

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

**MINUTES OF THE SELECT BOARD MEETING
VIA TELECONFERENCE
SEPTEMBER 9, 2021, 6:30 P.M.**

BOARD MEMBERS:

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

TOWN OF DEDHAM STAFF:

Leon Goodwin	Town Manager, Town of Dedham
Nancy Baker	Assistant Town Manager, Town of Dedham
Doreen Labrecque	Administrative Assistant, Town of Dedham

Minutes prepared by Abigail Pineda of Minutes Solutions inc. via an audio/video recording.

1. CALL TO ORDER

The Select Board recited the Pledge of Allegiance. Chair of the Select Board, Ms. Sullivan, called the meeting to order at 6:30 p.m.

The Chair requested a moment of silence for two long-time members of the Dedham Police who recently passed away, Mr. Larry Costello and Mr. Robert Nedder Senior. The Chair acknowledged that September 11 marks two decades since the event that changed the lives of many in the nation. We remember those killed or injured and thank the first responders and heroes who put their lives on the line every day for their communities.

2. DEDHAM CITIZENS - OPEN DISCUSSION

There was no open discussion.

3. PROCLAMATION – KNIGHTS OF COLUMBUS TOOTSIE ROLL DRIVE

Mr. Joseph Griffin, Deputy Grand Knight of Dedham Council #234 of the Knights of Columbus, was present requesting permission to collect donations to help the mentally challenged and disabled children of Massachusetts through the Tootsie Roll Drive. The Knights of Columbus has supported this cause for decades and is thankful for the Town's past support. It is looking forward to participating in this year's drive over the upcoming Columbus Day weekend.

The Chair proclaimed from the Town of Dedham Select Board, as follows: whereas since 1976, the Knights of Columbus Council #234 have been holding an annual Tootsie Roll Drive on behalf of the handicapped children of Massachusetts. Whereas this year's drive will commence on Friday, October 8 at noon and end on Monday, October 11 at 6:00 p.m. Whereas the Dedham

Knights of Columbus Council #234 appreciates the Board's support of the Council's charitable efforts. Now, therefore, we, the Select Board, do hereby extend our congratulations and gratitude to the Knights of Columbus Council #234 as it embarks on its annual Tootsie Roll Drive on behalf of the children of Massachusetts. Best wishes and continued success in the future. Given this 9th day of September 2021 under the signatures of the Select Board.

4. **TOWN MANAGER'S REPORT**

Mr. Goodwin presented the Town Manager's report.

Zoning and Code Enforcement Issues: A working group will be created to facilitate improvements on zoning and code enforcement; the working group will include the Town Manager, Director of Engineering, Director of Public Works, two members of the Select Board, Building Commission and a member of the Planning Board. The Chair stated that Mr. MacDonald and Ms. MacDonald would serve on the zoning and code enforcement working group.

An additional working group will also be created to discuss the transfer station and its future. The working group will include the Town Manager, Director of Engineering, Director of Public Works, two members of the Select Board, Building Commission, Director of the Planning Board, and Director of Assessing. Recommendations will be brought back to the Select Board for review. The Chair stated that Mr. MacDonald and Mr. Coughlin would serve on the working group.

Solid Waste: Work is being done on a report that will be presented at the next Select Board meeting on September 23.

Double Pole Update: A full update will be presented at the next Select Board meeting on September 23 or the first meeting in October. At the last meeting, there was a question about the Town's data entry into the system; since then, all assets have been updated and are now accurate.

Conservation Department Vehicle: Town Meeting had approved \$20,000 to purchase an electric vehicle for the Conservation Department and a 2021 Nissan Leaf has been obtained from the state bid list. This vehicle will be prominently lettered and will advertise zero emissions. A \$7,500 state grant was also received, and this grant will be used to install additional charging stations at Town Hall. The Public Safety Building plans also include charging stations as there is an expectation for more electric vehicles in the community.

