A meeting of the Board of Selectmen was held on Thursday January 10, 2019, 7PM, in the Francis O’Brien Meeting Room, 26 Bryant Street, Dedham, Massachusetts

Present were:

James A. MacDonald – Chair

Brendan G. Keogh - Vice Chair

Dr. Dennis J. Teehan Jr.

Michael L. Butler

Dennis J. Guilfoyle

Mr. MacDonald called the Meeting to order at 6:35 pm

**Pledge of Allegiance**

Led by Mr. MacDonald

**Dedham Citizens Open Discussion**

Rita Mae Cushman informed all that she was honored by the Selectmen recognizing her

45 years of decorating her house over the Holidays. She thanked the Selectmen for such an honor and also thanked everybody for coming to visit her house to see the lights and decorations.

**Official Swearing-In of Police Officer Joseph Frasca**

Chief D’Entremont and Deputy Chief Buckley were present.

Chief D’Entremont introduced Ofc. Joe Frasca. Chief D’Entremont informed all that Ofc. Frasca is a 2008 graduate of Dedham High School and completed a certificate in Automotive Diesel Industrial Technology at Universal Technical Institute. Chief D’Entremont added that Ofc. Frasca joined the Navy for four years and was discharged in January 2017. Chief D’Entremont continued, saying that Ofc. Frasca held the position of Damage Controlman Petty Officer. Ofc. Frasca received several awards and ribbons. Chief D’Entremont read a list of Mr. Foster’s compliments. Chief D’Entremont informed all that Ofc. Frasca is working on an Associate’s Degree in Criminal Justice at Mass Bay Community College. Ofc. Frasca graduated from the Randolph Police Academy on December 20, 2018, where he earned his class’s Academic Excellence Award. Chief D’Entremont stated that so far Joe’s doing a great job in field training, having responded to 115 calls.

Paul Munchbach, Town Clerk, swore in Ofc. Frasca.

The Board of Selectmen took turns congratulating Ofc. Frasca telling him it is a great honor to serve the same Town that you grow up in. The Selectmen urged Ofc. Frasca to be careful and to listen to his training officers and his superiors as the job is much different now than in years past. They all hope that Ofc. Frasca has a successful career and enjoys his retirement.

Ofc. Frasca thanked everyone for having them at the meeting tonight. Ofc. Frasca introduced his wife, Kelsey and informed all that she is pregnant with their first child. Ofc. Frasca continued introducing the rest of his family.

**Discussion & Vote Re: Appointment of Democratic Registrar, Approval of Election Wardens and Increase for Election Workers**

Ms. Baker informed all that her office received letters from both Mr. Tocci and Mr. Coughlin removing their names from consideration. The name remaining for consideration to the appointment is Cheryl Schoenfeld.

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

Paul Munchbach, Town Clerk, swore in Ms. Schoenfeld.

Ms. Schoenfeld informed all that as a result of this appointment she will be resigning as Chairman of the Democratic Town Committee, Chairman of the Precinct Chairs and Chairman of her Precinct.

Paul Munchbach, Town Clerk, stated that his request this evening is for the Board renew the vote for the Precinct Wardens.

Precinct 1 – Patricia Ford

Precinct 2 – Michael Humphrey

Precinct 3 – Barbara Anne Guilfoyle-Goodhue

Precinct 4 – Robert Frasca

Precinct 5 – Carolyn McGillicuddy

Precinct 6 – Mary Ann Molloy

Precinct 7 – Sheila Becker

Dr. Teehan moved to approve the Wardens in Precincts 1, 2, 4, 5, 6 and 7 in accordance with the state statute; seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

Mr. Butler moved to approve the Wardens Precinct 3 in accordance with the state statute; seconded by Dr. Teehan. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, abstained, Mr. MacDonald, yes.

Mr. Munchbach informed all that the Board of Selectmen set the pay rate for our Election workers. Mr. Munchbach added that currently there are close to 60 Election workers. Mr. Munchbach stated that he is asking for a rate increase for Poll Workers, conducive to what other Towns are doing. Mr. Munchbach continued, saying that would be about a $1050 per election.

Mr. Keogh moved to raise the pay of Election Workers as follows. Wardens – $215 per day, Clerks $190 per day, Inspectors $170 per day; seconded by Mr. Butler. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, abstained, Mr. MacDonald, yes.

