

**SELECTMEN'S RECORD**  
**November 28, 2016**

**ATTENDANCE AND CALL TO ORDER**

The meeting was called to order at 7:30 p.m. in the Selectmen's Meeting Room at Town Hall by Chairman Nancy Hyde. Also present were: Selectmen Michael Walsh, Selectmen John Hickey, Town Administrator Michael Jaillet and Town Counsel Tom McCusker. Christine McCarthy was present to record the minutes.

N. Hyde led the Pledge of Allegiance.

N. Hyde asked if anyone wishes to record the meeting and granted permission to WestCAT to record.

**CHAIRMAN'S UPDATE**

**Annual Tree Lighting Ceremony**

The Board of Selectmen would like to invite all residents to the Town's 29th Annual Tree Lighting Ceremony which will be held this Sunday, December 4th beginning at 4:00pm in front of Town Hall.

There will be hot chocolate, cookies, dance performances, stilt walking elves, Town Hall gingerbread house contest, and a special guest appearance. This year, the Town will honor Miss Gen's Kindergarten Class from Downey School from who will help with the countdown to flip the switch

**East Street Bridge MBTA Public Meeting 30% Design**

A public information meeting will be held by the Massachusetts Bay Transportation Authority (MBTA) on Wednesday, November 30, 2016 at 7:30 PM in the Downey School Cafeteria, 250 Downey Street, Westwood MA, relative to the design and proposed replacement of the Franklin Line Bridge over East Street. The scope of the project includes full replacement of the bridge, including roadway improvements.

If you need a reasonable accommodation (such as American Sign Language interpreters, assistive listening devices, handouts in alternate formats, etc.) and/or language assistance to fully participate, please submit your request to Trish Foley at [trish.foley@state.ma.us](mailto:trish.foley@state.ma.us) or (857) 368-8907. We request that you provide a 7 day notice so that proper arrangements may be made.

## **SCHEDULED ACTION**

### **Continued Public Hearing – License Renewals**

The Board of Selectmen as the Local Licensing Authority (LLA), reopened this second of the three scheduled public hearings to consider renewal of some Taxi Licenses for the 2017 calendar year.

The following Taxi License Renewals have completed all requirements:

Kingsley Ofosu Ampofo *dba* Kings Taxi Service (1 vehicle)  
Salah Almosawi *dba* Alpha Taxi Service of Westwood (2 vehicles)  
Khalil Touma *dba* Family Taxi (2 vehicles)

**M. Walsh moved to approval the renewal of the following Taxi Companies – Kingsley Ofosu Ampofo *dba* Kings Taxi Service for one (1) vehicle; Salah Almosawi *dba* Alpha Taxi of Westwood for two (2) vehicles; and Khalil Touma *dba* Family Taxi for two (2) vehicles through December 31, 2017. J. Hickey Seconded. Unanimous Vote: 3-0**

### **Public Hearing – Class II Auto Wholesale Only License – Lamarr Jones *dba* Hudson Auto Detail**

The Board of Selectmen as the Local Licensing Authority (LLA) opened a public hearing to consider an application submitted by Lamarr Jones, d/b/a Hudson Auto & Detail for a Class II, Auto Dealers License, for Second-Hand Motor Vehicle Sales – Wholesale Only, via the web from his office located at 1200 East Street.

Janice Barba, Licensing Coordinator, report that Lamarr Jones is a Dedham resident, currently operates “Mr. Window Cleaning” a residential and commercial window cleaning business located at 1200 East Street. Mr. Jones has received written permission of the property owner, from who he rents office space for the window cleaning business to use 1200 East Street as the address for the proposed second hand motor vehicle sales business, Hudson Auto & Detail. This internet-based business will not affect the existing uses at 1200 East Street; no exterior signage is proposed and cars for sale will be prepared for sale, serviced and parked off-site at A1 Auto Body Collision, Inc. in Stoughton.

J. Barba reported that Mr. Jones stopped by her office today to inform her that he had received permission from the property owner at 1200 East Street to store vehicles for sale there. J. Barba reviewed on the usage of that property and that use is not allowed as Prevett Oil had a site plan review in 2010 for a garage and the uses were cited for uses only for Prevett Oil. In 2015, the EIDR was amended to add an apartment for a night watchman and the condition was amended to allow for the apartment upstairs but no other uses.

N. Hyde responded that the Board will deal with the license that is before it.

N. Hyde stated that the application looked as if it were a business operating in Stoughton with a computer or laptop in Westwood.

Mr. Jones responded that he was allowed to store cars at that repair facility in Stoughton.

