

**TOWN OF DEDHAM  
450 WASHINGTON STREET  
DEDHAM, MASSACHUSETTS**

**MINUTES OF THE SELECT BOARD MEETING  
VIA TELECONFERENCE  
DECEMBER 17, 2020, 7:00 P.M.**

**BOARD MEMBERS:**

|                    |            |
|--------------------|------------|
| Dennis Teehan      | Chair      |
| Dimitria Sullivan  | Vice Chair |
| James A. MacDonald | Member     |
| Sarah MacDonald    | Member     |
| Kevin R. Coughlin  | Member     |

**TOWN OF DEDHAM STAFF:**

|               |                                 |
|---------------|---------------------------------|
| Leon Goodwin  | Town Manager                    |
| Nancy Baker   | Assistant Town Manager          |
| Jason Mammone | Town Engineer (until 7:29 p.m.) |

Minutes prepared by Cassidy Civiero of Minutes Solutions Inc. from an audio recording.

**1. CALL TO ORDER**

The Board recited the pledge of allegiance. Chair of the Select Board, Dr. Teehan, called the meeting to order at 7:00 p.m.

**2. DEDHAM CITIZENS – OPEN DISCUSSION**

Mr. Brian Keaney stated that he would be discussing the library and is not speaking on behalf of the rest of the Board of Library Trustees. When the former Trustees stepped down in Summer 2020, Mr. Keaney made several public records requests and was subsequently appointed to the Board of Trustees. It has been another month and a half since the records request was to be discussed and was removed from the agenda last minute. He asked for an update on this matter. Mr. Keaney stated that it is inappropriate for any elected official to ignore a public records request.

Ms. Lauren Goldberg of KP Law stated that Mr. Keaney has made many requests over several months, and some of that information is advisable to be withheld. Discussions have been ongoing on how the law applies and what the Town is able to do under public records law.

Regarding the missing minutes for the library Trustees, the Trustees had stated that they provided everything they had to the Town and did not provide any records in response to the letter sent. Under some circumstances, the Board and Committee could re-create the minutes; however, in this case, that Board no longer exists and the previous members are no longer Town officials.

Public records law allows an appeal to the Supervisor of Public Records, who has the option to refer it to the Attorney General; however, it is unusual for this to occur and there is no guarantee

of a different outcome. Ms. Goldberg suggested that the new Board of Trustees discuss what the obligations are under public records and conflict of interest law in a forward-thinking basis. Ms. Goldberg encouraged the library to ensure that there is one email address on the Town server to be copied in all communications to have an ongoing record of all discussions. These steps are being taken and Ms. Goldberg hopes that this situation does not occur again.

Mr. Keaney responded that lawyers and courts could provide a remedy to this situation.

Mr. MacDonald requested that Mr. Keaney repeat which records he is specifically seeking.

Mr. Keaney stated that he is seeking one or two sets of missing minutes, as well as resignation emails, the legal opinion on the matter, and any other emails or text messages that discuss library business. He believes that how the former Trustees stepped down violated the open meeting law.

Ms. Goldberg stated that the legal opinion is not an opinion that the Town asked for or created, but rather, a legal opinion from an outside lawyer. Therefore, this is something that the Town does not have, along with the text messages and resignation emails. The emails the Town has have been provided. Ms. Goldberg noted that if a legal opinion is sought, it is a criminal penalty for not returning records to the Town and the penalty is \$20 per violation.

Mr. Keaney clarified that he does not want anyone to obtain a criminal record; however, it is important for Town Officials to know that they are subject to the law.

Dr. Teehan stated that the Board will take this matter into consideration; however, the Board is not obligated to pursue it aggressively or take court action. Dr. Teehan agreed with Mr. Keaney that this situation does set a dangerous precedent.

Ms. MacDonald stated that she does not see the value in pushing a criminal complaint side; however, she has been very excited to see the new Board of Trustees begin discussions on its responsibilities with Council. Ms. MacDonald reminded all that the Town passed a by-law that required the Select Board to hold open meeting law, public records law, and conflict of interest law training 30 days prior to the next election. Ms. MacDonald stated that the Board is following the lead of Mr. Keaney in ensuring that future Boards have the necessary education.

Ms. Susan Butler stated that, after being on the School Committee for several years and having family on the Committee prior to that, she has observed that at times people use the open meeting law for personal vendettas. Ms. Butler stated that she did not agree with the by-law passed at the Town meeting. Ms. Butler stated that it is time to move on from these comments about the former library Trustees, and that these conversations are badgering people regarding open meeting law and meeting minutes, when all elected officials do their best.