MBTA Update: The MBTA is still reviewing plans sent to them for Crane Street. They are actively looking at the plans, and Mr. Goodwin will follow up with the residents to provide an update. Regarding the East Street Bridge, there are communications between the Director of Engineering and their outreach team. This will be added to the agenda of the next legislative meeting.

Code Enforcement Issue: Work is being done to obtain a demolition permit for the abandoned house on East Street. The property has been updated for hazardous materials, allowing for the demolition permit to be issued.

5. **PUBLIC HEARING – REQUEST FOR CHANGE FOR MANAGER FROM PAULA POST TO FRED PAHL FOR YARD HOUSE USA, INC. D/B/A YARHOUSE, 200 LEGACY PLACE**

Ms. Hayward and Mr. Pahl were not present for the public hearing.

6. CONSENT AGENDA

The following items were included in the consent agenda:

Drainlayers (A1 Pipe, Northern Construction, Michael Shea Co., & TOBAR), Block Party (Winstead Ave. 9/25, 3-6), One-Day Beer & Wine for Dedham Day (9/26, 12-6), Outdoor Service at Moose Lodge (9/19 & 10/2, 12-8), Bikes not Bombs Ride thru Dedham (9/12), Gift Acceptance (Outdoor Fitness Equipment & Picnic Table from Livable Dedham to Parks & Recreation), Manor Halloween Block Party/Trunk or Treat Event (10/16 w/ 10/17 rain date, 3-5), Constable Reappointment (Anthony Zollo), Request for Approval of Rain Dates for the painting of jersey barriers (9/19 & 9/26); Filming dates for Julia (9/10 & 9/13); Approval of Executive Session meeting minutes (7/18/19 & 8/29/19)

A motion was made by Ms. MacDonald to approve the consent agenda. The motion was seconded by Mr. MacDonald. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

7. CANDIDATE STATEMENTS – ZBA

There is one position for a five-year term and one position for a one-year alternate position open at this time. Mr. Greg Jacobsen is the incumbent and was the sole candidate for the five-year term. He introduced himself and expressed his interest in being reappointed to the ZBA.

A motion was made by Mr. MacDonald to approve the appointment of Mr. Greg Jacobsen to the five-year term on the ZBA. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

There are two candidates for the one-year alternate position on the ZBA: Mr. Andrew Tuccio and Mr. Allen MacDuffie. Both candidates introduced themselves and expressed interest in the one-year alternate position. The Select Board will vote at the next meeting.

8. DISCUSSION AND VOTE – TRAFFIC CALMING REQUEST RECOMMENDATION FROM TAC RE: CENTRAL AVENUE

This item will be postponed.

9. **ADDITIONAL ITEM: EVERSOURCE POLES**

A motion was made by Mr. Teehan to take an item not on the original agenda. The motion was seconded by Mr. Coughlin. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

Mr. Joe Flanagan provided an update on the Eversource poles installed at the sidewalk's edge at the Public Safety Building. The typical process is that Eversource would come on-site and plan where the poles will be located, but as the drainage line is tight, they will be doing an as-built plan. Mr. Joe Flanagan requested the Select Board's approval to proceed with an as-built plan.

A motion was made by Mr. MacDonald to approve an as-built plan for installing the Eversource poles at the Public Safety Building. The motion was seconded by Mr. Teehan. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

10. **DISCUSSION AND POSSIBLE VOTE WITH COMMISSION ON DISABILITY RE: COMMUNITY COMPACT GRANT AND LIGHTBOX PURCHASES**

Mr. John Tocci was in attendance at the meeting to present two petitions.

Community Compact: The Town of Dedham is requested to enter into a compact with the Baker-Polito Administration to adopt public accessibility best practices. This is a state program whereby the municipality executes a one-page contract with the state that they will adopt these best practices with no heavy lifting or financial burden on the Town. The Town of Dedham is one of a few towns that agreed to adopt ADA accessibility requirements in the 1990s; the Town has always been diligent in safeguarding the rights of disabled citizens and ensuring accessibility.