Chief Jeffrey Silva added that if the Board voted to grant the license there were still time to complete his investigation. Therefore, he would not be able to issue the recommendation at this time.

N. Hyde asked why Mr. Jones was applying for a license in Westwood and not Stoughton? Mr. Jones responded that he currently has a business in Westwood and that is where he is every day and just the storage and mechanic is in Stoughton. He is doing this because his window business is seasonal.

N. Hyde stated that it was unusual that a business that was split between two communities where the product was not in Westwood.

M. Walsh moved to deny the license. J. Hickey Seconded.

N. Hyde suggested to Mr. Jones that before the Board vote, that he consider either reapplying for a business that is in Westwood or receive a denial of the license.

Mr. Jones implied he needed to get a storage facility in Westwood. N. Hyde responded that the Board would consider the application but still needed the Police Chief to provide his recommendation as he would do for any license.

N. Hyde gave Mr. Jones the option to take a few minutes to consider his options (see page 5).

## **NEW BUSINESS**

### **Traffic Rules and Orders – No Parking on Station Drive**

The Police Chief Jeffrey Silva and Public Safety Officer Sgt. Paul Sicard recommended the following addition to the Traffic Rules and Orders:

Add to Schedule 1

Street:	Side:	From:	To:
Station Drive	Both	University Ave	Harvard St

While Gables was under construction, workers were parking on Station Drive. After the Gables opened, residents continued parking there. The Town asked the Gables to tell its residents not to do so and it complied. That coupled with the All Night Parking ban seemed to resolve the issue. Recently a few cars started parking on Station Drive again at various times during the day. About two weeks ago the Gables started a towing policy in which cars parked in the visitor lot (over near Marshalls) would be towed if they didn't have a visitors pass. This includes Gables residents.

As a result, numerous cars are now parking on Station Drive. The other night Officer Aylward counted 22 cars parked on Station Dr.

Jack Lopes from Eversource asked how long it would take to implement the No Parking on Station Drive? The Board responded only a few weeks to allow for the installation of signs and for Gables to notify its residents.

**M. Walsh moved to amend the Traffic Rules and Orders, specifically Schedule No. 1 – No Parking – to include either side of Station Drive from University Avenue to Harvard Street and install signage on the street. J. Hickey Seconded. Unanimous Vote: 3-0**

## **SCHEDULED ACTION**

### **Appointments**

#### Dedham Westwood Water Commission

Gary Yessaillian who has resided and has raised his family in Westwood, is interested in being appointed to the Dedham Westwood Water District Commission. Gary has worked at Cisco Systems Incorporated for the past 16 years and currently is a Global Partner, Marketing Senior Manager; where he leads a team of seven marketers that aligns with Cisco's top global partners. Gary has a Master's Degree in Business Administration Olin School of Business, Babson College and a Master of Science and a Bachelor of Science from Northeastern University. Gary has previously served on the Business Development Advisory Board including the years the town was engaged in the negotiation discussion of Westwood Station and subsequently the later discussion of University Station.

**M. Walsh moved to appoint Gary Yessaillian as a member of the Dedham Westwood Water Commission for a term to expire on December 31, 2018. J. Hickey Seconded. Unanimous Vote: 3-0**

## Pedestrian and Bicycle Safety Committee

James (Jim) McLaughlin moved to Westwood a year ago from Milton, with his wife who was born and raised in Westwood. Jim has a Juris Doctorate from Suffolk University Law School and has worked as an Assistant District Attorney in the Norfolk County's District Attorney's Office for five years, an Associate Attorney at Morrison Mahoney for a year and a half, and most recently an Associate Attorney at Kopelman and Paige a Law Firm that specializes in representing municipalities.

**M. Walsh moved to appoint James McLaughlin as a member of the Pedestrian and Bicycle Safety Committee for a term to expire June 30, 2019. J. Hickey Seconded. Unanimous Vote: 3-0**

### **Summary of East Street Bridge Design**

Town Staff recently met with MBTA Representatives and its consultant engineers from VHB to review and discuss the 30% Bridge Design. The MBTA has scheduled to hold a public information session on November 30<sup>th</sup> at the Downey School at 7:30 pm, to present its Bridge Design and Construction Plans.

The goals of the project are twofold. 1. To improve the vertical clearance beneath the bridge by minimizing the structures depth, lowering the roadway surface, and raising the tracks. 2. Improve the roadway width by straightening out the roadway alignment, providing two travel lanes with appropriate shoulder space, and installing two sidewalks.

