A combined Virtual Meeting of the Board of Selectmen and the

Planning Board was held on

Thursday June 4, 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 read a statement regarding the death of George Floyd and racial injustice.

Ms. MacDonald read a statement condemning the murder of George Floyd.

Ms. Sullivan read a statement asking residents of Dedham to come together to fight racism.

Mr. MacDonald read a statement emphasizing the need for all of us to listen.

Mr. Guilfoyle stressed that we must move forward and treat everyone with the respect that we would like to be treated with. Mr. Bethoney brought the Planning Board Meeting to order.

**Dedham Citizens – Open Discussion**

Virginia Hickey - 264 East Street – stated that she did not like the ZOOM set-up as she cannot see who is in the “audience.”

Georganna Woods 4 College Place – stated that she agrees with Virginia regarding ZOOM’s platform.

Meg Duncan – 51 Martin Bates Street – stated that she liked the chat feature and that someone could be monitoring a chat room while the Meeting is going on.

Allison Staton – Stated that she was not a fan of the ZOOM platform either. Ms. Staton added that the chat feature allowed us to pose questions to the Board right away instead of waiting for the next Meeting.

Jean Zeiler – 59 Woodleigh Road stated that she does not the ZOOM format.

Susan Butler – 60 Clark Street – stated that she likes the ZOOM format.

**Public Hearing & Vote Re: Transfer of All Alcohol Restaurant License from High**

**Street Dining, Inc. d/b/a Centre Deli Market & Deli After Dark, 545 High St., to**

**Pinkshell LLC d/b/a Risers, 545 High St., & Approval of Bruce Loewen as Manager**

Atty. Kevin Hampe – Office at 411 Washington Street

Atty. Hampe Stated that he is representing Pinkshell, LLC d/b/a Risers. Atty. Hampe informed all that his client is the perspective buyer of the business located at 545 High Street. Atty. Hampe stated that the managers and owners of the perspective purchasers of Pinkshell LLC are Bruce Loewen and Krissy Scaccia. Mr. Hampe continued giving background regarding this license transfer. Mr. Loewen and Ms. Scaccia are both TIPS certified and they will require that all staff complete the certification as well. Atty. Hampe informed the Board that they will purchase an up to date license scanner and will card all customers who are purchasing alcohol. Mr. Hampe stated that both Mr. Loewen and Ms. Scaccia have read and understand Dedham’s alcohol rules and regulations and have already met with Sargant Clements, Dedham’s alcohol officer.

Mr. MacDonald thanked Atty. Hampe for a thorough presentation. Mr. MacDonald stated that his concern is there is no experience serving alcohol. Mr. MacDonald suggested that Mr. Loewen and Ms. Scaccia speak to other business owner’s for advice.

Mr. MacDonald moved to close the public hearing; Seconded by Ms. Sullivan.

**On the Vote**:

Ms. MacDonald - Yes

Dr. Teehan - Yes

Ms. Sullivan - Yes

Mr. Guilfoyle- Yes

Mr. MacDonald – Yes

Mr. MacDonald moved approval of the Transfer of the All Alcohol Restaurant License

from High Street Dining, Inc. d/b/a Centre Deli Market & Deli After Dark, 545 High

St., to Pinkshell LLC, d/b/a Risers, 545 High St., & Approval of Bruce Loewen as

Manager; Seconded by Ms. Sullivan.

**On the Vote**:

Ms. MacDonald - Yes

Dr. Teehan - Yes

Ms. Sullivan - Yes

Mr. Guilfoyle- Yes

Mr. MacDonald – Yes

**Discussion & Vote Re: Approval of 1/12th Budget for July 2020 (FY’21)**

Mr. Goodwin explained why and how they were proposing a 1/12th Budget for July 2020.

