A Meeting of the Board of Selectmen was held on Monday April 23, 2018, 7PM, in the Francis O’Brien Meeting Room, 26 Bryant Street, Dedham, Massachusetts. Present were:

Dr. Dennis J. Teehan - Chair

James A. MacDonald – Vice-Chair

Michael L. Butler

Dennis J. Guilfoyle

Brendan G. Keogh

Dr. Teehan called the Meeting to order at 7:02PM.

**PLEDGE OF ALLEGIANCE**

Led by Dr. Teehan

**DEDHAM CITIZENS - OPEN DISCUSSION**

Dan O’Neil stated that he was seeking approval for two Fun Run races, one on Sunday May 13, 2018 and the other on Sunday June 16, 2018.

Mr. Guilfoyle moved to take an item not on the agenda; seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes

Mr. Guilfoyle moved approval of the request to hold 2 Fun Run races; seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

**DISCUSSION & VOTE RE: RECOMMENDATION FOR ARTICLE 19 (PROPOSED STUDYOF RAIL TRAIL CORRIDOR)**

Dr. Teehan stated that this has been an issue for the Town for quite some time. Dr. Teehan added that it has really heated up. About four years ago the Board was asked about a feasibility study and the Board approved this study. The Board was and is concerned about the abutters. Dr. Teehan continued, saying that the way the feasibility study went down there was not quite enough money to do everything we wanted to do for the abutters. Dr. Teehan stated that there was really no movement on the project but we got to a point finally this year where there was so much interest from both sides and a group of dedicated citizens proposed an Article with a $400,000 design study to advance the project. Dr. Teehan added that the Board had many conversations with each other and with the Town Manager and Assistant Town Manager to work towards what the Board thinks regarding this. Dr. Teehan continued, saying that the Board heard the call for leadership from both sides. Dr. Teehan informed all that there are two really important issues; one is what do the abutters think and is the voice being heard and 2, the circulation study. Dr. Teehan informed all that Mr. Butler suggested doing some mediation and instead of asking for a full design study ask for some mediation. Dr. Teehan stated that the Board wants to engage people and bring this back to stage one. Dr. Teehan added that everyone should be engaged to hear what people have to say. Dr. Teehan continued, saying that the Board is asking for a circulation study to determine what is actually feasible. Dr. Teehan informed all that the Board came up with this Article as a way to take some leadership of the project, to provide a plan for moving forward in a way that shows respect to both sides and gives both sides a voice and ultimately provide a report back to the Board for Town Meeting in the fall of 2018 and then again in the spring of 2019. Dr. Teehan clarified that the Board would be asking the Finance Committee to take on a new original motion that would ask for a consensus building study and a circulation study. Dr. Teehan opened the floor for comments from his fellow Selectmen and stated that he will take statements from the audience.

Mr. Butler described how the Board has been urged to act from both sides. Mr. Butler informed all that this property is actually over 10 acres of land. Mr. Butler added that in his 11 years on the Board he cannot remember a similar situation coming before the Board, where we have been asked to consider land use of a Town owned parcel that large. Mr. Butler continued, saying that it was that collection of thoughts and comments from the public in conjunction with some work he was doing last fall as part of a workshop that a few of us attended. Mr. Butler informed all that they talked about negotiations and mediation and thought maybe these two can be combined and design a process that helps us understand better what the stakeholders are interested in doing and not doing. Mr. Butler informed all that this step is not mediation it is actually called collaboration and the Board is going to respectfully ask for your support over the coming month as we approach spring Town Meeting.

Mr. MacDonald stated that Article 19 was filed by a group of citizens and everyone understands our form of government that a group of citizens has the right to file anything for an Article for Town Meeting. It is in Town Meeting’s decision on what is done with it. Mr. MacDonald added that in his 24 years as a member of the Board of Selectmen he cannot remember a time that the Finance Committee asked for the Board’s opinion before they told us their opinion. Mr. MacDonald stated that Mr. Butler’s idea of a collaborator seemed to make sense. Mr. MacDonald added that if Town Meeting approves a collaborator that would come with a plan it would be to see if there is support or if there is not support. Mr. MacDonald continued, saying that before another step is taken, come to that conclusion and if there is you continue and if there is not you stop. Mr. MacDonald informed all that he does not think it is the right time for a traffic study. Mr. MacDonald stated that in the end it’s not the Board’s vote, it’s Town Meeting’s vote. Mr. MacDonald informed all that if somebody doesn’t like what the Finance Committee does and needs help writing another motion, come to the Board for help.

Mr. Kern stated that he would like to reinforce a couple of things regarding what Mr. Butler referred to when he talked about collaboration and also repeat for those who are not experts in how this whole process goes that the motion the Selectmen may or may not agree to make and vote on, is simply recommendation to the Finance Committee has Mr. MacDonald just said. Mr. Kern added that the collaboration as it has been considered is not the same thing as a mediation, it is based on trying to bring a certain amount of education but mostly a process where, as has been described, stakeholders going to small focus groups, get information and come out of that and give a recommendation to the Board of Selectmen in the form of a report and a presentation. Mr. Kern continued, saying that this collaboration would result in a recommendation, such as, creating a committee or some other approach as to how to continue to go forward. Mr. Kern informed all that it is not a design, is not being done by people who design these kinds of projects.

