A combined Virtual Meeting of the Select Board and the

Planning Board was held on

Thursday June 11, 2020, 6pm

Present were:

Dennis Guilfoyle - Chair

Dr. Dennis J. Teehan - Vice Chair

James A. MacDonald

Sarah E. MacDonald

Dimitria Sullivan

**Meeting brought to order at 6:04 pm**

**Pledge of Allegiance**

Dr. Teehan called the Select Board meeting to order at 6:04pm

Mr. Sullivan called the BPCC meeting to order at 6:05pm

Ms. Sullivan declared, under MG.L. c.30A, §21(a)(3) and (6), that the purpose of the Executive Session will be to discuss litigation strategy regarding pending litigation known as: CTA Construction v. Town of Dedham, Turowski2 Architecture, and Atlantic Construction & Management, Middlesex Superior Court Civil Action No. 18-1465B, and that discussion of the foregoing in open session could have a detrimental effect on the litigating and/or negotiating position of the Town.

Ms. MacDonald moved that the Board enter Executive Session under M.G.L. c.30A, §21(a)(3) and (6) for the purposes and reasons declared by the Chair and jointly with the Building, Planning & Construction Committee, and to return to Open Session at the conclusion of the Executive Session; Seconded by Ms. Sullivan.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle – **not present**

Mr. MacDonald – yes

Mr. Hampe moved that the BPCC enter Executive Session under M.G.L. c.30A, §21(a)(3) and (6) for the purposes and reasons declared by the Chair and jointly with the Select Board, and to return To Open Session at the conclusion of the Executive Session.

**On the Vote:**

Mr. Roberts – yes

Mr. Hampe – yes

Mr. Podolski – aye

Mr. Agostinelli – yes

Mr. Sullivan – yes

Dr. Teehan called the SB Open Meeting to order:

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle – **not present**

Mr. MacDonald – yes

Mr. Sullivan called the BPCC Open Meeting to order.

**On the Vote:**

Mr. Roberts – yes

Mr. Hampe – yes

Mr. Podolski – aye

Mr. Agostinelli – yes

Mr. Sullivan – yes

Ms. Sullivan stated, Pursuant to Governor Baker’s March 12, 2020 Order suspending Certain Provisions of the Open Meeting Law MGL C. 30A, §18 and the Governor’s March 23, 2020 Emergency Order imposing strict limitations on the number of people that may gather in one place, the June 11th Select Board meeting will be conducted via remote participation by the Board. Remote meetings have both advantages and drawbacks. They allow more flexibility for the public to attend meetings, while simultaneously being harder to facilitate than face to face meetings. To balance our commitment to rich public participation and our commitment to having efficient, productive meetings, this meeting is being conducted using the Zoom webinar platform. This platform does put the visual focus on the Board members and other “panelists” who are integral to each agenda item. The public will be invited to make comments, if they wish to do so, during portions of the meeting designated for public comment. Tonight, we will ask for public comment during our Dedham Citizens Open Discussion portion of the agenda, which is scheduled approximately for 7:10. Please note the other agenda items will only be discussed by the Board. Over the course of the meeting, we will announce how many members of the public are in attendance, and we will include screen shots of the participant list with the minutes.

To comment, we ask that attendees use the Raise Hand function to signal interest in speaking. Staff will unmute, and if possible, enable video of the attendee asking a question or providing a comment. If you have joined via the webinar, the Raise Hand function the located on the bottom of your Zoom screen. If you have dialed in, press \*9 to Raise Your Hand.

We will start first with those attendees who joined the meeting via the Zoom webinar link and once all those questions/comments are complete, we will proceed to those attendees who joined the meeting via phone.

You must state your name and address for the record.

In addition, members of the public are invited to use the Q & A function located on the bottom of your Zoom screen to type in questions and/or comments throughout the meeting. The Board and staff will not answer questions live unless necessarily needed for informational purposes. All Q&A will be included in the record of the meeting and taken under consideration by the Board, possibly later.

Currently, there are 14 panelists and 5 attendees in this meeting.

**Open Session (w/BPCC); Public Safety Building Project – update from**

**Town Manager change of owner’s project manager.  Votes may be taken**.

Mr. Goodwin read the following statement:

At the end of April, I had a conversation with the president of Atlantic Construction & Management, Inc. and communicated my intent to move the Public Safety Building project in a different direction for our Owner’s Project Manager Services. I followed that up with a simple letter on May 5 stating the decision to terminate the contract, per the contract provision which allows the Town to terminate for convenience.  On May 20, a new Request for Qualifications for OPM services was issued.

Although my conversation with ACMI’s president left me with the clear understanding that our discussion and the follow-up letter would be sufficient and satisfactory to both parties to end the contract relationship, ACMI has taken a different approach.  It is disagreeing with the form of the termination letter and the termination itself. Therefore, I will be sending a more formal termination notice.