Ms. MacDonald asked about the full scope of best practices and how the community can prioritize and focus on those. Mr. Tocci advised that there are about 12 to 15 best practices and the Town can select one to enter into every two years. The Commission on Disability has sought public accessibility best practices for many years with attempts to obtain grants from the State's Office on Disability for construction and specific projects such as financing for the Riverdale School park and playground to be accessible. All of the categories of best practices can be reviewed online.

A motion was made by Mr. Teehan to approve the community impact grant. The motion was seconded by Ms. MacDonald. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

Light Boxes: The Commission on Disability is looking to purchase lightboxes to assist with anxiety and depression; these will be gifted to the Town and placed in public facilities such as the library or seniors center. There is currently no expertise on the Commission to determine the efficacy of the lightbox therapy, although it aims to be impactful for seasonal affective disorder.

The request is to put together a working group with medical professionals to determine the efficacy of the lightboxes. The Chair requested that a set of criteria be chosen for those who will make up this advisory board. The Chair also recommended that the Commission connect with the community liaison for Dedham Medical, which is now Atrius Health.

11. DISCUSSION AND VOTE WITH CHARTER STUDY COMMITTEE RE: FINAL RECOMMENDATIONS FOR FALL TOWN MEETING

The Chair of the Charter Study Committee, Mr. Carmen Delloiacono, called the Charter Study Committee meeting to order at 7:27 p.m. The following members of the Charter Study Committee were in attendance: Mr. Carmen Delloiacono, Mr. Tom Ryan, Ms. Michele Heffernan, Mr. Lance Hartford, Ms. Gemma Martin, Ms. Michelle Appuzio, and Mr. Andrew Haley. Attorney Lauren Goldman from KP Law was also in attendance.

A document was put forth by Ms. Goldman, which included one change to add recommendations from Chief James Driscoll regarding the appointment of town meeting members after elections. The paper follows the same format previously sent to the Select Board, which includes the changes to the Charter and recommendations to the Select Board. The Chair thanked the Charter Study Committee for completing the immense task of reviewing the Charter, especially with the challenges posed by the pandemic.

Ms. MacDonald asked if any items were not considered as they could not be changed. Ms. Appuzio responded that certain items in town meetings could not be changed as they are state-driven and state-mandated.

Mr. MacDonald how these recommended changes to the Charter will become law. Ms. Goldman responded that the Select Board would discuss which proposed amendments will be presented to the town meeting for consideration. Based on the Select Board's decision, warrant articles will be drafted accordingly. The less significant changes will be combined into one article, and the more substantial and substantive changes will be incorporated in a separate article.

Once the articles are presented at the town meeting, there is a requirement for a majority vote to seek special legislation to approve the changes that the town meeting would like. Once the majority vote is achieved, the clerk can forward any approved amendments, certified warrant articles, and certified copies of the votes to the state representative and state senator. Finally, a bill would be filed on the Towns behalf, which could take up to 12 months for the process to go forward.

Mr. MacDonald asked about the different procedures for charter changes and if there is a specific requirement or process to be followed. Ms. Goldman clarified that there is no requirement under state law or constitution for voter acceptance for a special act that the general court approves for a city or town; this is optional. The town meeting can decide if changes are subject to voter approval. The general court can determine if they want to ask the Town, and the Board has the discretion to approve the changes requested as long as they are not significant.

Mr. Goodwin thanked the Charter Review Committee for all of the efforts put into this review. After reviewing the recommendations from the Committee, the Town Manager's recommendations were provided to the Select Board via memo. All ministerial or minor changes should be adopted as they are well reasoned, add clarity to the document and fix outstanding issues. In addition, minor substantive changes related to the composition of the Housing Authority should be adopted.

Several significant substantive changes recommended by the Committee should be adopted, such as modifying the reporting and appointment structure of the last two departments. The Committee provided good recommendations to resolve these issues through the Charter to bring the Town in line with other communities who have adopted a town manager form of government.