The existing condition of the East Street Bridge which was built in 1911 is a two track structure with a vertical clearance of 10'6 and narrow roadway and single 3 ½ foot wide sidewalk. Since 2009 there have 81 reported accidents of two types - with trucks that require a larger vertical clearance of 10'6 and vehicles that strike the granite curb and bounce into oncoming traffic or the opposite bridge abutment.

In order to improve the bridge clearance the engineers were limited to the vertical height in which they could raise the tracks because of the impact it would have on Islington Station. In order to accomplish the objective the engineers have selected a bridge construction that would minimize the depth of the bridge structure and maximized the lowering of the roadway surface. As a result the bridge is designed to provide a 13'6 clearance which is a foot less than the minimum standard clearance of 14'6 generally required by MassDOT.

The bridge design also provides sufficient width to realign the roadway and provide travel lanes in each direction that include bicycle lanes and five and a half foot sidewalks.

Construction is expected to begin in the Spring of 2018. It will require temporary easements on either sides of the bridge and along the railroad tracks, including a staging area on the third base side of the little league field, where the temporary fire station is currently located. Although the plan is to stage the construction to maintain through access under the bridge during construction, as well as commuter rail service over the bridge, there are times when detours will need to be implemented, especially during weekends, when the bridge will be lowered into place.

The actual construction staging will be broken up into accelerated bridge construction techniques with weekend shutdowns.

- Will raise the tracks on either side of the bridges in a series of bridge shutdowns 4-7 weekends.
- They will slide the new bridges into track profiles, over a weekend requiring closure of both the track and roadway.
- They will also have additional weekend shutdown of the roadway to complete the roadway work, including installation of curbing, sidewalks, paving, etc.

Currently the design phase of the project will continue through July 2017, construction and procurement will be between August 2017 – December 2017 with a notice to proceed and approval contract from December 2017 – Spring 2018, with bridge installation during the Summer and Fall 2018.

The State has guaranteed that it will fund the design and construction of roadway and the MBTA indicated that the current truck exclusion of 2.5 tons on East Street will remain in effect after the reconstruction of the bridge.

Paul Kelly, 107 Willard Circle, expressed concerns about flooding situation at Willard Circle and asked that the Town could represent the neighborhood and ensure the storm water and drainage was addressed. He is unable to attend the meeting on Wednesday.

N. Hyde asked Mr. Kelly to put his concern in writing so it can be forwarded to the MBTA.

## **SCHEDULED ACTION**

### **Public Hearing – Class II Auto Wholesale Only License – Lamarr Jones *dba* Hudson Auto Detail**

Mr. Jones asked that his application be put on hold and stated he would reapply at a later time.

The Board did not vote and stated he could reapply.

## **NEW BUSINESS**

### **October Budget to Actual Report**

The budget to actual report was prepared and presented each month to the Board of Selectmen in order to track how actual results compare with budget to ensure the budget is not over expended.

The update includes budget items that have changed over time. N. Hyde asked for clarification on the authority for the Audit Committee to approve budget items for the student activities audit required by the Department of Education (DOE).

**M. Walsh moved to transfer from the Selectmen Reserve Fund \$5,000 for the SEIU Contract increases and \$5,800 for the SEIU position reclassifications. J. Hickey Seconded. Unanimous Vote: 3-0**

### **Energy Manager Contract**

The Board was asked to review the terms of a contract with Thomas Philbin, the Town's Energy Manager which is due to expire December 31, 2016. M. Jaillet requested that the Board consider changing the contract from a calendar year contract to a fiscal year contract (end June 30, 2018).

The funding being asked would fund the position through the remaining fiscal year (June 30, 2017) and the funding for the position will then be budgeted for in the FY18 budget.

Tom Philbin provided a list of achievements to the Board.

Energy Manager 2017 Goals include, but are not limited to:

- Phase 2 Solar Panels on Municipal Buildings
- 4-6 Charging Stations in Town (GC)
- HS and Thurston LED Conversion: (GC)
  - HS and Thurston are 50% Town Energy
- HS/Thurston Lighting Controls (GC)
- Additional Electric Vehicle's or Plug in Hybrid Electronic Vehicles
- Air Quality System at Martha Jones (GC)
- LED Conversions for all athletic Fields and, if approved, tennis courts
- Explore use of Street light fixtures capabilities to provide wireless communications network.
- Miscellaneous: Library, Power Negotiations

**M. Walsh moved to transfer from the Selectmen Reserve Account \$53,000 to fund the Energy Manager Contract through June 30, 2018; and to extend the contract with the Energy Manager, Thomas Philbin through December 31, 2017; and for the position to be included in the DPW budget for the next fiscal year. J. Hickey Seconded. Unanimous Vote: 3-0**

**Open Annual Town Meeting Warrant**

Spring Town Meeting will be on Monday, May 1, 2016. Annually, the Board of Selectmen opens the Town Meeting Warrant through the final month of the calendar year for any and all articles that may be proposed for consideration at the Annual Town Meeting in addition to the standard business articles.