Ms. Butler feels that continuing to promise these minutes to Mr. Keaney does not make for a favorable outcome and fears that the by-law will be used at a whim to ask people whether they will attend events sponsored by the Select Board and challenge those who do not attend the training. Ms. Butler stated that it is time to move forward and stop manipulating the open meeting law as a personal vendetta.

**3. CONSENT AGENDA**

The following items were on the consent agenda: acceptance of gifts, approval of signs for BOH's "Mask Up Dedham" campaign.

**A motion was made by Ms. Sullivan to approve the consent agenda as presented, which includes the acceptance of \$300 to the Endicott Estate from the Fairbanks Garden Club, and approval of signs for BOH "Mask Up Dedham" campaign. The motion was seconded by Mr. Coughlin. A roll call vote was taken:**

|                           |            |
|---------------------------|------------|
| <b>Dennis Teehan</b>      | <b>Yes</b> |
| <b>Dimitria Sullivan</b>  | <b>Yes</b> |
| <b>James A. MacDonald</b> | <b>Yes</b> |
| <b>Sarah MacDonald</b>    | <b>Yes</b> |
| <b>Kevin R. Coughlin</b>  | <b>Yes</b> |

**Motion passed unanimously, 5-0.**

**4. PROPOSED LANGUAGE CHANGES TO BIG BEAR LEGISLATION**

Ms. Baker stated that the only major exception to the language is the removal of the \$5,000 economic fund fee.

Mr. MacDonald has followed the legislation surrounding this matter. The Governor signed the bill for Legacy Place on December 7, 2020, which contains the economic fund fee. The bill for the Grateful Diner is still pending in the House and contains the economic fund fee. The economic fund fee was removed from the Big Bear Bill on October 22, 2020; the Representatives stated that this was a mistake and would have it returned.

Mr. MacDonald suggested that the Board not move forward with the request yet, as Grateful Diner and Big Bear can be completed at the same time. The Board agreed to table this item for now.

**5. REQUEST FROM TAC – TRAFFIC CALMING REQUEST FOR GREENLodge STREET**

Mr. Mammone, Town Engineer, stated that the Greenlodge Street traffic calming request was sent to TAC as is protocol. Unfortunately, they were unable to act on it under policy as this section of Greenlodge Street is considered a minor collector's roadway. These are thoroughfare routes that need to be considered on a case-by-case basis. The Select Board as road commissioners must examine these types of roadways. In the case of Greenlodge Street, it is also a sensitive roadway as it travels in front of an elementary school.

Ms. Sullivan stated that she is on TAC and attended the December 8, 2020 meeting. In subsequent conversations, TAC was examining the regulations and protocols. Ms. Sullivan stated that this was a grey area, especially being in front of a school and a street that is not as heavily used as some other streets. That drove the decision to present this matter to the Select Board.

Mr. Coughlin stated that, if this matter does go back to TAC, there was an extensive traffic study performed by the ECEC when there was consideration of combining the Greenlodge school with the ECEC, which may be helpful in determinations.

A motion was made by Ms. Sullivan to authorize TAC to evaluate the traffic calming request for Greenlodge Street under their purview. The motion was seconded by Mr. MacDonald. A roll call vote was taken:

|                    |     |
|--------------------|-----|
| Dennis Teehan      | Yes |
| Dimitria Sullivan  | Yes |
| James A. MacDonald | Yes |
| Sarah MacDonald    | Yes |
| Kevin R. Coughlin  | Yes |

Motion passed unanimously, 5-0.

6. **COMMITTEE APPOINTMENTS**

**Commission on Disability**

A motion was made by Mr. MacDonald to put forth all three applicants for nomination to the Commission on Disability. The motion was seconded by Ms. MacDonald. A roll call vote was taken:

|                    |     |
|--------------------|-----|
| Dennis Teehan      | Yes |
| Dimitria Sullivan  | Yes |
| James A. MacDonald | Yes |
| Sarah MacDonald    | Yes |
| Kevin R. Coughlin  | Yes |

Motion passed unanimously, 5-0.

The Board appointed Ms. Amy Doyle and Ms. Meaghan Moy to the Commission on Disability.

Mr. MacDonald stated that another posting is active for a position on the Commission on Disability.

**Dedham Westwood Water District (DWWD)**

A motion was made by Mr. MacDonald to appoint Mr. Robert Lexander and Mr. Eric Merithew to the Dedham Westwood Water District Commission. The motion was seconded by Mr. Coughlin. A roll call vote was taken:

|                    |     |
|--------------------|-----|
| Dennis Teehan      | Yes |
| Dimitria Sullivan  | Yes |
| James A. MacDonald | Yes |
| Sarah MacDonald    | Yes |
| Kevin R. Coughlin  | Yes |

Motion passed unanimously, 5-0.