As the Town has added centralized professionalized functions, it makes sense to have all departments come under the Town Manager to marshal those resources and ensure that the Town is growing in the right direction. As many department heads report to the Select Board, the Committee recommended adding precise requirements for department heads who work with policy-setting boards and committees to have frequent communication and diligently enact the policies or decisions of the boards and committees while working collaboratively with them.

Mr. Goodwin and the Select Board discussed goal setting and the option of adopting this via policy and providing training to department heads who can work with boards and committees to ensure that goal-setting comes up through the grassroots instead of coming through the Charter. Ms. MacDonald emphasized that goals help with decision-making and focus on the priorities; goal setting should be adopted as practice. Mr. Delloiacono echoed these remarks and identified the importance and benefit of goal setting.

Ms. Sullivan noted that some of the items from the memo and Mr. Goodwin's suggestions could move forward for presentation at the fall town meeting; other items that require further conversation can be vetted to determine how to move forward.

Ms. Sullivan asked about a proposed revision brought forward by the Chair of the Library Trustees in Section 3-7B, which strikes out the statement: *The Board of Library Trustees shall have general charge of the care and management of town libraries and all property of the Town related thereto.* The Charter Review Committee's recommendation was to remove the language as under state law (Chapter 78 Section 11), the Board of Library Trustees would maintain their powers and duties; therefore, it was redundant to keep it in the Charter.

Removing this statement does not take away the power of the Board of Library Trustees to control the library property as this statement relates particularly to the buildings and maintenance as opposed to the day-to-day management of operations.

When these changes are presented to the town meeting, there will be a complementary explanation of what each change means or entails. Ms. Goldman's definitions would also be part of the explanation of the changes and recommendations. Ms. Goldman also indicated that KP

Law can editorially add the state statute references as an addition to the Charter, not part of, so that the public can look at the relevant provisions on the general court's website.

A motion was made by Mr. MacDonald to accept, with thanks, the Charter Review Committee's report as filed. The motion was seconded by Mr. Teehan. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

A motion was made by Ms. Sullivan to approve all ministerial and clerical revisions recommended by the Charter Review Committee, including Sections 1-1, 1-7, 2-2, 2-9, 2-12, 3-2, 3-13; the minor substantive revisions recommended by the Charter Review Committee including Section 3-12; the major substantive revisions recommended by the Charter Review Committee including Sections 3-10C, 4-2B1, 4-2S and 6-7 as well as the proposal made to the Charter Review Committee by District Board Town Meeting Representative James Driscoll adopted by the CRC on September 1, 2021, regarding amendments to Section 2-7 filling a vacancy for town meeting representatives. The motion was seconded by Mr. Teehan. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

A motion was made by Mr. MacDonald to amend the motion to maintain the language in Section 3-7B to be included with the suggested changes put forth by the Chair. The motion was seconded by Ms. MacDonald. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

Mr. Delloiacono advised that one more meeting be scheduled to go over the final minutes and present them to the Town Clerk. A request will be put forward to disband the Charter Review Committee after the town meeting if there are any questions on the floor that the Committee can address as a group.

A motion was made by Ms. Martin to adjourn the Charter Review Committee meeting at 8:29 p.m. The motion was seconded by Ms. Appuzio. A roll call vote was taken:

Tom Ryan	Yes
Michele Heffernan	Yes
Lance Hartford	Yes
Gemma Martin	Yes
Michelle Appuzio	Yes
Andrew Haley	Yes
Carmen Delloiacono	Yes

Motion passed unanimously, 7-0.