**Margaret Matthews – Precinct 6 – Town Meeting Member - Proponent**

Ms. Matthews passed out a PowerPoint presentation. Ms. Matthews went on to describe the PowerPoint presentation. Ms. Matthews stated that the presentation represents conversations that have happened over the years. Ms. Matthews added that the proponent side appreciates the fact that the Board has stepped forward in a way that allows this conversation to advance. Ms. Matthews continued, saying that the proponents are willing to collaborate.

**Susan Butler – Precinct 6 – Town Meeting Member - Opponent**

Ms. Butler asked Mr. Butler if the 10 acres of land includes the land of the School Department has care, custody and control over.

Mr. Butler answered yes it does. Mr. Butler added that the 10 acres includes the School Department’s property which is probably 3 acres.

Ms. Butler agreed with Mr. MacDonald that there has not been a process which the abutters do not find this a fun experience at all. Ms. Butler stated that she is speaking on behalf of the group “Dedham Taxpayers for Responsible Spending”. Mrs. Butler added that there are parts of this proposal that really concern her. Ms. Butler continued, saying because the lack of process many residents are jaded in terms of trusting what is going on. Ms. Butler stated that the circulation study should be managed by the School Committee. Ms. Butler added that she asked the Board to go forward with just a collaborator.

Dr. Teehan stated that he understands that Ms. Butler would probably rather just have a moderator. Dr. Teehan added that the Article as proposed is a good deal because it gives both sides something and both sides have to give something to get to the framework. Dr. Teehan continued, saying that this Article will help both sides bring something to Town Meeting.

**Clarissa Robyn – Precinct 6 – Town Meeting Member – Direct Abutter - Proponent**

Ms. Robyn stated that she is one of the sponsors of this Article and she is also in favor of the Rail Trail. Ms. Robyn added that this land is owned by the Town and belongs to the entire Town and should be used for the entire Town. Ms. Robin believes that the Article should pass so we can have this collaboration to work through the issues. Ms. Robin stated that she is also in favor of the traffic study around the school campus and added that it is not currently safe for students.

**Robert Falvey – Precinct 6, 29 Mt. Vernon Street – Opponent**

Mr. Falvey stated that he believes that the Town cannot get into the traffic study until they know what they’re going to do with the land. Mr. Falvey thanked the Board for taking a leadership role but added that he thinks they are coming too late to the party.

Mr. Falvey Stated that there is no middle ground, you are either for the Rail Trail or you are against it. Mr. Falvey added that he doesn’t believe a collaborator will work and that should go to the floor of Town Meeting for a decision.

**Paul Reynolds – Precinct 6 – Town Meeting Member – 134 Mt. Vernon Street**

Mr. Reynolds thanked the Board for their efforts in leadership regarding this issue. Mr. Reynolds stated that there are so many unanswered questions because there is no process in place. Mr. Reynolds continued, saying that he’s in favor of the committee route, as he was on the Avery building relocation committee which worked out extremely well. Mr. Reynolds stated that he is in favor of a collaborator to bring both sides together. Mr. Reynolds added that this decision can upgrade until we have all the data.

**Mark Whelan – Precinct 6**

Mr. Whelan stated that he welcomes the collaboration phase and we all should consider whatever the collaborator suggests. Mr. Wayland added that he would like to know the School Committee’s position on a traffic study.

**Steve Bilafer – Court Street - Vice Chair of the School Committee**

Mr. Bilafer stated that he personally appreciates the move towards a collaborator and added that as a School Committee they been talking about traffic studies as part of the Rail Trail debate for a long time. Mr. Bilafer continued, saying that the school, as an owner of a significant piece of this parcel, that the School Committee has always wanted to be a full collaborator as well as a full participant.

Mr. Butler stated that he will read a motion regarding the Dedham Heritage Rail Trail in a minute. Mr. Butler added that one thing missing from the motion is a dollar amount because we don’t know what the scope of the motion is going to be. Mr. Butler continued, saying that once the scope of the motion is clear, staff can put together some estimates of what it will take and have been presented to the School Committee on Thursday night.

Mr. Butler moved that the Board recommend that X dollars be appropriated for; (1) the hiring of a collaborator to assess, design and undertake a process to identify key stakeholders, including but not limited to abutters, and then to work with stakeholders to identify individual and community interests, concerns, and goals with respect to the process of studying the preferred reuse, if any, of the abandoned Rail Line referred to as the Dedham Heritage Rail Trail and identified in Assessor’s records as parcel 109 – 2 running from East Street to the Boston line, which process may include but not be limited to individual or group interviews, community meetings, surveys or the like, all for the purpose of preparing a written report to the Board of Selectmen to include specific recommendations on the appropriate formation and composition of a committee, to oversee the study of the preferred reuse of the abandoned Rail Bed; (2) for the funding of a study, to be undertaken under the direction of such committee, to consider the preferred reuse, if any, of such property, which shall include an assessment of alternatives into a circulation study surrounding the High School, Middle School and Avery Elementary School extending from the intersection of East Street and Eastern Avenue to the intersection of River Street and Whiting Avenue, and High Street from the intersection of Mount Vernon St. to the intersection of maverick Street, both during the school year and summer and, further that (3) the Board of Selectmen be requested to provide a brief written or verbal report to Town Meeting in the fall of 2018 in the spring of 2019 as to the progress made under this vote;

Dr. Teehan stated that the Board will take a position on this Article, as they do for all Articles once that income makes their recommendation on it.