Mr. Shawn McGoldrick, Interim Finance Director stated that the Board has a 2-slide

document that he would like to go over. Mr. McGoldrick informed the Board that this is a

breakdown of the Sewer Enterprise Fund and the General Fund. Mr. McGoldrick and

Mr. Goodwin took a 1/12th budget look so they knew what the minimums were going to

be. They then compared it to the actual spend that occurred during July and August for

fiscal year 20 and came up with the new amount that is needed. Mr. McGoldrick stated

that the amount is based on percentage increases, items that we know are one-time

hit in July and August:

* Pension Appropriation
* Premiums for Healthcare

Mr. McGoldrick informed the Board that he would like to get July and August approved

this evening.

Mr. MacDonald stated that the Board can only approve June as August is not listed on

the Agenda.

Mr. MacDonald moved approval of the FY21 1/12th budget for July 2020 as just

explained; Seconded by Ms. MacDonald.

Ms. MacDonald stated that she wondered, at what point do we expect to re-visit that

Budget and make changes based on the reality that we have. All Park and rec.

programs are cancelled for the Summer. What revenue, expense

and impact does that have. The Youth Commission has cancelled all their Summer

programs.

Ms. MacDonald stated that she is wondering when the Board will have a conversation to

see if we are spending responsibly.

Mr. Goodwin stated, as we discussed at our last meeting we are working on the revised

Budget. Mr. Goodwin added that the situation was so fluid, even when we were revising

the budget we did not know that we would be cancelling all the Summer Programs. Mr.

Goodwin informed all that he and Mr. McGoldrick are going back to revise that. Mr.

Goodwin continued, saying that they fully expect to start the budget hearings and the

process through the Finance and Warrant Committee and the Select Board, to

ultimately come before Town Meeting for a vote on a budget. Mr. Goodwin informed all

that the election date is going to be set tonight.

Mr. Goodwin stated that Town Meeting is usually 45 days or so after the election.

**Discussion & Vote w/ Planning Board Re: Review & Approval of Outdoor Seating**

**Requests from: El Centro, Blue Ribbon, Oscar’s, Vincenzo’s, Small Batch Café,**

**Dedham House of Pizza, Horse Thieves, Grateful Diner, Café Tremezzo, Midway,**

**Legal C, Aquitaine, Massimo, Shake Shack, Caffe Nero, Yardhouse, Temazcal,**

**50’s Diner**

Chairman Bethoney called the virtual Meeting of the Planning Board to order

James McGrail – present

Jessica Porter – present

James O’Brien – present

Michael Podolski – present

John Bethoney -present

Mr. MacDonald informed all that there has been a lot of work by joint Boards: Select

Board, Planning Board, Board of Health and many departments within the Town, to

come up with a plan for the expansion of seating within our restaurants. Mr. MacDonald

informed all that we will have presentations by a few representatives, first will be Legacy

Place. Atty. Zahka and then we will go through each case individually. Mr. MacDonald

stated that the Planning Board has all the documents and plans for this action. Mr.

MacDonald informed all that when we vote we will have a joint motion that will outline

everything that will be talked about now and will be contingent on a final walkthrough of

the property once we start to move forward.

Mr. MacDonald stated that in the Dedham Square area there will be an expansion of the

sidewalks in some parts. Mr. MacDonald added that there be no parking in Dedham

Square. Chris Boyce – WS Development, was present on behalf of the Legacy Place

Establishments: Legal C Bar, Aquataine, Il Massimo, Shake Shack, Caffe Nero,

Yard house and Temazcal. Mr. Boyce stated that he spoke with the Planning Board last

week and they talked through WS, changes to the Development’s site plan and

expansion of the outdoor patio seating for the 7 applicants. Mr. Boyce informed the

Board that he is present in response to the Governor’s Executive Order that would

grant the LLA permission to expand the alcohol premises. Mr. Boyce stated that they

would like to confirm the November 1st sunset clause and expansion of premises and

the liquor licenses. Mr. Boyce added that he would like to clarify that WS Development

is not expanding or increasing occupancy.

Atty. Zahka – 12 School Street – stated that he is representing 4 businesses located in

the building’s owned by Petruzziello properties LLC. Mr. Zahka informed the Board that

the 4 businesses are:

Vincenzo’s - 29 Bryant Street

Small Batch Café – 125 Washington Street

El Centro – 338 Washington Street

Blue Ribbon Barbeque – 342 Washington Street

Mr. Zahka stated that, out of the 4 establishments only El Centro currently has a liquor

License.

