken Gilchrist,
5 District 3.

6 **THE MODERATOR:** Yes, Mr. Gilchrist.

7 **MR. GILCHRIST:** Are we getting --
8 with this going on, is there a chance for
9 getting reimbursement from them, or is it going
10 to cost more from us, and how much?

11 **MR. KERN:** The answer is both, and
12 the way that works is at the point where a
13 project is contested by the two sides that that
14 dispute is generally decided in a courtroom or
15 in a mediator's room. So we have a considerable
16 amount of money that we believe is owed to us.
17 They will get to the point where they identify
18 an amount of money that they think is owed to
19 them. And that process will be played out over
20 the next months after the project is finished.

21 **THE MODERATOR:** Thank you. Yes,
22 ma'am.

23 **MS. MCINTOSH:** Susie McIntosh,
24 Precinct 1. I just have a question about the

1 owner's representative. I mean, my
2 understanding of an owner's representative in
3 this kind of situation, they are hired to
4 prevent something exactly like this from
5 happening. And so I'm wondering if the owner's
6 representative is being paid or what the
7 situation is with that person who was hired by
8 us. Thank you.

9 **MR. KERN:** The owner's project
10 manager is actually a firm, Atlantic
11 Construction Management, Incorporated. They
12 technically are not being paid, and that would
13 be part of the claim ultimately at the
14 conclusion of the project. There is quite a bit
15 that the owner's project manager did to prevent
16 this, but in public contracting and public
17 construction, there are limitations.

18 It's not quite the same as a private
19 sector project. So there are limitations to
20 what they can do, what the board can do, what
21 the building committee can do. There are some
22 real good things to the public procurement law
23 in Massachusetts, but there are some
24 limitations, too, and we have to live underneath

1 them. So technically, they're not being paid,
2 and they won't be until the end of the project
3 and that financial discussion is actually
4 resolved.

5 **THE MODERATOR:** Thank you. Mr.
6 Gorman.

7 **MR. GORMAN:** Bill Gorman, Precinct 7.
8 We could on this topic all night -- this is one
9 of my favorite things, construction -- but I did
10 have -- upon the completion of the withdrawal of
11 the contract, I did contact one of the selectmen
12 and had some discussion.

13 One of the major areas that
14 apparently has happened in that building is that
15 there have been a number of deficiencies from
16 the general contractor that had to be corrected
17 as the project went along. Now that we've
18 terminated this person, it's going to be --
19 we're at a nine percent completion, which puts
20 us at 91 percent completed.

21 Who is going to be then responsible
22 for all or any deficiencies that are going to
23 arise after the completion of this building when
24 this person is no longer there? Does the

1 insurance company still have a bond that will
2 allow this to be done? Because this person
3 seems to have not performed to the standards
4 that had been originally specified. Thank you.

5 **THE MODERATOR:** Mr. Kern.

6 **MR. KERN:** The short answer is yes,
7 that comes underneath the bond.

8 **THE MODERATOR:** Further questions?

9 Move to Article 18 on the bottom of
10 Page 19. It is passed from the floor. The
11 original motion is on Page 20. Are there
12 questions, comments? Mr. Keaney.

13 **MR. KEANEY:** Thank you, Mr.
14 Moderator. I'm Brian Keaney from Precinct 4.
15 I'm wondering why we're only doing the schools.
16 We just spent \$1.4 million in Article 4 to do
17 capital projects for buildings alone. We've got
18 a firehouse that dates to the 19th century.
19 We've got a lot of old buildings in town. Why
20 aren't we planning for the future of those as
21 well?

22 **THE MODERATOR:** Mr. Bilafer.

23 **MR. BILAFER:** So this article was put
24 forward by the school committee jointly with the

1 school building rehabilitation committee. As
2 many members of town meeting know, the schools
3 are operating under a long term facilities
4 master plan that is a 25-year plan that was
5 started in 2001. It was first completed in
6 2003. It was used for the middle school for the
7 -- updated again in 2008 for the Avery, and once
8 again, updated in 2013 for the -- in advance of
9 the ECEC project.

10 We are on the same schedule. Now, as
11 we're about to close out and finish up the ECEC
12 project, it is time for us to update that master
13 plan once again. This was included as one of
14 the five school committee goals that were
15 passed. In September of '17, it was discussed
16 and ratified unanimously by the SBRC back in
17 January.