Mr. Butler informed all regarding the timetable of this project. Mr. Butler stated that it is likely that the Board will be able to identify third-party collaborator probably in early July, and that collaboration would take probably three months. Mr. Butler added that the collaborator would make a report to the Selectmen, probably around November, just before Thanksgiving, we would actually be able to form a committee. Mr. Butler continued, saying that if the committee is formed in November than they would write an RFP for a circulation study, which will take a few months to get underway because you have to interview applicants and then select one. Mr. Butler stated that the traffic study then take place in the spring and the summer, with a report out sometime in September 2019.

Mr. MacDonald agreed that there should be a collaborator and stated that he believes the circulation study should be deferred to the School Committee. Mr. MacDonald suggested that the Board should be concentrating on the collaborator and a report presented to the Board and the Town is more important for this Board right now. Mr. MacDonald added that he has no problem recommending a collaborator to the Finance Committee with the language to be worked out. Mr. MacDonald continued, saying that he is not sure that two days is not long enough to get the language exactly correct. Mr. MacDonald summed up; first, wait for the School Committee to have a conversation regarding this and make whatever recommendation they want to the finance and Warrant Committee. Mr. MacDonald stated that for this Board the collaborator is where to start.

Dr. Teehan asked for a motion.

Mr. MacDonald moved that the Board recommend that X amount of dollars be appropriated for; (one) the hiring of a collaborator to assess, design and undertake a process to identify key stakeholders, including but not limited to abutters, and then to work with stakeholders to identify individual and community interests, concerns, and goals with respect to the process of studying the preferred reuse, if any, of the abandoned Rail Line referred to as the Dedham Heritage Rail Trail and identified in assessor’s records as parcel 109 – 2 running from East Street to the Boston line, which process may include but not be limited to individual or group interviews, community meetings, surveys or the like, all for the purpose of preparing a written report to the Board of Selectmen to include specific recommendations on the appropriate formation and composition of preferred reuse of the abandoned Rail Bed;

Dr. Teehan clarified that Mr. MacDonald was proposing a motion that included only the first part of the Article.

Mr. MacDonald stated the first part.

Dr. Teehan asked, what about the report.

Mr. MacDonald continued his motion saying, that (3) the Board of Selectmen be requested to provide a written or verbal report to Town Meeting in the fall of 2018 and the spring of 2019 as to the progress made under this vote; seconded by Mr. Guilfoyle.

Dr. Teehan stated as Chair, he would like to see a vote on the original motion.

Dr. Teehan asked if there is any further discussion.

Mr. Butler pointed out that when Mr. MacDonald was reading the motion he left out composition of a committee.

Mr. Butler asked Mr. MacDonald if he would like to have language in there.

Mr. MacDonald stated that it’s up to the collaborator’s report to decide which direction it could go and that could include the composition of the committee or not.

Mr. Butler suggested that the motion read, to include specific recommendations on the appropriate formation and composition of a committee, if any, to oversee the study of the preferred reuse of the abandoned Rail Bed;

Mr. MacDonald stated that he would take that.

Dr. Teehan suggested that the Board take a roll call vote for this motion.

Dr. Teehan stated if the Board goes forward with this motion, there is no guarantee that the proponents would support it at Town Meeting without the traffic study included.

Mr. Guilfoyle stated that what Mr. MacDonald is saying is that there is a Board that owns that section of land we’re giving them the opportunity to discuss it at their meeting and they can come back and put that in if they wish.

Dr. Teehan stated that only some of it is under their sanction. Dr. Teehan added that the other side of that is that this Board is trying to take some leadership of this process because it is a Town wide process and if we muddy the waters we will be right back into that divisiveness that will lead to a lot of confusion, which is exactly what happened last few years.

Mr. Butler stated that if the traffic study goes forward, obviously both the Town and the schools will be involved because a great deal the traffic study doesn’t take place on school property. Mr. Butler asked how people would feel the Board went with the motion as recommended by the Vice-Chairman’s and asked the School Committee to take a position. Mr. Butler continued, saying the Board of Selectmen would then be ready to take another vote depending on how the School Committee votes and if the School Committee happens to endorse part two, saying that they would like the circulation study to take place, with the Board then be inclined to that as well, as part of the Finance Committee’s motion

Mr. Guilfoyle stated he would definitely support the School Committee’s decision.

Mr. Keogh stated that if the Board was to go with the Vice-Chairman’s motion and the School Committee supports it the Board will then need to endorse Selectmen Butler’s motion.

Dr. Teehan asked Mr. MacDonald if that’s what he is proposing.