**Discussion & Vote Re: Approval of Signs & Banner for Avery School Discover Summer Camps & Activities**

Ann Stevens was present before the Board. Ms. Stevens informed all that she is present representing the Avery PTO. Ms. Stevens added that she is a co-president of the PTO for the Avery School. Ms. Stevens continued, saying that this is the fifth year hosting the camp fair. Ms. Stevens informed all that this is their largest fundraiser and the goal of the fundraiser is to use the money to facilitate programs at the Avery that they may not be able to run otherwise specifically Cultural Enrichment and things of that nature. Ms. Stevens added that they would like to put up the following banners and signs to promote the camp fair:

**Street Pole Banner**

* High Street, between odd Fellows Hall and old Christian Science Church for a little over a month before the event.

**Staked Signs (lawn signs)**

* High Street – E. Dedham Sq.
* VFW Parkway – Washington St., Rotary
* corners of common Street and Bridge Street
* intersection of Washington Street and Court Street
* corner of Eastern Avenue in Providence Highway
* traffic island at the intersection of Bridge Street and Pine Street (near gas station)
* traffic island at the intersection of Lyons Street and West Street (near Dedham medical)
* Endicott Rotary
* Oakdale common

**Sandwich Board Signs**

* Sidewalk at entrance of Keystone Lot
* Corner of High and Washington streets. Near La Luce pastry shop

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

**Discussion & Vote Re: Annual Egg Drop**

Kelley Pimlott from Encounter Church was present before the Board. Ms. Pimlott stated that she is asking for the Board’s approval for the Egg Drop event they have done for the past three years. Ms. Pimlott added that they’re looking to hold the event on April 6, with a rain date of April 13. Mr. Pimlott continued, saying that they have received permission from Bob Stanley and the Parks and Rec. Department as well as Chief Spillane and Chief D’Entremont.

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.

**Discussion & Vote Re: Change in Beneficial Interest for Legal Sea Foods, LLC**

**d/b/a Legal Sea Foods, 736 Legacy Place**

Ms. Baker informed all that this is a filing that is done by the ABCC in several different locations on behalf of Legal Sea Foods. Ms. Baker added that this is a change of officers and directors and there is no financial change.

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.

**Discussion & Vote Re: Change of Manager for Shake Shack Legacy Place**

**Dedham LLC d/b/a Shake Shack, 226 Legacy Place**

Atty. Michael Brangwyn, on behalf of Shake Shack, was present before the Board. Attorney Brangwyn Introduced Will Spofford, the proposed new Manager of Record. Atty. stated that Mr. Spofford has worked at the Legacy Place location since October 2017, in managerial capacity. Atty. added that Mr. Spofford is currently acting general manager. Atty. continued, saying that Mr. Spofford has a background in both at Shake Shack and at his previous employment, the Clam Shack in Kennebunkport Maine overseeing the service of alcoholic beverages. The Attorney informed all that Mr. Spofford has both TIPS ServeSafe Certifications. Atty. stated that Mr. Spofford is familiar with Dedham’s Rules and Regulations as well as the States.

Mr. Guilfoyle asked Mr. Spofford if he had ever been a manager of record.

Mr. Spofford answered no.

Mr. Guilfoyle asked Mr. Spofford if he was familiar with the rules and regulations of Dedham regarding the service of alcohol.

Mr. Spofford answered yes sir.

Mr. Guilfoyle urged Mr. Spofford to reach out to Sgt. Clements,Dedham’s alcohol enforcer.

Dr. Teehan stated that he is much more comfortable when a new manager of record has experience being a manager of record. Dr. Teehan added that this is a big job especially for someone without experience but that does not mean they can’t do the job. Dr. Teehan urged Mr. Spofford to take this appointment seriously as you will be responsible for everything that happens in the restaurant, good and bad.

Mr. Butler asked Mr. Spofford if while working at the Clam Shack did you ever have any customers that had too much to drink.

Mr. Spofford answered yes.

Mr. Butler asked Mr. Spofford what he did.

Mr. Spofford answered that he is familiar, from his TIPS training, with the signs of when a guest has had too much to drink. Mr. Spofford added that the next step would be to escort the patron out of the restaurant.

Mr. Butler asked Mr. Spofford what the demographics at Shake Shack are.

Mr. Spofford answered that it is a wide range, from kids to adults.