**Active Transportation**

A motion was made by Mr. MacDonald to appoint Mr. Brian Plummer to the Active Transportation Working Group. The motion was seconded by Ms. MacDonald. A roll call vote was taken:

|                    |     |
|--------------------|-----|
| Dennis Teehan      | Yes |
| Dimitria Sullivan  | Yes |
| James A. MacDonald | Yes |
| Sarah MacDonald    | Yes |
| Kevin R. Coughlin  | Yes |

Motion passed unanimously, 5-0.

**Open Space**

Ms. Baker stated that there were no qualified applicants for the engineer position on the Open Space Working Group; therefore, this position will be re-posted.

Ms. MacDonald stated that there is no one on the Select Board who wishes to serve on the Open Space Working Group. She reached out to applicant Mr. Bob LoPorto to discuss him potentially acting as a Board liaison on the Commission. Mr. LoPorto agreed to act as Board liaison.

A motion was made by Mr. MacDonald to appoint Mr. Bob LoPorto to the Select Board position and Ms. Edith Graichen to the at-large position for the Open Space Working Group. The motion was seconded by Ms. MacDonald. A roll call vote was taken:

|                    |     |
|--------------------|-----|
| Dennis Teehan      | Yes |
| Dimitria Sullivan  | Yes |
| James A. MacDonald | Yes |
| Sarah MacDonald    | Yes |
| Kevin R. Coughlin  | Yes |

Motion passed unanimously, 5-0.

**7. ABANDONED HOUSING INITIATIVE**

Mr. Goodwin stated that the Board was forwarded a report outlining 18 properties, many of which have been remediated. Many of the properties are secure and are in the process of permitting and remediation. There are one or two that must be boarded, and two that should be referred to the Board of Health. This will commence the process for referral to the Attorney General's office.

Mr. MacDonald stated that one property on the list, 637 East Street, should be evaluated by the Board of Health. There is a very strict criteria for when a complaint can be issued on a property, and the Town of Dedham falls within the requirements to file a complaint. Mr. MacDonald recommended that the Board speak to Council about starting this process. Mr. Coughlin suggested that Mr. Goodwin speak with the property owner before a complaint is filed.

## **8. TOWN MANAGER'S PERFORMANCE EVALUATION**

Dr. Teehan previously distributed a copy of the Town Manager performance evaluation for the Board's review, which was a composite of the evaluations of all Board members. Dr. Teehan thanked Mr. Goodwin for the excellent service he has provided the Town.

Dr. Teehan presented the composite score for each metric, to a maximum score of five, as follows:

- Knowledge (4.75)
- Leadership (4)
- Communication (4.5)
- Human Relations (4.75)
- Planning (4.5)
- Initiative (4.5)

*ACTION – Dr. Teehan will sign Mr. Goodwin's evaluation and present it to him.*

Mr. Coughlin stated that he did not participate in this evaluation as he had spent such little time on the Board when it was issued; however, he agreed it as Mr. Goodwin is doing a fabulous job.

Ms. MacDonald expressed appreciation for Mr. Goodwin's positive attitude and ability to stay motivated. She referenced the practice of having the Board set goals for the Town Manager and inquired about this process. Dr. Teehan responded that it would be advisable for the Board to conduct a goal-setting session soon.

Mr. MacDonald thanked Dr. Teehan for preparing this evaluation and fellow Board members for providing an honest appraisal of Mr. Goodwin's performance. Mr. MacDonald stated that in all his time on the Board, this has been the most challenging year; however, the Town has continued to move forward and be responsive to residents. Mr. MacDonald stated that Mr. Goodwin has shown the Board that the right choice was made in appointing him as Town Manager.

Ms. Sullivan thanked Mr. Goodwin for all he has done during an extremely challenging time. She reviewed the Board's goals when completing this evaluation and Mr. Goodwin achieved many of those goals. Ms. Sullivan stated that Mr. Goodwin has balanced the tradition of this Town with moving it forward, and the open-door policy that he has involves active listening to all residents.

Mr. Goodwin expressed appreciation for the kind words and positive remarks from the Board. It has been his pleasure to work with the Board and serve the Town over these past months. Mr. Goodwin thanked Ms. Baker, who works tirelessly for the Town.

## **9. TOWN MANAGER'S REPORT**

Mr. Goodwin reported that there have been discussions on the FEMA and Caris funding received due to the pandemic. Many expenses that the Town was forced to undertake in response to COVID-19 were not included in the budget. There was \$263,000 left of the \$2.3

million from FEMA that needed to be finalized in the last stage of reimbursement; programs to this effect have now been set up for the month of January 2021.