18 So there is -- in the past, I know
19 that when we have proceeded with updates in the
20 master plan, which is a requirement of the
21 process to approach the state for the MSBA
22 funding, there had been a pretty clear idea of
23 which direction we were going in terms of which
24 schools we were looking to replace. That is not

1 necessarily the case this time around. So the
2 school committee felt that we should start this
3 process as soon as possible to give us a roadmap
4 for the future of how we're going to approach
5 school construction or renovation.

6 There's another significant factor
7 that I think, Tommy, you should take into
8 consideration, and that is the fact we are going
9 to have an empty Capen School, and we want to be
10 able to give direction as soon as possible to
11 town meeting and to the community on what our
12 intentions are for the Capen, whether we're
13 going to need to retain it for future swing
14 space or whether we're going to be able to
15 revert it back to the town.

16 That's the kind of information that
17 we hope to get from an update to the master
18 plan. We look to engage the community in
19 several forums to get as much input as possible
20 in the direction we should take and all other
21 stakeholders in town. Thank you.

22 **THE MODERATOR:** Thank you, sir. Any
23 more questions on Article 18? Mr. Keaney.

24 **MR. KEANEY:** Thank you again, Mr.

1 Moderator. Thank you, Chairman Bilafer. That
2 was a great answer, and I agree with absolutely
3 everything you've said. My question is why
4 aren't the selectmen and town manager doing the
5 same thing, because originally --

6 **THE MODERATOR:** That's a fair
7 question, but we're not going to discuss it
8 anymore because this article is -- the scope of
9 this article is school building, so discussion
10 of the fire station or other non-school
11 buildings is not within the scope of this
12 article. But I think they heard your question.
13 Thank you.

14 All those in favor of the original
15 motion, please say aye.

16 (Aye)

17 **THE MODERATOR:** Opposed, no. The
18 ayes have it. Thank you.

19 We move to Article 20, which is a
20 zoning bylaw called for the report of the
21 planning board, Mr. Bethoney, chairman. The
22 original motion, by the way, is on Page 28.

23 **MR. BETHONEY:** Good evening, town
24 meeting members, town moderator. A report from

1 the planning board on Article 20. Late March of
2 2018, the planning board held a public hearing,
3 took testimony, deliberated, and voted to
4 recommend unanimously to town meeting that
5 Article 20 be so voted.

6 **THE MODERATOR:** Any questions on this
7 article? There being none, we can call for a
8 vote on the original motion. It requires a two-
9 thirds vote. All those in favor, please say
10 aye.

11 (Aye)

12 **THE MODERATOR:** Opposed, no. It is a
13 two-thirds vote.

14 Article 21 is on Page 36, report of
15 the planning board. Mr. Bethoney.

16 **MR. BETHONEY:** Thank you, Mr.
17 Moderator. Ladies and gentlemen, regarding
18 Article 21, late March of 2018, the planning
19 board did hold a public hearing, took testimony,
20 deliberated, and voted unanimously to recommend
21 approval by town meeting.

22 **THE MODERATOR:** Are there any
23 questions about this article? All those in
24 favor of the original motion, please say aye.

1 (Aye)

2 **THE MODERATOR:** Opposed, no. It is a
3 two-thirds vote. Article 24.

4 **MR. KEANEY:** Mr. Moderator.

5 **THE MODERATOR:** Mr. Keaney.

6 **MR. KEANEY:** I'm sorry. When I was
7 just going back to sit down, I realized that I
8 missed a question on Article 20.

9 **THE MODERATOR:** 20.

10 **MR. KEANEY:** On Page 33, at the top
11 of the page, there's a large chunk of red text,
12 and about halfway down through that, there's a
13 sentence that begins, "Anything herein to the
14 contrary." And perhaps it's just because I'm
15 not a lawyer, but I am a professional writer,
16 and that sentence doesn't make grammatical sense
17 to me. So I'm wondering if we're missing a
18 word. I think it should begin, "Notwithstanding
19 anything herein to the contrary."

20 **THE MODERATOR:** We're going to answer
21 your question, Mr. Keaney, but that article has
22 been voted. If there was something you wanted
23 to change, you'd have to move for
24 reconsideration. But as a courtesy, I'm sure

1 Mr. Bethoney or Mr. Zahka, who was the author of
2 the article, can try to answer that for you.

3 **MR. BETHONEY:** I don't know.

4 **THE MODERATOR:** Okay, Peter. Come
5 on, Peter, pick it up. If I don't get this suit
6 back by midnight, I have to pay another day.