12. **AUGUST 19, 2021 OPEN MEETING LAW COMPLAINT FROM BRIAN KEANEY RE: ALLEGED VIOLATION(S) OF OPEN MEETING LAW BY SELECT BOARD – REVIEW AND VOTE TO RESOLVE**

Mr. Goodwin advised that this item is about ten separate complaints submitted by Mr. Keaney. Under State Law, the Select Board has 14 business days to identify the complaint as an agenda item and vote on a response or action on that complaint. The Town Manager has reviewed each item and is working on the documents that are being requested. Mr. Goodwin has also met with Mr. Keaney to discuss the requests' status and acknowledged that additional work is required; a proposed deadline of the end of October was provided to get the minutes organized and in order as per Mr. Keaney's requests. All parties were in agreement with the proposed plan.

Mr. Goodwin reported that the meeting minutes are up-to-date, and Executive Session minutes are reviewed every quarter. The Town of Dedham continues to use Minutes Solutions Inc. to record meeting meetings. This is a practice that should be codified into a policy to institutionalize this. It was also noted for the Board to consider the disclosure of Executive Session minutes relative to collective bargaining as a policy in the future; this can be addressed later.

A motion was made by Ms. Sullivan to acknowledge receipt of the Open Meeting Law complaints filed August 19, 2021, by Mr. Brian Keaney relative to the Executive Session meeting minutes and direct the Town Manager to draft a response to the same. The motion was seconded by Ms. MacDonald. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

13. **PUBLIC SAFETY BUILDING UPDATE**

Mr. Goodwin provided an update on the Public Safety Building with the following highlights:

- Construction is progressing well
- Most of the decking has been laid

- The rebar is being laid, and the cement on the decking will be poured within the coming days
- The last piece of wall that remained open will be closed up in the next day or two; the forms are in place
- The foundation will be completed shortly
- Work will begin to trench for utilities on the first floor; conduits will be prepped before pouring the floor down
- The crew is working on Saturdays and extended hours to complete the work due to weather conditions
- The project remains on schedule and on target

14. OLD AND NEW BUSINESS

Mr. MacDonald thanked Mr. Ken Semino for getting the grass cut on the property on Pilot Avenue. Mr. MacDonald also thanked Mr. Flanagan regarding the resolutions to the issues with the property owners regarding the work being done on Bridge Street. Those issues have been resolved amicably with the property owners.

Mr. MacDonald also raised an issue regarding the double poles on Bridge Street. The second poles have been cut and attached to the new poles to pour the new sidewalks. This item should be added to the list of what was to be delivered.

Mr. MacDonald congratulated Deputy Chief Fred Loewen, who is retiring after 34 years of service with Dedham Fire.

Ms. MacDonald reported that the work on the master plan is almost complete. Work was done over the summer months regarding strategies and recommendations. This fall, the group will be entering a phase of community engagement. Invitations will be distributed for a virtual community open house to engage in conversations about recommendations proposed for the master plan. There will also be office hours with a planner for the community to ask questions about policies or issue areas that the public may show interest in. There will be a final survey and community celebration when the master plan is complete.

Mr. Teehan advised that the Dedham Square Planning Committee is holding a planning seminar on September 14 to discuss what is coming next for 600 High Street, the former police station site that is to be repurposed. Posters are on the Town's website to preview the options that the Committee is considering for the site. This is an opportunity for the public to hear the presentation and provide feedback on this critical decision.

Ms. MacDonald noted that the Planning Board announced the next hearing regarding the Amazon request on September 22 at 6:00 p.m.

Ms. Sullivan announced that the Dedham Fire Department would be conducted a memorial ceremony on September 11 in remembrance of the victims of the attack. This will be held in front of the fire headquarters at 9:45 a.m. The community is invited to attend. The Chair thanked the Chief and Fire Department for putting this event together.

15. EXECUTIVE SESSION AND ADJOURNMENT

The next Select Board meeting is scheduled for September 23.

A motion was made by Mr. MacDonald to enter into Executive Session under MGL c.30A Sec. 21(a) Exemption 3 to discuss strategy concerning collective bargaining and potential and ongoing litigation (CTA and J&J Arms) if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares. The motion was seconded by Ms. MacDonald. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

DISCLAIMER

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

Director

Director

Approved 11/18/21

Date

Date