Petitioners are encouraged to present and review a draft of their petition language with the Finance and Warrant Commission, Selectmen and/or Town Counsel before obtaining signatures to ensure that the petition can be acted upon by Town Meeting. Traditionally, the Board of Selectmen accepts all articles submitted by a majority vote of any committee, commission, or board.

**M. Walsh moved to open the Town Meeting Warrant for the 2017 Annual Town Meeting and indicated the Board plans to close the warrant at its first meeting scheduled for January 9, 2017. J. Hickey Seconded. Unanimous Vote: 3-0**

**OLD BUSINESS**

**WestCAT Transfer of Funds**

The Board of Selectmen negotiated payments from Comcast and Verizon in the license agreements for funds to be received by the Town and transferred to WestCAT, the Town’s local access television channel. Per the agreement between the Town and WestCAT, the Town agreed to transfer these funds (Pursuant to §8(2) of WestCAT Agreement within 30 days of their receipt).

From	Amount	License/Section Reference	Date Received by Town
Comcast	\$19,702.88	§6.4(a)(i)	November 7, 2016
Comcast	\$3,152.52	§6.5(b)	November 7, 2016
Verizon	\$10,351.87	§5.2.2	November 15, 2016

**M. Walsh moved to transfer \$19,702.88 (Comcast), \$3,152.52 (Comcast) and \$10,351.87 (Verizon) totaling \$33,207.27 to WestCAT per the Comcast and Verizon License Agreements and the WestCAT Agreement signed by the Board of Selectmen. J. Hickey Seconded. Unanimous Vote: 3-0**



## **Regular Minutes**

*October 17, 2016*

**M. Walsh moved to approve the Regular Minutes of October 17, 2016 as amended. J. Hickey Seconded. Unanimous Vote: 3-0**

### **OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD**

N. Hyde asked if there was any other business that may properly come before the board?

### **PUBLIC AND PRESS**

N. Hyde asked if there were any questions from the public or press?

### **EXECUTIVE SESSION**

**M. Walsh moved to go into Executive Session to discuss one issue related to collective bargaining with the Police Association of which would have a detrimental effect on the position of the governing body if discussion were in open session. The Board will not be returning to open session. J. Hickey Seconded. Unanimous Vote: 3-0**

**M. Walsh, aye. J. Hickey, aye. N. Hyde, aye.**

The next Board of Selectmen meeting will be held on Monday, December 12, 2016 at 7:30pm.

**M. Walsh moved to adjourn. J. Hickey Seconded. Unanimous Vote: 3-0**

**M. Walsh, aye. J. Hickey, aye. N. Hyde, aye.**

The meeting was adjourned at 8:38 p.m.

Initial after reviewed

A handwritten signature in black ink that reads "Michael J. Jaillet". The signature is written in a cursive style with a large, sweeping initial "M".

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M. Jaillet  
Town Administrator

## *LIST OF DOCUMENTS*

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Board of Selectmen  
11/28/2016 Selectmen's Meeting Room  
Regular Meeting

### **CHAIRMAN'S UPDATE**

- Invitation (PDF)
- East St Bridge Public Mtg Flyer\_11-30-16.pdf (PDF)

### **SCHEDULED ACTION**

- Application - Hudson Auto & Detail (PDF)
- Board of Selectmen Public Hearing November 28, 2016 LAMARR JONES (PDF)
- Yessaillian Resume 07-2015.pdf (PDF)
- James McLaughlin.pdf (PDF)
- Microsoft Word - BWH -- pros and cons - final with all edits 111716 (PDF)
- Microsoft Word - Dan's Letter on Universtiy Station Housing (PDF)
- BWH PILOT Revised 112316 CLEAN (DOC)
- Brigham and Women's Hospital Powerpoint (PDF)

### **NEW BUSINESS**

- October 31 Budget to Actual.pdf (PDF)
- MMPASurveyResponses2016.xlsx (PDF)
- Energy Manager Agreement 112816.doc (PDF)
- Email from Eversource related to Parking on Station Drive (PDF)
- Station Drive - No Parking Request Pictures (PDF)