7 **MR. ZAKHA:** He may not know, but
8 anything in red was put in by special town
9 counsel, so I don't know. And if it's
10 grammatically incorrect -- but no, anything you
11 see in that book that's in red was adopted by
12 the planning board based on their recommendation
13 of their counsel, but hopefully, it'll still
14 make -- even if it doesn't make grammatical
15 sense, it will make sense from a zoning
16 perspective.

17 **THE MODERATOR:** We have to wrap this
18 up so that poor lady can go home. Article 24,
19 false alarms. Are there any questions? This
20 was passed from the floor. If there aren't any
21 questions, we can move to the original motion,
22 which is printed on Page 41. All those in
23 favor, please say aye.

24 (Aye)

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THE MODERATOR: Opposed, no. The ayes have it.

Article 25 has been passed, binding referendum for capital project. The Chair recognizes Sue Carney from the finance and warrant committee.

MS. CARNEY: Thank you. Folks, I just want to beg your indulgence for a few more minutes. I know it's getting late. This article, Cecilia Butler and I put forth, and it was indefinitely postponed by a vote of 5 to 3. And Cecilia and I sent every town meeting member a letter indicating and explaining our position on it. And it is kind of a continuation, if you will, of the funding process that we follow and I spoke to in terms of Article 9.

What this asks is that any significant capital project that costs \$15 million or more, regardless of the source of funding, be approved, first, by the town meeting, and if they approve it, then by the voters. Once again, I feel strongly, as does Cecilia -- and I've had a number of people speak to me on it -- that when you get to an

1 appropriation where you're asking folks to fund
2 something \$15 million or more, it certainly
3 should be something that the residents and
4 voters of the town have a right to say. And if
5 it were a debt exclusion, by law, it would.

6 If it happened to be the Robin Reyes
7 account, the voters and residents wouldn't. And
8 we feel strongly that the large capital
9 projects, the residents should have the right to
10 vote, and we hope you feel that way, too. Thank
11 you.

12 **THE MODERATOR:** Kevin Preston,
13 chairman of the finance and warrant committee.

14 **MR. PRESTON:** Kevin Preston, finance
15 committee chair. The majority on the committee
16 voted the way they did to indefinitely postpone
17 this article for, I'd say, three reasons. One
18 is that fundamentally, the town made a decision
19 many years ago, I think nine years somebody
20 mentioned at the beginning of the meeting, to
21 have a representative town meeting rather than
22 an open town meeting, and that you are the
23 legislative body of this town, and that taking
24 away pieces of your authority and responsibility

1 undercuts that, and the majority of the
2 committee had a concern with that.

3 Secondly, the charter already
4 provides a mechanism for the voters if they
5 don't like something that you do, not just on
6 capital projects, not just capital projects over
7 \$50 million, but anything that you do to
8 appropriate money: the voters can get
9 signatures, five percent of the voters in 14
10 days and have a referendum. It's open to all
11 town residents, and that trumps any decision
12 that you would make. So there's already a
13 mechanism there if the voters are dissatisfied
14 with the job you do on any vote that you take.

15 And finally, there were some
16 concerns, mostly about school buildings. And I
17 don't think anybody is representing them to be
18 insurmountable, but the timing and logistics of
19 a referendum would complicate the timing of
20 negotiating reimbursements from the state on
21 school buildings. Lots of towns do it. It's
22 not, as I say, insurmountable, but that was a
23 concern.

24 So I would say the three concerns

1 were those: undercutting the legislative
2 authority of town meeting, two is there already
3 is a mechanism there, and three is it
4 complicates the logistics, or can complicate the
5 logistics on school buildings.

6 **MS. CARNEY:** Mr. Moderator.

7 **THE MODERATOR:** Yes, Sue Carney.

8 **MS. CARNEY:** In regards to each of
9 the three points, in terms of suggesting that
10 your role as a member of the town meeting is
11 diminished is something that only came into
12 question when we created the Robin Reyes
13 account.

14 The state requires the town meeting
15 on large projects to vote their approval, or not
16 their approval. And if you were not to vote
17 approval of a large project, it wouldn't go any
18 further than this body. But with the
19 legislation that we have across the state in
20 terms of tax limitation, if you were through a
21 debt exclusion as the governing body to approve
22 that building project, it would still have to go
23 to the voters, because that's what the
24 protection was when that Proposition 2½ was

1 enacted. And keep in mind, it was a result of
2 the petition by people in the state to get some
3 kind of handle on their taxes.