Mr. MacDonald stated that his motion is on the table

Dr. Teehan asked Mr. MacDonald if there is a clear path for 2.

Mr. MacDonald stated that that is up to the School Committee.

Dr. Teehan stated that personally he supports the original motion and the Board to vote on this original motion.

Mr. Keogh stated that he supports Vice-Chairman’s MacDonald’s and would like to see how the next step plays out.

Mr. Butler stated that the School Committee could vote to support it and they could say let’s do it at some future date. Mr. Butler added that if they support it then we have time to take a position and if they don’t support it then it doesn’t really make sense to include it in anything we are considering anyway.

Mr. MacDonald informed all that this is just the Board’s suggestion to the Finance Committee. Mr. MacDonald added that the Board will have an opportunity when the Finance Committee submits its recommendation, to take a position. Mr. Butler continued, saying that the Finance Committee will know all the answers to those questions by tomorrow night.

**Mayanne MacDonald Briggs – Chair of the School Committee**

Ms. Briggs stated that because they do not have anything in writing yet of what is going to be voted tonight, School Committee does not typically take anything up and voted the same night. Ms. Briggs added that what the School Committee has planned was a meeting tomorrow night and then followed by a meeting on May 1, 2018.

Dr. Teehan asked if this Board is taking ownership of this project or not. Dr. Teehan stated that it should begin with the Board of Selectmen.

Dr. Teehan stated that the Board will now take a vote.

**On the Vote:** Mr. Keogh, yes, Dr. Teehan, no, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald

**DISCUSSION & VOTE RE: AMES PROJECT PROGRESS REVIEW**

Ron Votta, OPM, was present before the Board.

Mr. Votta stated that the schedule, which was updated many times to the point where the Board of Selectmen, on September 14, 2017, summoned the Project Manager, the Contractor and the architect into a meeting and the General Contractor give the Town a date of November 15, 2018 for the Town Hall and mid-December for the Senior Center.

Mr. Votta informed all that General Contractor failed to meet those dates, so the Town Surety Company for the project. Mr. Votta continued, saying that the General Contractor gave another schedule dated January 5, 2018, the completion date of April 29. Mr. Votta stated that that date has passed and on past performance there’s been a lack of manpower throughout the project. Mr. Votta added that as of today the Town has no date set for completion.

Dr. Teehan pointed out that Jonathan Eichmann, Town counsel, was in attendance.

Mr. Guilfoyle gave an overview of his latest tour of the building, stating that it was very depressing as there were only six workers present at that time. Mr. Guilfoyle added that as he sees it, there is no timetable to finish this project.

Mr. Keogh thanked Mr. Votta being eyes and ears of this project. Mr. Keogh expressed doubt as to whether this project can get done with the current Contractor.

Mr. MacDonald asked if Attorney Eichmann could review the options that the Board has before us.

Mr. Eichmann stated that we issued a default letter several months ago now, stating that the current Contractor is in default and the Board has been patient since that time. Mr. Eichmann added that the Board has tried to work with this particular Contractor as it was determined, at that time that the project had more of a chance of being completed than by simply terminating the Contractor. Mr. Eichmann continued, saying that the Board’s patience is limited and the Contractor is not making progress. Mr. Eichmann informed all that one of the options before the Board is to direct that the contract be terminated for lack of performance. Mr. Eichmann stated that there is a motion that has been prepared and it sets forth the specific reasons why the Board would like to see the contract terminated or why the Board would direct that the contract be terminated, those reasons would be failure to perform on time and failure to provide sufficient workers as required under the contract to do the work. Mr. Eichmann informed the Board that another option would be that the Board indicate at this meeting that it intends to proceed in this fashion, wait until the next meeting and give notice to the Contractor and the Surety Company that the Board intends to be taken at the next meeting, or at a future date provide an opportunity again to the Surety and the Contractor. Mr. Eichmann reminded all that there are three parties involved and the Town holds a performance bond on this project. Mr. Eichmann continued, saying that this actor will be very important should this contract be terminated, the Town would then look to the Surety to fulfill its obligations under that bond which may include hiring another Contractor to do the work, hiring the same Contractor to do the work. Mr. Eichmann stated that a third option may be to supply funds to finish the work otherwise. Mr. Eichmann added that we do not know at this point what the response of the Surety Company will be. Mr. Eichmann continued, saying that one of the benefits the Town gets by pushing this decision off and giving notice to the Surety is perhaps you’d get some response from the Surety giving you a better direction.

Mr. Kern stated that he has had similar conversations with Mr. Doneski and he described the same options, particularly the option of communicating the intent and giving a day in the near future such that it sets up the timing that Attorney Eichmann described.

Dr. Teehan asked Jim Sullivan, Chair of the Building, Planning, and Construction Committee to say a few words. Mr. Sullivan stated that what it comes down to is confidence in this Contractor and we have all struggled to try to regain any level of confidence. Mr. Sullivan added that he believes that ship is long gone. Mr. Sullivan continued, saying that he has zero confidence that we will be in the building anytime soon whether we retain them or fire them. Mr. Sullivan stated that unfortunately it’s a lose-lose for the Town and re-stated that he has zero confidence in this Contractor.