Mr. Goodwin stated that a complication arose wherein many expenses that were initially deemed to be FEMA eligible were revoked when the guidelines changed in September 2020. This includes PPE for non-first responders (i.e., teachers and municipal employees), and preventative cleaning in schools and the Town building. For this reason, it is good that \$263,000 remains, as some expenses can be shifted under Caris funding to supplement the FEMA reimbursement. Mr. Goodwin is contacting federal staff to inquire why the change was made and if there is any leeway.

Mr. Goodwin stated that the Ames Building is getting closer to a final list of items to be completed by facilities.

Mr. Goodwin thanked all Town crews working on snow plowing during the recent storm, as there is a shortage in staff and equipment during COVID-19.

Mr. Goodwin stated that the Board had previously requested for bags to be put on the parking meters. MPS initially agreed to this but could not acquire a sufficient number of bags. As a result, the meters were reprogrammed to state that they are free at this time. Additionally, there will be no further warning letters issued regarding the meters. Mr. Goodwin reported that there will be a full package with roadmaps on the meters for Board review at the first 2021 meeting.

Mr. Goodwin reported that the Town should hear back by December 22, 2020 about the Dedham Square grant to make the temporary changes permanent in order to expand the sidewalks. If the grant is received, there will be a condensed timeframe for the project. The barriers and flooring were removed in the Square prior to the snowfall.

Ms. Sullivan inquired whether the Endicott Library will be opened for book drop-offs from the public. Mr. Goodwin responded that the Endicott Library is currently open to staff, but they have not yet implemented curbside service. Mr. Goodwin will speak to the Director about the plan to bring curbside service to the library.

## **10. OLD/NEW BUSINESS**

Ms. MacDonald thanked everyone involved in supporting the Youth Commission Gift Drive.

Ms. MacDonald thanked Norfolk in Dedham Insurance, who bought a couple hundred winter coats and worked in partnership with Dedham Community House and the Youth Commission to distribute the coats to families.

Ms. MacDonald reported that the Food Pantry is managing the Christmas holiday meal pickup and delivery on Sunday, December 20, 2020.

Ms. MacDonald stated that the next fundraising event for the COVID-19 Fundraising Committee will be the Virtual Dedham Crawl on January 2, 2021 at 7:00 p.m.

Mr. MacDonald thanked Mr. Rob Blaney and Mr. Chuck Dello Iacono for the work they have done this Christmas season.

Mr. MacDonald stated that the American Legion is accepting unwrapped toys until December 20, 2020.

Mr. MacDonald stated that Donahue Real Estate has an ongoing contest for Christmas lights, and he appreciates the amount of time people have spent to make their yards festive.

Mr. MacDonald and Dr. Teehan thanked the crews who have been clearing snow following the storm in the Town.

Ms. Sullivan stated that the lighting of the menorah occurred on December 15, 2020 and was a very nice event. Ms. Sullivan stated that she cannot wait to return to normalcy in the Town to undertake more of these events and she wished everyone a Happy Holiday season.

Dr. Teehan stated that this would typically be the meeting undertaken at the Endicott Estate, which is one of the highlights of the year as the hall is beautifully decorated for Christmas, and he looks forward to hopefully returning next year. He wished everyone a Happy Channukah, Merry Christmas, and Happy Holiday season, and stated that it is amazing what residents have done with decorations.

**11. MOVE TO EXECUTIVE SESSION**

**A motion was made by Ms. MacDonald to enter into executive session pursuant to M.G.L. Chapter 30A Section 21(a) Exemption 3 to discuss strategy with respect to litigation, aims, CTA, and ACMI, if an open meeting may have a detrimental effect on a litigating position of the public body and the Chair so declares. The motion was seconded by Ms. Sullivan. A roll call vote was taken:**

|                           |            |
|---------------------------|------------|
| <b>Dennis Teehan</b>      | <b>Yes</b> |
| <b>Dimitria Sullivan</b>  | <b>Yes</b> |
| <b>James A. MacDonald</b> | <b>Yes</b> |
| <b>Sarah MacDonald</b>    | <b>Yes</b> |
| <b>Kevin R. Coughlin</b>  | <b>Yes</b> |

**Motion passed unanimously, 5-0.**

Dr. Teehan stated that the meeting would be adjourned following the executive session.

**DISCLAIMER**

The above minutes should be used as a summary of the motions passed and issues discussed at the meeting of the Select Board. This document shall not be considered a verbatim copy of every word spoken at the meeting.

\_\_\_\_\_  
Director

\_\_\_\_\_  
Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date