4 In terms of the charter provision,
5 the charter provision says that if this body
6 took an action, a favorable action on something,
7 and there were a group in the -- there was a
8 group in the town or members of the minority
9 vote that didn't support the majority of the
10 town meeting, the provision says that within 14
11 days, if those folks got five percent of the
12 registered voters. Now, in this town, that
13 means in 14 days, people would have to get 900
14 certified signatures. I question whether,
15 really, that's a fair provision to consider in
16 terms of large capital expenditures.

17 And lastly, school buildings. I've
18 worked with the School Building Authority in my
19 position in education. There are very few towns
20 and cities that have a fund comparable to our
21 Robin Reyes. And so when they have to build the
22 building, school building, in particular, they
23 have to go and ask if there's no Robin Reyes
24 Fund -- and that's somewhat unique for Dedham,

1 but I wouldn't say we're only the one. They
2 would have to go for debt exclusion and say to
3 the voters we feel that we need this, and we're
4 looking for your support.

5 We did it for the Avery School. We
6 did it for the middle school. The voters were
7 in support of those projects. Most cities and
8 towns do it that way. They don't have a Robin
9 Reyes. And I have every reason to believe that
10 to cite that as a reason is an overreach, given
11 the fact that this community has always
12 supported the buildings of schools, well before
13 Robin Reyes ever came into account.

14 I'm merely asking you to consider
15 that if it's a project of \$15 million or more,
16 regardless of where the money comes from, the
17 taxpayers and residents should have a right to
18 vote. \$15 million is a lot of money, and higher
19 than that is even more. Thank you.

20 **THE MODERATOR:** Mr. Bilafer, chairman
21 of the school committee, and then Mr. MacDonald,
22 the chairman of the board of selectmen.

23 **MR. BILAFER:** Thank you, again.
24 Steve Bilafer, chairman of the school committee.

1 I rise in opposition to this article. And to
2 give some point to the school building process,
3 you know, I feel that this article jeopardizes
4 the very positive relationship and the potential
5 moving forward we would have with securing the
6 same kind of funding for future school projects
7 that we have for the middle school, the Avery,
8 and the ECEC.

9 As it currently stands right now,
10 once the MSBA, the Mass. School Building
11 Authority, approves a community's project for
12 funding -- and they usually do that, and they
13 have in the past few years, they do that in
14 January -- that community has 120 days to
15 accept. Now, when we approved the ECEC -- when
16 this body approved the ECEC, we barely made that
17 deadline through a town meeting vote alone, and
18 now, we're talking about adding a subsequent
19 vote, a ratification vote town-wide. You know,
20 that would raise red flags, I believe, at the
21 MSBA, and that is something that we at the
22 school committee would be very concerned about,
23 and as a member of the SBRC very concerned
24 about.

1 Also, just to mention in terms of the
2 current process that exists under the charter,
3 this body has recently, in the past couple of
4 years, approved I believe \$29 million for the
5 ECEC and \$45 million for the public safety
6 building. And to my knowledge, not one person
7 went to the clerk's office to take out a
8 petition to gather signatures to overturn those
9 decisions.

10 So I'm not sure about the clamor. I
11 believe, as a former town meeting representative
12 myself, that this body does a very good job
13 carrying out its responsibilities to appropriate
14 money. The article sets an arbitrary figure
15 above which town meeting, apparently, loses its
16 ability to do that job. Earlier tonight under
17 Article 3, you approved a 103-million-dollar
18 operating budget. I'm not really sure -- I
19 don't really understand why you should be
20 trusted with that vote but not a vote on the
21 capital project above \$15 million. I urge you
22 to accept the finance and warrant committee's
23 recommendation and that this be indefinitely
24 postponed. Thanks.

1 **THE MODERATOR:** Thank you, sir. Mr.
2 MacDonald, chairman of the board of selectmen.

3 **MR. MACDONALD:** Thank you, Mr.
4 Moderator. And I'm speaking as chairman of the
5 board of selectmen, not the CEO at MSBA that
6 everybody has been talking about. But I'll tell
7 you what Steve said. He's right.