Dr. Teehan read the following statement:

This has been a year-long process that the Town has been trying to work with this Contractor, to help them meet the obligation made to the Town and to the taxpayers. The Board has tried many strategies to engage the Contractor, CTA, because all we really want is for the project to get done, with the agreed-upon terms in a timely fashion. The Board has grudgingly accepted delay after delay from the Contractor and made countless negotiation efforts and yet here we stand, a ten-month building project that is 10 months behind schedule. Unfortunately we cannot physically force this Contractor to work on a building that it bid for to meet delegation that made. If we choose to terminate the contract, the path of termination carries some uncertainty with it and I for one had hoped to avoid this. It is not as simple as really firing the Contractor and quickly replacing it with another. The Contractor’s commitment to the Town is insured by a Bond Company and if we terminate him the Bond Company is now responsible for finishing project. If we make this decision we will then be working with the Bond Company and they will give the Town options for how to proceed. The Bond Company will have to complete an investigation, hire a new Contractor and complete the job. That will take a long time. I want to work with CTA to avoid this delay but it has become apparent that any faith put in original plan will simply result in further loss of time. If given the Contractor beyond a reasonable number of chances to meet the many schedules that is provided. It always was my preference that this Board complete a project with the original Contractor in place. At the end of the day this is about an outside Contractor that made a commitment to the Town of Dedham to complete a critical project on terms that was clearly unable to meet. I believe it is come time for the Town to move on. I do believe that the project will be successful in 5 or 10 years from now people will look back and will this project will be an asset and a feather in our cap for the Town. Unfortunately the way things have gone in the last year, I don’t think we have much of a choice.

Mr. Guilfoyle moved that the Board vote to terminate the construction contract with CTA construction for the Town Hall and Senior Center project on account of the Contractor’s failure to perform as required under the contract, including the failure to provide sufficient workers to perform the work as required under the contract and the failure to perform the work within the time required by the contract, and to direct the Town Manager to prepare a notice of termination to CTA; seconded by Mr. Butler. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

**DISCUSSION & VOTE RE: JACK & ERIC’S 2018 PIRATE LEMONADE STAND**

Jack & Eric Lunari and Lilly Zahka were present before the Board.

Jack stated that they run a lemonade stand during the summer to raise money for various charities. Jack added that this is there 11th year.

Mr. MacDonald stated that he knows how proud Jack and Eric’s parents are because of what they have done. Mr. MacDonald added that for the boys to continue this selflessness for 11 years now is truly remarkable.

Mr. Butler informed all that Jack and Eric have selected Bella’s Food Drive in Boston. Mr. Butler asked Jack and Eric to tell us a little bit about this food drive.

Jack stated that they have known Bella since they were little and since 2012 she has been donating money to the Greater Boston Food Bank. Jack added that in 2012 she raised 200 pounds of food and in 2017 she raised over 7000 pounds of food.

Mr. MacDonald stated that he would like to sponsor the Lemonade Stand this year, so whatever you raise 100% will go.

Mr. Butler moved that the Board to grant Jack & Eric’s Pirate Lemonade Stand a transient vendor license for the 2018 summer/fall season at the Dedham Farmer’s Market, as well as Dedham Day and at Bernie’s Run; seconded by Mr. Guilfoyle.

**On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

**DISCUSSION & VOTE RE: JAMES JOYCE RAMBLE (4-29-18)**

Martin Hanley founder, James Joyce Ramble, was present before the Board. Mr. Hanley stated that the race has been run on the last Sunday of April for the last 35 years. Mr. Hanley added that he is humbled that the Town supports this event every year.

Mr. Guilfoyle moved approval of the request to hold the 35th James Joyce Ramble on Sunday, April 29, 2018, permission to hang Banner’s promoting the event, (beer only, service 12:4pm); seconded by Mr. Butler. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes

**DISCUSSION & VOTE RE: REQUEST FOR COMMON VICTUALLER LICENSE, BOSTON BREAD LLC DBA PANERA 687 PROVIDENCE HIGHWAY**

Gina Reynolds, District Manager for the Dedham Panera location, was present before the Board.

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

**DISCUSSION & VOTE W/ TOWN ENGINEER, JASON MAMMONE**

Argyle Road – Public Way Layout Petition

Traffic Regulation Update – 70 Milton Street

Dedham Traffic Calming Policy Revisions

**ARGYLE ROAD**

Mr. Mammone stated that he has another petition to layout another Private Way as a public way, this one being Argyle Road. Mr. Mammone informed the Board that they have the petition package in front of them, which has all the required documentation and signatures as part of Town policy. Mr. Mammone continued, by describing the criteria Argyle Road has met to move the process of becoming a Public Way forward:

* Entirely a Private Way
* Falls under the group 2 classification - intersects with two public ways
* Current PCI = 37
* Rehabilitation method based on that PCI would be reclamation
* Cost Estimate: $103,700

Mr. Guilfoyle moved that the Board accept the Argyle Road Public Way Layout Petition Form; seconded by Mr. MacDonald. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

Mr. Guilfoyle moved that the Town accept the full cost of this project as has been the case in the past; seconded by Mr. Butler. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

**Traffic Regulations Update**

Mr. Mammone reminded the Board that at their meeting of February 15, 2018 that they approved some parking restrictions in the vicinity of 70 Milton St., which pertain to the loading zone to help out the elderly daycare at that location. Mr. Mammone added that this will be open to all public commercial vehicles that need a loading area and have certain time restrictions written within the motion the Board will use for their vote. Mr. Mammone stated that tonight’s purpose is to formalize that vote that was taken on February 15, 2018 so he can make the amendment to the regulations.