ACMI has apparently taken the position that termination of the contract would require a vote of the Building Planning and Construction Committee.  However, the contract is signed on the Town’s behalf by the Town Manager, and under the Town’s bylaws the Town Manager is the appointing authority for the BPCC, with one of the seven members being a Planning Board designee.  Although I do not believe any separate action by the BPCC is required, I am requesting that the BPCC make a record of endorsing the termination of the contract with ACMI.

Mr. Hampe moved that the committee vote to endorse and support the termination of the ACMI contract for OPM Services on the Public Safety Building project by the Town Manager; Seconded by Mr. Agostinelli.

**On the Vote:**

Mr. Roberts – yes

Mr. Hampe – yes

Mr. Podolski – aye

Mr. Agostinelli – yes

Mr. Sullivan – yes

Mr. Podolski moved to adjourn the BPCC Meeting; Seconded by Mr. Roberts.

**On the Vote:**

Mr. Roberts – yes

Mr. Hampe – yes

Mr. Podolski – aye

Mr. Agostinelli – yes

Mr. Sullivan – yes

**Discussion & Vote w/ Treasurer Collector Re: Bond Sale/Bid Results**

Jane Lepardo, Town Treasure, explained the Bond sale process and informed all that

the Town received 4 bids. The winning bid had a true interest cost (TIC) of 1.860872.

Ms. Lepardo asked the Board to take a vote and accept the bid, which comes to

$7,325,000. Ms. Lepardo explained what the money would be used for.

Mr. MacDonald moved to accept the bid from Stifel, Nicolaus & Co., Inc.; Seconded by

Ms. Sullivan.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle – **not present**

Mr. MacDonald – yes

**Discussion & Vote w/ Director of Engineering Re: Change Structure of**

**Transportation Advisory Committee AND Amend Traffic Regulations as it relates to**

**Heavy Commercial Vehicle Exclusion for Upland Rd.**

The six (6) voting members of the Transportation Advisory Committee (TAC) are comprised of the following:

* Member of the Select Board, Ex-Officio
* Planning Board Appointee
* Sustainability Advisory Committee (SAC) Appointee
* (3) Town Manager Appointees

To have a quorum for our meetings we must have at least 4 voting members present. We have been without a SAC appointee for many years. There have been several meetings where we were unable to achieve a quorum and had to postpone our meeting to the following month in hopes of having a quorum then. It is not only frustrating to the members of our committee, but also the residents who attend the meetings to not be able to conduct business due to the lack of a quorum.

Over the past year the Transportation Advisory Committee (TAC) has been working diligently with the Sustainability Advisory Committee (SAC) to try and solicit an appointee to sit on our committee. No members of the SAC have any interest in being a member of our committee since it does not fit in with their mission and goals. The SAC has stated that they no longer have an interest in having a seat on our committee.

As a result, a motion was made at our TAC meeting held on 2/11/20 to request the Select Board eliminate the SAC member from the TAC. The motion was seconded and unanimously approved. This would help the committee tremendously in achieving a quorum at our meeting since we would now only require 3 voting members to be in attendance to conduct business.

We respectfully request that the SAC appointee be removed from the TAC.

Ms. MacDonald moved that the Select Board approve the requested change in structure of the transportation advisory committee; Seconded by Mr. MacDonald.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle – **not present**

Mr. MacDonald – yes

Mr. Mammone stated that he was seeking the Select Board’s approval of a particular

Motion that amends the traffic regulations, which is sent back to the state for their

approval.

Mr. MacDonald moved to Amend Part 1, Schedule No. XII of the Traffic Regulations to

adopt a 24-hour Heavy Commercial Vehicle Exclusion on Upland Road in its entirety for

both directions of travel with the alternate route for Heavy Commercial Vehicles being

East Street, Cedar Street and Sprague Street; Seconded by Ms. Sullivan.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle – **not present**

Mr. MacDonald – yes

**Discussion & Vote Re: Acceptance of Gift - 98 Fairbanks Road**

Scott’s Charitable Foundation, Mr. Allen McCall

The Foundation purchased a piece of property at 198 Fairbanks Road back in 1931. Mr.

McCall reached out to Elissa Brown and asked if the Town would like the property for

conservation use. The Conservation Commission met on April 16, 2020 and

unanimously approved the gift of 198 Fairbanks Road. Mr. Goodwin stated that the

request of the Board is to approve the receipt of this gift.

Ms. MacDonald moved that the Board accept this gift with grateful appreciation;

Seconded by Ms. Sullivan.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle – **not present**

Mr. MacDonald – yes

**Dedham Citizens – Open Discussion**

We will now open this meeting up for public comments and questions. As a reminder, attendees should use the Raise Hand function to signal interest in speaking. Staff will unmute, and if possible, enable video of the attendee asking a question or providing a comment. If you have joined via the webinar, the Raise Hand function the located on the bottom of your Zoom screen. If you have dialed in, press \*9 to Raise Your Hand.