Mr. MacDonald stated that he will remove El Centro from the motion as we do not have

all their paperwork.

Mike Tallon – Oscar’s – 380 Washington Street

Mr. Tallon stated that he welcomes any initiative that can help us get reopened.

Laurence Wintersteen - Horse Thieves Tavern – 585 High Street

Mr. Wintersteen stated that they are asking for 48 seats outside. Mr. Wintersteen

added that this is vital to all small restaurants and thanked the Board for being

proactive.

Mr. MacDonald Stated that even though Dedham House of Pizza, The Midway and

Café’ Tre Mezzo are not present at this meeting, they have submitted complete

applications.

Mr. MacDonald informed all that Hooters has completed all the necessary paperwork

but they did not get the application in on time for this Meeting, therefore Hooter’s has

been pushed to the next SB Meeting.

Mr. MacDonald moved to adopt the policy entitled Select Board’s outdoor dining policy

license for an extended use of public property for outdoor retail and dining; Seconded

by Dr. Teehan.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle yes

Mr. MacDonald – yes

Mr. MacDonald moved that the Select Board and the Planning Board approve the use of

outdoor space for the service of food and non-alcoholic drinks, an amendment to the

description of the licensed premises in the liquor licenses and/or the granting of a

license to use Town Property, all to facilitate outdoor drinking and dining at the following

establishments, subject to the terms and conditions in the Board’s outdoor dining policy

and license for extended use of public property for outdoor retail and dining:

Small Batch Café’ food only

50’s Diner

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Midway Restaurant food and liquor

Temazcal

Aquitaine

Massimo

Shake Shack

Caffe Nero

Legal Seafoods

Yardhouse

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Blue Ribbon BBQ food, liquor and the use of Town property

Vincenzo’s

Horse Thieves’ Tavern

Café Tre Mezzo

Oscar’s Bar

Dedham House of Pizza

Grateful Dedham Diner

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Seconded by Ms. MacDonald.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle - yes

Mr. MacDonald – yes

**On the Vote:**

Mr. McGrail – yes

Ms. Porter – yes

Mr. O’Brien –

Mr. Podolski – present

Mr. Bethoney - yes

Mr. McGrail move to approve as presented and to mimic the motion made by Mr. MacDonald; seconded by Ms. Porter.

Mr. O’Brien asked what the regulatory process is going to be once these establishments are up and running.

Mr. Goodwin stated that there is a team within the Town Administration, including:

Building Commissioner – Ken Cimeno

DPW Director – Joe Flanagan

Town Manager – Leon Goodwin

Asst. Town Manager - Nancy Baker

Interim Health Director – Bridgette Sweet

Engineering Director – Jason Mammone

Town Planner – Jeremy Rosenberger

Mr. Goodwin stated that they all will make sure that the laws and regulations are being

adhered to. Mr. Goodwin added that they will stay in close communication with the

ABCC.

Ms. Porter stated that this is a work in progress and encouraged everyone to stay in

communication and ask questions.

**On the Vote:**

Mr. McGrail – yes

Ms. Porter – yes

Mr. O’Brien – present

Mr. Podolski – present

Mr. Bethoney - yes

Mr. Bethoney asked Mr. Goodwin if he agreed that the Governor’s decree, that putting

chapter 40A aside takes the Planning Board out of the process as far as

regulatory controls for these types of measurers.

Mr. Goodwin stated that he would agree, based on his reading of the decree as well as

Town Counsel’s opinion, that would be a good synopsis of what the decree does.

Mr. Bethoney stated that the Planning Board is willing to help in an advisory roll if

needed.

Mr. Podolski moved to adjourn the Planning Board Meeting; Seconded by Mr. McGrail.