Mr. Keogh moved that the Board Amend Part 1, Schedule No. 1 of the traffic regulations to adopt a “no parking, loading zone, 15 minutes, 7 AM to 3 PM, Monday to Friday” restriction on the easterly side of Milton Street from 37 feet north of South Stone Mill Drive to 93 feet north of South Stone Mill Drive; seconded by Mr. Butler. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

**Dedham Traffic Calming Policy Revisions**

Mr. Mammone stated that the last item is dealing with their traffic calming policy which is been in effect since 2013 and have used this on several applications that have come to the Town. Mr. Mammone added that as time goes on there are improvements to policies and regulations and standards in general and engineering community and we try to keep up with those standards. Mr. Mammone continued, saying that in the current policy as it sits, we really look at two major criteria before we proceed with looking to see if a road requires traffic calming; one being that the road has to be a residential public way and the other is that the road must have an 85th percentile speed of at least 5 miles per hour over the speed limit. Mr. Mammone informed all that the prima fascia, up until May 1, 2018, is 30 mph for most residential roadways, so they have to have 35 miles an hour or greater to be considered. Mr. Mammone continued, saying that this revision to the traffic calming policy makes the process more transparent to the applicant. Mr. Mammone stated that the following will be incorporated with the proposed new policy:

* Speed – Based upon how many mph the 85th percentile speed is over the speed limit. 2 points for each mph over the speed limit from 1 to 5 mph over the speed limit and 4 pts for each mph over the speed limit starting at 6 mph over the speed limit.
* Volume – 1 point for every 100 vehicles of average daily traffic (ADT)
* Pedestrian Route – 10 points if no continuous sidewalk on both sides of the street or 5 points if there is only one continuous sidewalk on one side of the street
* Traffic Collisions – 2 points for every preventable collision in a 3 year period that occurred along the subject street. 8 points if a collision involves a pedestrian or bicyclist
* Pedestrian Generators – 3 points for every park, community center, library, commuter rail station or church located within 1,000 feet of the subject street. 10 points for each public school within 1,000 feet of the subject street.
* Residential Density – 1 point for every 50 dwelling units within 1,000 feet of the subject street

Mr. Mammone stated that those are the key criteria that would be used and would be given a score based upon the criteria. If a road exceeds the threshold of 50 points it would tell the transportation advisory committee that there is an issue that needs to be investigated further. This system will help us prioritize projects. Mr. Mammone added that they leave little caveat that if that road is coming up within our 3 Year Rd. program we have the ability to shift that to a higher priority because we’re going to be working on the road and if it needs something that would take road reconstruction, we can do it at that point

Mr. Butler stated that this is a really nice improvement to a system that’s been in place for several years.

Mr. Keogh moved approval of the proposed revisions to the current version of the Traffic Calming policy; seconded by Mr. Guilfoyle. Mr. Butler. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

Mr. Kern stated that he was asked to give the Board an update on the request to study the downtown traffic circumstance. Mr. Kern added that Mr. Mammone and he put an item on that was included in the capital plan to do that study.

**DISCUSSION & VOTE RE: EXECUTION OF MEMORANDUMS OF AGREEMENT W/DEDHAM POLICE PATROLMEN’S ASSOCIATATION AND DEDHAM POLICE ASSOCIATION (LTS & SGTS)**

Dr. Teehan clarified that they will only be taking one vote because there is no agreement between the Lieutenants and Sergeants.

Mr. Kern stated that is correct. Mr. Kern first thanked Jack Dolan, the Town’s labor Counsel and Miriam Johnson, HR Director, for their contributions. He also thanked the Board of Selectmen particularly Dr. Teehan for his role in the negotiations. Mr. Kern summarized the contract as follows:

* 3 years - fiscal years 18, 19 and 20
* return to the Quinn bill (Educational Incentive)
* other changes - promotions, some sick time
* COLA increase of 2.5%, 2% & 2% over the three years

Mr. Butler stated that the rest of the Board appreciates the time that Chairman Teehan put in as well as the Town Manager. Mr. Butler added that this was time well spent, it’s a good contract.

Dr. Teehan stated that it is never been more difficult to be a Policeman. Dr. Teehan added that this contract is the Town putting its money where its mouth is. Dr. Teehan continued, saying that Dedham’s Policemen deserve a fair wage and he believes this contract is that.