Mr. Butler stated that he would’ve thought that the demographics skew towards teenagers and younger kids.

Mr. Spofford stated that Shake Shack does get a lot of teenagers dropped off by their parents and younger children as well but they have a very strict carding policy. Mr. Butler informed Mr. Spofford that had 12 different businesses fail compliance checks this past December. Mr. Butler added that in 2017 there were 11.

Mr. Butler asked Brangwyn when the previous manager left.

Atty. Brangwyn stated that the previous Manager of record made the corporate office aware of his departure in late November that he would be leaving for a position in Florida. Atty. Brangwyn added that he believes they submitted an application in late November and this was the earliest meeting they could attend. Atty. Brangwyn stated that he does not know exactly when he left for a job in Florida and believes that all the necessary steps have been taken to make this a seamless transition.

Mr. MacDonald stated that as long as you check IDs and do the right thing you will be fine. Mr. MacDonald added that the customers overserved in another establishment and walks into your place the best thing to do is to call the Police.

Dr. Teehan urged Mr. Spofford to card everyone.

Mr. Spofford informed all that the cash POS reminds the Server to ask for ID.

Mr. Guilfoyle moved approval of Will Spofford as the Manager of Record for Shake Shack – Legacy Place; seconded by Dr. Teehan. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

**Discussion & Vote Re: Call for Hearings for Failed Compliance Checks for Plaza Liquors, TGI Friday’s, Waterfords, Stop & Shop, Showcase Cinemas, Temazcal, Moseley’s, Dedham Square Coffeehouse, Café Tremezzo, Oscar’s, Hilton at Dedham, and VFW Post No. 2018**

Ms. Baker informed all that on the evening of December 6, the Dedham Police Department conducted compliance checks and unfortunately the following businesses failed:

Plaza liquors

TGI Friday’s

Waterford’s

Stop & shop

Showcase Cinemas

Temazcal

Moseley’s

Dedham Square coffeehouse

Café Tremezzo

Oscar’s

Hilton at Dedham

The VFW post No. 2018

Dr. Teehan moved to call for hearings at a scheduled time to be determined; seconded by Mr. Guilfoyle. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

Mr. Guilfoyle recommended that the Board only schedule as many as four of these compliance hearings per meeting.

**Discussion & Vote Re: Hearing w/ Joe’s American Bar & Grill for Failure to Maintain Approved Manager of Record**

Ms. Baker informed all that the Board received an incident report from Sgt. Clemens and Deputy Chief Buckley. Ms. Baker added that this is a result of a call that the Police Department made to Joe’s Bar and Grill. Ms. Baker continued, saying that during the investigation it was determined that they were not up to date with their manager of record and we do not, as of yet, have an application filed to deal with the change of manager.

Dr. Teehan stated that it is very important to have an up-to-date manager of record. Dr. Teehan added that this Board takes this issue very seriously.

Mr. Guilfoyle moved that the Board call for a hearing to discuss the Change of Manager issues with Joe’s American Bar & Grill; 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 to take an item not on the agenda; seconded by Dr. Teehan. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

Dan O’Neil was present before the Board. Mr. O’Neill stated that he is planning to have a two-mile children’s race on March 30, in East Dedham. Mr. O’Neil added that the race will be open to all elementary and middle school students. Mr. O’Neil informed the Board that the race will begin and end at Condon Park.

Mr. Guilfoyle moved approval; seconded by Mr. Keogh.

Mr. Guilfoyle informed all that as in the past, Mr. O’Neil will be looking for volunteers.

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

**Discussion & Vote Re: Date to Close Warrant for 2019 Spring Annual Town Meeting**

Ms. Baker stated that she is recommending to the Board a date of February 8, 2019 to close the warrant for the 2019 spring Town meeting, to be held on Monday, May 20,

2019. Mr. Guilfoyle moved approval; seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes.

**Vice Chairman’s Report**

Mr. Keogh spoke about the abandoned housing initiative. Mr. Keogh stated that there are four properties in litigation.

26 Woodland St.

* Court has appointed a receiver
* Jan 4, court approved preliminary budget
* hope to start working on property soon

66 Lancaster Rd.

* Has Court Appointed Receiver
* Hearing set for Feb. 8, 2019
* preliminary broker price opinion for the property

22 Harding Ter.

* Deutsche Bank looking to sell the property

132 Garfield Rd.

* Bank has agreed to delimited repairs
* will not address the roof or deck
* Dedham has requested that the court appoint a receiver

Mr. Keogh spoke of the troubles met in Needham Street is having with trucks entering and driving up and down the street.