8 You know, the town meeting has a very
9 important job. I mean, tonight, you have made
10 some very important votes, and the voters of
11 Dedham trust you with their money. They trust
12 you to vote the budget, they trust you to vote
13 the capital. And you know what, if they don't
14 like it, there is a process. And as Sue said,
15 you know, 900 votes is a lot, but it has been
16 done before. Does everybody remember when HSL,
17 when some of the abutters didn't like the vote,
18 so they put it to a ballot, and what happened?
19 Town meeting was affirmed. The process works.

20 You know, in the issue of the \$15
21 million, you know, why isn't it \$25 million, why
22 isn't it \$50 million. You know, it's a number.
23 But I will say that in the past, anytime we have
24 amended the charter, the voters get a chance to

1 weigh in on that.

2 So if you go back and look at some of
3 the other charter changes, whether it was the
4 town manager, the town administrator, we make
5 charges that go to the voters. Yet, this
6 article here, which is asking the selectmen to
7 petition the general court, doesn't then send it
8 back to the voters to approve.

9 So this is sort of a different way of
10 amending the charter, and that is just do it by
11 town meeting and forget the voters. But yet,
12 the proponents of the article want the voters to
13 vote on large projects. So I would urge you to
14 vote no on this article.

15 **THE MODERATOR:** Mr. Civian.

16 **MR. CIVIAN:** Thank you. Move the
17 question.

18 **THE MODERATOR:** All those in favor of
19 moving the question, please say aye.

20 (Aye)

21 **THE MODERATOR:** Opposed, no. The
22 ayes have it.

23 We now come to a vote on the original
24 motion. The original motion is that it be

1 indefinitely postponed. So if you agree with
2 Sue Carney, you should vote no. If you agree
3 with the chairman of the board of selectmen, you
4 should vote yes. Is that clear now, because
5 it's a negative. All those in favor of the
6 original motion that this idea not be
7 implemented, all those in favor of the original
8 motion, please say aye.

9 (Aye)

10 **THE MODERATOR:** Opposed.

11 (No.)

12 **THE MODERATOR:** The original motion
13 passes.

14 We now move to Article 28. Mr.
15 Delloiacono.

16 **MR. DELLOIACONO:** The town meeting is
17 almost over, almost. Carmen Delloiacono,
18 Precinct 4, and again, a town employee, wiring
19 inspector, building department.

20 The reason for this article is, quite
21 honestly, I'm in the building department that
22 brings over \$1 million worth of permitting, and
23 currently, we can't do any of that online.
24 Currently, we can't satisfy any of the needs of

1 customers' residence online. Currently, we
2 can't satisfy real estate needs online. Or most
3 importantly, one of the biggest things is we
4 currently can't satisfy requests for documents,
5 which we have so many days per state law to turn
6 over to people online, or even get them in in a
7 timely fashion with the current software.

8 Almost two years ago, we had an item
9 on the board here at town meeting for Tyler
10 Industries' Indigo. The town meeting voted not
11 to fund that software program. Currently,
12 there's talks for Tyler Industries' Munis
13 permitting program, which is floating around
14 town hall. For some reason, we gravitate
15 towards Tyler.

16 We have Munis now in the accounting
17 office software or whatever they use it for. I
18 don't know how successful it is, but I did check
19 into other towns that use the Munis permitting,
20 and Wellesley has it. They've had it for nine
21 years, and they are very grateful that they're
22 not using it beyond this June, because it was
23 not a successful program.

24 So what this does -- when I put this

1 article forward, which I thought would be
2 embraced at FinCom when I went in to discuss it,
3 is really just a committee, obviously, to put
4 together to study this stuff out. The reason I
5 thought it would be embraced is because it
6 really takes it out of other people's hands.
7 Counsel's opinion on it was that town meeting
8 cannot direct the town manager how to spend
9 money or what direction to move his form of --
10 the way he manages his building, manages his
11 employees or what not. It's the way he does his
12 works.

13 But I'm asking you to support this.
14 Put the study group together, because we have
15 nothing, and there is nothing in the future
16 coming down now. We're moving, eventually, into
17 a brand new building, which we discussed earlier
18 tonight, but we're going into that building with
19 the old garbage software that we currently have,
20 which no one could do anything with.

21 I'm asking that at least the study
22 group put together -- and you know what, the
23 recommendations be ignored that were stated to
24 me before, but at least it's someone, a group of

1 people, putting together their knowledge and
2 their thoughts and maybe coming out of this with
3 a positive -- not maybe, will come out of it
4 with a positive. Because right now, we're doing
5 nothing. Thank you.