Mr. MacDonald moved to approve the MOU between the Patrolmen and the Town of Dedham; seconded by Mr. Keogh. Mr. Butler. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

**DISCUSSION & VOTE RE: EXECUTION OF TOWN MANAGER’S CONTRACT RENEWAL**

Dr. Teehan stated that the Town Manager has been working without a contract for quite some time. Dr. Teehan added that it was important to him to finish this up this year. Dr. Teehan continued, saying that he believes Mr. Kern has done a great job and he has worked very closely with him in a lot situations and he can tell you for sure his expertise has benefited the Town. Dr. Teehan stated that Mr. Kern’s understanding of how a Town runs and of municipal finance it makes a huge difference.

Mr. Kern stated that he had a decision to make three and half years ago to leave my previous position and is happy with that decision. Mr. Kern added that Dedham has challenges, opportunities and things that happen that other Towns just don’t have. Mr. Kern continued, saying that he appreciates this Board’s attitude about compensation and their recognition of the market for labor that he referred to earlier.

Mr. MacDonald moved ratification of the agreement between the Town of Dedham and the Town Manager for a term of three years; seconded by Mr. Guilfoyle. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

**REOGANIZATION OF THE BOARD**

Dr. Teehan stated that it has been a great year and a busy year. Dr. Teehan added that going back to the spring he was behind something that was not successful, which was a ballot question to approve the Community Preservation Act. Dr. Teehan continued, saying that the Board continues to hear the message about the resident’s desire for fiscal responsibility and the CPA being rejected was a message. Dr. Teehan mentioned the financial bulletin that Mr. Butler put a lot of work into, which was mailed out to residents to help them understand the finances of the Town. Dr. Teehan stated that the Board continues to show fiscal conservatism and smart financial planning throughout the year. Dr. Teehan continued, saying that the Board returned some free cash back to the taxpayers which brought the tax rate down. Dr. Teehan stated that the Town fully funded the Pension Fund. Dr. Teehan added that the Board approved the Public Safety Building. Dr. Teehan stated that the Town renegotiated its health insurance deal with Town Employees. Dr. Teehan informed all that the Board just approved the Quinn Bill. Dr. Teehan added that the Ames Building was a situation they were dealing with the whole year. Dr. Teehan stated that as far as the Rail Trail is concerned there is a least a plan in place now. Dr. Teehan continued, saying that they got the Town Manager contract done.

Mr. Butler thanked Dr. Teehan for his 12 month stint. Mr. Butler described the job is a great position for nine months but unfortunately it’s a 12 month job. Mr. Butler added that people don’t realize how much work there is behind the scenes, with phone calls and emails.

Mr. Butler moved to nominate Jim MacDonald as the next Chairman of the Board of Selectmen; seconded by Mr. Guilfoyle. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

Mr. MacDonald opened nominations for Vice-Chairman of the Board of Selectmen.

Mr. Guilfoyle moved to nominated Brendan Keogh for Vice-Chairman of the Board of Selectmen; seconded by Mr. Butler. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

Mr. MacDonald thanked the voters of Dedham for returning him to another term. Mr. MacDonald added that it is always an honor to be on the ballot to receive the confidence of the voters and citizens of the Town of Dedham. Mr. MacDonald continued, saying that for the next three years he will give everything he has, as he has done for the previous 24 years, to the Town of Dedham and work on behalf of all the residents. Mr. MacDonald stated that during this campaign he had the opportunity to talk to a lot of people and the question that is always asked is what kind of Town we want. Mr. MacDonald added that we have an excellent Town with an AAA Bond Rating from Standard & Poor’s. Mr. MacDonald continued, saying that Dedham is a great place to live, to work and to raise a family. Mr. MacDonald stated that all the Town’s Boards and Committees and residents need to work together to achieve this. Mr. MacDonald thanked all the volunteers that work on his campaign and added without them he could not have done it. Mr. MacDonald then thanked his family, Paula, James and Stephen for their help. Mr. MacDonald stated that he was fortunate during this past election cycle to get the support of the Norfolk County Labor Group, the Boston Firefighters Local 718, the Carpenters Local 327, England Region Council of Carpenters and the Dedham Firefighters. Mr. MacDonald added that the men and women of labor work to make our Town great. Mr. MacDonald continued, saying that what makes Dedham great is that it is a combination of many people. Mr. McDonald thanked Dr. Teehan for his leadership this past and added that he knows that being the Chairman is five or six times the work the other members of the Board do. Mr. MacDonald thanked his fellow Board members and stated that once again he was looking to his fellow Board members for help.

Mr. Guilfoyle moved to take an item not on the agenda; seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

Mr. Butler asked Frank Mullen to come forward. Mr. Butler informed all that he and Frank serve on the Board of Directors of the Dedham School of Music. Mr. Butler added that there was an email snafu last week and Mr. Butler asked Mr. Mullen to come in and clear it up tonight.