Mr. Keogh stated that Town Engineer, Jason Mammone, told him that the street has proper signage. Mr. Keogh added that it is Chief D’Entremont’s opinion we should probably reach out to the state and have a sign visible at the exit for Route 128.

**Town Manager’s Report**

1)  The HR Director position has been posted – open until filled.  We hope to have someone in the position in 8 weeks or so.

2)  We expect to post the Town Planner position early next week.  I have asked a group to serve as a screening Committee; the Chairman of the Planning Board, Chairman of the MPIC, ZBA Chair, John Sisson, Economic Development Director and the Town’s Acting Planner Eve Tapper. The idea is to have these five individuals or their designee serve as a Screening Committee and make recommendations for the appointment.

3) Town Engineer, Jason Mammone and Selectmen Butler have met a few times with an eye towards addressing the remaining inflow and infiltration issue with sewer laterals and mains. The approach will be to confer with counsel about some elements, engage the public both before and after the development of regs/policies/bylaws, so that there is an understanding and buy-in for what we are trying to accomplish.

4) Some good progress on the abandoned housing initiative properties

5) Nearing the completion of the repairs for the Town Hall Senior Center Project.  Possible walk-through by the attorneys/reps for the bonding company upcoming. I would like to have an executive session meeting at the next BOS meeting to update the Board.

Dr. Teehan asked Mr. Kern how the project was progressing.

Mr. Kern stated that between the last time we spoke about this and now, there’s been a pretty small group of people over there doing repairs. Mr. Kern added that the number will pick up late January into February.

Mr. Guilfoyle stated that he has toured the building many times in the past few weeks and his understanding was that on January 2, everything would be geared up. Mr. Guilfoyle added that there are still only about five people working in the building per day.

6) Looks like 2/12 will be the next meeting for the public safety building in front of the Planning Board.

7)  Our new Town Accountant, Shannon MacKenzie, started last week.  She has held similar positions in Blackstone and Avon.  She also worked for about 12 years in Dedham Savings.

**Old/New Business**

Mr. Butler stated that he would like to congratulate Dedham resident Michael Malamut and his appointment to housing court as a judge.

Mr. MacDonald stated that Mr. Malamut has submitted his letter of resignation from the Commissioners of Trust Funds. Mr. MacDonald added that there will be a posting and a joint appointment with the Commission on Trust funds.

Ms. Baker informed all that it is a joint appointment but she has not spoken to the Commission as to whether they would like to leave it open with the election being so close.

Mr. Butler reminded all that the Town received the federal drug-free community’s grant that does pay for a program manager and there is a Committee screening the applicants. That Committee includes, the public health nurse, the assistant director of Parks and rec., the director of the health department, the Chief of Police and the superintendent of schools.

Dr. Teehan stated that twice in the last few months the Board has hosted the residents of Pacella and Chute roads. Jason Mammone is still working on the issue and the Board will start reaching out to that group in the next few weeks.

Mr. MacDonald stated that the Women in Democracy are having a local Government 101 meeting next Wednesday the 16th at the Endicott estate, at 7 PM.

**Action by the Board**

**Drainlayer Renewals**

**P. Gioioso & Sons, Inc. – Hyde Park**

**Colantuoni Brothers Equip Corp – Norwood**

**Joseph DeFilippo & Company, Inc. – Dedham**

**Fed. Corp. – Dedham**

**J&L Musto Construction, Inc.**

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.

**Constable Re-appointment - Kevin Leary**

Mr. Butler moved to deny the request for reappointment as Constable seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes, Dr. Teehan, yes, Mr. Butler, yes, Mr. Guilfoyle, yes, Mr. MacDonald, yes

Mr. MacDonald asked for a motion to adjourn the meeting.

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

The meeting was adjourned at 8:10pm.

The next Meeting is scheduled for Thursday February 7, 2019. This is to certify that the above is a true and accurate record of the minutes of the Selectmen’s Meeting held on January 10, 2019, which minutes were approved on May 8, 2019.

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James A. MacDonald. – Chairman