We will start first with those attendees who joined the meeting via the Zoom webinar link and once all those questions/comments are complete, we will proceed to those attendees who joined the meeting via phone.

Please state your name and address for the record.

Currently, there are 7 panelists and 5 attendees in this meeting.

Susan Butler - 183 Clark Street, made a statement regarding the abandoned Rail Corridor and

the harsh division it has caused across the Community.

**Town Manager’s Report** (including COVID Task Force(s) & Ames Updates)

* Rolling Rally for Dedham High Seniors Graduation – very successful
* Thanks to Selectman Sullivan, as well as the county commission, Police, Fire and the Select Board
* Outdoor dining is a reality in Dedham Square and across Town.

Mr. MacDonald stated that the amount of work by the Town, over the last few weeks, has been nothing short of amazing. Mr. Macdonald thanked Town Manager, Leon Goodwin, Asst. Town Manager, Nancy Baker and DPW Director Joe Flanagan.

Ames Building – move scheduled for June 19, 2020

**Action by SB**:

Drainlayer Licenses

Titan Excavating Inc.

PO Box 590577

Newton, MA 02459

Ms. MacDonald moved approval; Seconded by Mr. MacDonald.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle - yes

Mr. MacDonald – yes

Farmer Winery License - House Bear Brewing

Received approval from the Massachusetts Department of Agricultural Resources. House Bear Brewing is asking the Board to approve a special license for the Farmer’s Market from June 17, 2020 through October 28, 2020, from 2-6pm. The license is for Wine & Beer.

Mr. MacDonald moved approval; Seconded by Mr. Guilfoyle.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle - yes

Mr. MacDonald – yes

**Old/New Business**

Ms. Sullivan brought up the following topics and asked that further discussions be scheduled:

* Detours
* Parking
* MBTA proposed bus stop on Washington Street

Mr. Goodwin stated that he is waiting for revised plans to come back from the MBTA.

Mr. Guilfoyle asked if some of the cars parking overnight belong to people who live in or near to Dedham Square.

Mr. Goodwin answered that anecdotally, some of the cars do belong to residents but there is no formal agreement in place right now. Mr. Goodwin added that there are a few commercial vehicles that are in the lot for extended periods of time. Mr. Goodwin continued, saying that there are reports that people are using the lot as a Park & Ride location.

Ms. MacDonald thanked the Police Chief and the whole staff who have been working hard to follow the trail of fireworks the past several nights. Ms. MacDonald stated that she has received several e-mails from residents who are particularly upset by the recent behavior of a resident riding around Town with a Confederate flag hanging off a motorcycle. Ms. MacDonald reminded all of the negative connotation that symbol brings.

Town Counsel informed Mr. MacDonald that the Select Board can, on their own ban the Confederate flag. Town Counsel stated that the Town cannot prohibit all displays of the Confederate flag due to First Amendment concerns, but it may prohibit the displaying of the Confederate flag on Town property.

Mr. MacDonald reminded all that the election is scheduled for June 27, 2020 and the poles will be open from 7am till 8pm.

Ms. MacDonald stated that there will be a Candidates Forum this Monday hosted by Women in Democracy, the Dedham Public Library and the Dedham Junior Women’s Club, that will be held virtually, via ZOOM at 7pm.

Dr. Teehan congratulated Ms. Sullivan on the Rolling Graduation.

Dr. Teehan asked Mr. Goodwin to compile a fact sheet regarding the Rail Trail as there is so much confusion out there.

Dr. Teehan asked Mr. Goodwin to follow up on the budget presentation he gave at the last Select Board meeting.

Dr. Teehan stated that he attended the Amazon Scoping Session and he is deeply concerned about any expansion down there. Dr. Teehan encouraged residents to contact the Planning Board and let their voice be heard.

Dr. Teehan stated that he thinks it is possible to be passionate and act against the deep routed and immoral racial biases that persist in our nation and still be pro Police. Dr. Teehan added, we must do anything we can to eradicate racial bias and violence in our Police Departments. Dr. Teehan continued, saying that we must find a way to eradicate bad policing and bad cops. Dr. Teehan stated that we must come together and fight to eliminate these biases in a nonviolent way.

Melissa Wadman – 120 Tarbox Street

Ms. Wadman thanked Dr. Teehan for raising the issue of Police violence. Ms. Tarbox asked where she could find information regarding the diversity of Dedham’s Town Employees.

Ms. Wadman asked if any of the restaurants opening patios are dog friendly?

Mr. Goodwin stated that this more of a Health Director question and he will get back to Ms. Wadman with an answer.

Mr. Guilfoyle moved to adjourn the Meeting; Seconded by Ms. Sullivan.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle - yes

Mr. MacDonald – yes

The meeting was adjourned at 7:34pm.

The next Meeting is scheduled for Thursday June 18, 2020. This is to certify that the above is a true and accurate record of the minutes of the Selectmen’s Meeting held on June 11, 2020 which minutes were approved on October 8, 2020.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dennis J. Guilfoyle. – Chairman