Mr. Mullen informed all that Dedham School of Music has been working in Dedham for 10 years supporting music programs both private lessons and public lessons within the Dedham Public Schools and they also work with Boston Public Schools as well now. Mr. Mullen stated that his request is regarding the all Town yard sale that the School of Music hosts. Mr. Mullen will added that they are looking to reserve 6 parking spots bordering the front of the Dedham Community House for unloading purposes as well as pedestrian safety between the hours of 7 AM & 3 PM on the event day, June 3, 2018. Mr. Mullen continued, saying that they are also looking for permission to advertise with banners, in the square and yard signs placed in different places around Town.

Mr. Guilfoyle moved approval of the request by the Dedham School of Music; seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, abstained, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

**TOWN MANAGER’S REPORT**

Most of what we’ve been working on is in other items tonight and 2 of these are a repeat from an earlier email.

1)  Jarret Katz will be starting as Town Planner on May 14th. He comes from the City of Woonsocket and is a resident of Quincy.

2)  We had a 2.5 hour meeting, regarding the Public Safety Building with two members of the Planning Board and their consultant, architects, landscape architects and members of the design team on Wednesday to go over issue and concerns before the actual application and meeting in June. That team has already been to Conservation Commission and is setting up to go to the other Regulatory Boards.

3)  Going back a few weeks we did a meeting with the AG’s representatives on the Abandoned Housing Initiative. They came and toured 10 properties, Selectman Guilfoyle accompanied that effort and we have identified those 10 residences, they each received letters. We have put them in a priority order going forward and Mr. Kern will keep the Board up to speed.

4) FinCom process: the last scheduled meeting is for this Thursday the 24th and then the Mini will be on May 14,2018 with the annual Town Meeting happening on May 21, 2018.

5) There was an impressive turnout for the election. Congratulations to those who won but also congratulations to those who were interested enough to try. Without that, Local Government doesn’t work.

**ACTION BY THE BOARD**

**Gift Acceptance**

Dishwasher to the Endicott Estate from Kathy and Jim D’Entremont of cocktails, LLC

Donation of $500 from the Norwood hospital to the Dedham Coalition for Alcohol Awareness

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

**DRAINLAYER RENEWAL**

Edward J. Musto Construction

36 Blue Hill Drive

Westwood, MA 02090

Celtic Landscaping, Inc. - RENEWAL

121 Shawmut Road

Canton, MA 02021

Sean Farrell Excavation, Inc. - RENEWAL

53 Gilbert Street

Quincy, MA 02169

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

**REQUEST FOR 1 DAY LIQUOR LICENSE BY NEWBRIDGE ON THE CHARLES – SATURDAY, APRIL 29, 2018 & SATURDAY MAY 9, 2018 6 – 10PM**

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

**REQUEST FROM THE DEDHAM PUBLIC LIBRARY FOR THEIR 3RD ANNUAL BOOK IT! 5K ON AUGUST 18, 2018**

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

**REQUEST FROM THE MOOSE CLUB FOR OUTSIDE SERVICE OF ALCOHOL FROM 5-10PM DURING THEIR HORSESHOE LEAGUE**

Mr. Butler moved approval of the Moose Clubs request to serve alcohol outdoors between the hours of five and 10 PM on the following dates:

May 2nd, May 9th, May 16th, May 23rd and May 30th; seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

**REQUEST FOR RE-APPOINTMENT FOR CONSTABLE FROM MR. ED REAVEY, A 3 YEAR TERM TO EXPIRE IN APRIL, 2021**

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

**REQUEST FROM BARBARA REYNOLDS FOR PERMISSION TO PLACE 1 SIGN AT THE ENDICOTT ROTARY PROMOTING THE NEEDHAM OPEN STUDIOS IN MAY, 2018**

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

**REQUEST FROM KELLY KENNEDY ON BEHALF OF THE DEDHAM COUNTRY DAY SCHOOL TO HOLD A FUN RUn ON MAY 18TH at 1PM**

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

**MINUTES APPROVAL**

2-15-18, 3-1-18, 3-27-18

Mr. Guilfoyle moved approval of the 2-15-18 & the 3-1-18 meeting minutes; seconded by Dr. Teehan. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

Dr. Teehan moved approval of the 3-27-18 meeting minutes; seconded by Esther Guilfoyle. **On the Vote:** Mr. Keogh, abstained, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

**OLD/NEW BUSINESS**

Mr. Keogh reminded all that as of May 1, 2018 a new Town speed limit of 30 mph will be going to affect.

Mr. Guilfoyle reminded all that this upcoming Sunday the James Joyce Ramble will be run. Mr. Guilfoyle added that the Dedham Savings “Take a Walk” event, held in the name of Robert Stanley’s (Parks and Rec Director) mother. Mr. Guilfoyle stated also on Sunday will be the dedication of “Dolores the Tank”.

Mr. Butler stated that it is springtime and the Endicott Greenhouses are open for business and they have a lot of flowers for sale. Mr. Butler added that on Thursday May 31, the Endicott Greenhouses are having a Gala at the Endicott Estate.

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

The Meeting was adjourned at 9:22PM.

The next Meeting is scheduled for Thursday May 17, 2018 at 7 PM. This is to certify that the above is a true and accurate record of the minutes of the Selectmen’s Meeting held on April 23, 2018, which minutes were approved on May 31, 2018.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dennis Teehan, Jr. – Chairman