6 **THE MODERATOR:** Thank you, sir. Town
7 counsel, Lauren Goldberg.

8 **MS. GOLDBERG:** Mr. Moderator. I was
9 asked to review that petitioned article, and in
10 my opinion, it does go into the authority of the
11 town manager under the charter. The town
12 manager has authority to direct the operations
13 of the town, and although town meeting certainly
14 gets to decide how the town spends its money, it
15 can't direct the town manager in the way that he
16 manages his staff and his resources.

17 **THE MODERATOR:** Thank you. Mr. Hart.

18 **MR. HART:** Thank you, Mr. Moderator.
19 Dan Hart, Precinct 6. I spoke last week on
20 this, and I'm not quite sure tonight exactly how
21 I need to go about this. But my question and
22 my, I guess, issue with the way the current
23 article is written is that it speaks to
24 different employees of town hall being involved

1 in the decision process. It doesn't speak
2 necessarily to a group of population out there
3 that have accessibility issues.

4 We have people that have hearing,
5 visual, mobility impairments. We hear about an
6 aging population here in Dedham. We have
7 returning veterans. There's technology out
8 there that can assist in anything that they need
9 to do online. And when we're looking at
10 technology, whether it be software as a service,
11 whether it be actually equipment, I think any
12 testing needs to include that population.

13 So my question tonight is if we vote
14 on it to be indefinitely postponed, so be it.
15 Do I add a substitute motion should we not
16 support the indefinite postponement? I would
17 like to see it specifically called out that
18 someone with either experience as far as
19 accessibility or someone with an accessibility
20 issue is included in the testing group. Thank
21 you.

22 **THE MODERATOR:** What you could do,
23 Mr. Hart, is propose an amendment, but your
24 amendment would have to say that it be so voted,

1 with the addition of requiring -- and I think
2 when you talked to me about it, you were
3 thinking about of the two members who were going
4 to be appointed at large that perhaps your
5 thought was is that one of those two people
6 could have an experience in accessibility
7 issues. But if it gets -- if the indefinite
8 postponement vote carries, then the horse is out
9 of the barn, so to speak, so you'd have to kind
10 of support the -- you'd have to support it.
11 You'd have to say that it be so voted, and then
12 make that one amendment. So that should be your
13 choices. Mr. Kern.

14 **MR. KERN:** Thank you. Let me speak
15 quickly to where we are with software that we
16 deal with, the permitting that Carmen talked
17 about. It's not accurate to say we're doing
18 nothing. However, it is important to heed the
19 determination or the opinion of town counsel
20 that the operational approach to resolving this
21 issue lies within the management structure in
22 town hall.

23 I don't have a problem with
24 committees. I'm not convinced a committee

1 changes the issues that stand in the way of us
2 improving, because it's not a case where we're
3 doing nothing. But in order to approve our
4 performance in this area, I would have to be
5 convinced that there was software that is not
6 only better than what we have, but also feasible
7 from a business obsolescence standpoint, which
8 is what I spoke about two years ago.

9 A number of the software products
10 that have been discussed in town hall by
11 advocates, they now have come to me and said
12 turns out they weren't plausible from a business
13 standpoint. A company has to still be standing
14 in two or three or four or five years. It's
15 not, well, we did it for a little while and it
16 went okay. Now we have to change. That's a
17 major expense for us to continue to change our
18 software in terms of implementation and in
19 costs.

20 So it's an area of municipal software
21 that's in a state of flux. We will continue to
22 work on it. I agree with Mr. Hart that access
23 issues need to be considered, but it's a good
24 deal more complicated than forcing a committee

1 on the management approach, as is suggested
2 here. So that would be my input, and I would
3 ask you to support the indefinite postponement
4 of the article.

5 **THE MODERATOR:** Thank you, Mr. Kern.
6 Are there any other comments or questions on
7 this article? If there aren't any, then we will
8 vote on the original motion that it be
9 indefinitely postponed. All those in favor,
10 please say aye.

11 (Aye)

12 **THE MODERATOR:** Opposed, no.

13 (No)

14 **THE MODERATOR:** The ayes have it.

15 We now move to Article 29. That was
16 passed from the floor. The Chair recognizes Mr.
17 Heaslip.

18 **MR. HEASLIP:** Thank you, Mr.
19 Moderator. I have a 45-minute slide show.

20 **THE MODERATOR:** That's the way to get
21 it done, Steve.

22 **MR. HEASLIP:** So right now, we have
23 bylaws, and if there's a violation of the
24 bylaws, we can fine up to \$300. So this is to

1 petition Massachusetts to allow us to raise the
2 maximum of our fines to \$5,000.

3 The reason why is because \$300 just
4 isn't worth pursuing in court, so a lot of
5 these, I think if not most, go unpunished. So
6 the people who throw tires in the Mother Brook
7 and shopping carts and, you know, any of the
8 various bylaws we have, but, you know, that's
9 kind of what prompted me is the public disposal
10 of rubbish, is it goes unpunished.

11 So I'd like to -- if we raise the,
12 you know, maximum we can charge, it's more of a
13 deterrent, and also, we can maybe start going --
14 raising money from penalizing criminals rather
15 than taxpayers. So, you know, I urge you to
16 vote this. So I would want them to vote no; is
17 that right?

18 **THE MODERATOR:** You would want them
19 -- you have two choices here, Steve. You could
20 ask everybody to vote no on the original motion,
21 or you could propose an amendment, and your
22 amendment would be that it be so voted. Take
23 the second one.

24 **MR. HEASLIP:** Yeah, I don't know.

1 Let's make it easier and say vote no.

2 **THE MODERATOR:** All right. I know
3 what you want. We'll get it in front of people.
4 Any other discussion on Article 29? Yes, sir.

5 **MR. FLEISCHER:** Andrew Fleischer,
6 Precinct 5. I'd like to propose an amendment
7 that it so be voted.

8 **THE MODERATOR:** Thank you, Mr.
9 Fleischer. So the amendment -- oops. Town
10 counsel.

11 **MS. GOLDBERG:** Mr. Moderator, thank
12 you. I just wanted to point out that this
13 article is actually requesting an amendment to
14 the general laws, rather than a home rule
15 petition. The general laws establish penalties
16 for violations of bylaws of all types. The
17 highest amount of a fine under the general laws
18 is \$300 for a violation of a bylaw. There's
19 also a provision of state law that allows for
20 enforcement of bylaws through the issuance of
21 noncriminal disposition tickets, and those
22 tickets are also set at \$300 as the maximum.

23 So the legislature has made a
24 determination already that that is the

1 appropriate amount of fines for violations of
2 bylaws. The amendment doesn't say -- or the
3 proposed special act does not say we would like
4 the fines applicable only in the Town of Dedham
5 to be increased from \$300 to \$5,000. It seeks
6 an amendment to the general laws. In my
7 experience, it is highly unlikely that the
8 general court would amend the general laws,
9 based on a petition from a single city or town.

10 **THE MODERATOR:** Okay. Questions,
11 comments? So the vote before you is the
12 amendment by Mr. Fleischer that it be so voted.
13 That's a positive vote on the article, and that
14 vote alone would be sufficient to pass the
15 article. Any questions? So if you agree with
16 Mr. Heaslip and Mr. Fleischer, vote yes on this
17 amendment. If you do not, vote no. All those
18 in favor of the amendment that it be so voted,
19 please say aye.

20 (Aye)

21 **THE MODERATOR:** Opposed, no.

22 (No)

23 **THE MODERATOR:** The amendment does
24 not pass. So now, we're back to the original

1 motion that it be indefinitely postponed. All
2 those in favor, please say aye.

3 (Aye)

4 **THE MODERATOR:** Opposed, no. The
5 ayes have it.

6 Thank you. I want to express my
7 admiration and appreciation for the civility and
8 the courtesy that was extended by town meeting
9 representatives on what we know is a very, very
10 divisive and contentious issue. You certainly
11 rose above the day-to-day language and conducted
12 yourself in a very admirable way.

13 It's been moved by Drew Sullivan and
14 seconded by Kristen Overman that the 2018 spring
15 annual town meeting be dissolved. All those in
16 favor, please say aye.

17 (Aye)

18 **THE MODERATOR:** Opposed, no. The
19 ayes have it. Goodnight, and God bless you.

20 (Whereupon, the proceedings concluded
21 at 10:45 p.m.)
22
23
24

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

I, ARLENE R. BOYER, a Certified Court Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify:

That the proceedings herein was recorded by me and transcribed by me; and that such transcript is a true record of the proceedings, to the best of my knowledge, skill and ability.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal this 31st day of May 2018.

Arlene R. Boyer, CVR
Notary Public

My Commission Expires
December 14, 2018