**On the Vote:**

Mr. McGrail – yes

Ms. Porter – yes

Mr. O’Brien – Aye

Mr. Podolski – Aye

Mr. Bethoney - yes

Ms. MacDonald asked if it was possible to get Engineering or Planning to draw a map so we can

see what these changes will look like. Ms. MacDonald informed all that there is a food safety

forum that Brigitte, John Sisson and Jeremy have planned for restaurants regarding preparation

to prepare to move to the next stage of business. Ms. MacDonald stated that the forum will take

place this Friday at 3pm. Information is on the Town’s website.

**Discussion & Vote Re: Designate Town Manager to Approve Outdoor Seating Requests**

**from Alcohol and Common Victualler Licenses**

Mr. MacDonald explained what the designation entailed and where they are in the process.

Mr. MacDonald moved that the Board, pursuant to the authority granted to local licensing authorities under the provisions of the Governor’s Executive Order COVID-19 35, and in a direct effort to support the Town’s economy and local businesses, and to provide outside restaurant service to willing patrons, adopt the policy entitled, “Town of Dedham Select Board Policy, Procedures for Use of Outdoor for Food and Alcohol service” setting forth the applicable process for applying for and approving requests for extended use of property for outside dining, including delegation to the Town Manager to approve such requests that are consistent with the within policy, and for the operation of such outside dining spaces; Seconded by Dr. Teehan.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle yes

Mr. MacDonald – yes

**Discussion & Vote Re: Date for 2020 Annual Town Election**

Town Clerk Paul Munchbach stated that on March 16, 2020, the Select Board declared a Declaration of Emergency which gave the Board the opportunity to postpone the annual Town Election and Town Meeting. Mr. Munchbach added continued, saying that on March 23, 2020, the Emergency Act of Legislation, known as Chapter 45, the Acts of 2020, which gave the Select Board the ability to change the date of their Annual Town Election. At that point, the requirements were that the election be held anytime on or before June 30, 2020 and the date that has been Selected for the election there would be a 20 day window onto when the date of the election could actually happen. Mr. Munchbach stated that because of this, a new election calendar would have to be put in place. Which would allow voting registration until 10 days prior to the election. Mr. Munchbach continued, saying that early voting will only be done by mail. Mr. Munchbach informed all of what is complete and what still needs to be done.

Town Moderator, Dan Driscoll, stated that there are decisions that must be made, mostly by the Select Board. Mr. Driscoll added that the timing and location must be decided as well. Mr. Driscoll listed some options for Town Meeting:

Where will the Meeting be held:

 Virtual Meeting

 Outdoors

 Indoors – Using multiple rooms

 Reduce the quorum

Mr. Driscoll stated that the process of pairing down the Warrant, so it is at a manageable level.

Ms. Sullivan moved that the annual Town Election be scheduled for Saturday, June 27, 2020 with Polling hours (7am to 8pm.); Seconded by Mr. MacDonald.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - abstained

Ms. Sullivan - yes

Mr. Guilfoyle yes

Mr. MacDonald – yes

**Discussion & Vote Re: Request for 2020 Farmer’s Market**

Amy Haelsen – Dedham Square Circle – stated that this is the 13th Farmer’s Market.

Ms. Haelsen informed all that they would like the Boards permission to kick off the Market on Wednesday, June 17th from 2-6pm and it will run every consecutive Wednesday, on the green at

First Church, 670 High Street. Ms. Haelsen added that the market will look quite different this year but safety will remain their top priority Ms. Haelsen stated that they have been working closely with the Health Department to make sure they are following the rules and guidelines.

Ms. MacDonald moved that Select Board approve the request from the Dedham Square Farmer’s market; Seconded by Dr. Teehan.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle yes

Mr. MacDonald – yes

**Discussion & Vote Re: DHS 2020 Final Ride (6/6/20)**

Ms. Sullivan explained what this request entailed.

Ms. Sullivan stated that the requests were as follows:

* Close Whiting Ave.
* Permit the accompanying route for the rolling rally to celebrate the class of 2020

Ms. Sullivan moved to close Whiting Ave. from the endzone parking lot at the High School to Mt. Vernon Street from 12pm – 4pm on June 6, 2020 (rain date June 7,) to accommodate the graduation ceremonies for DHS Class of 2020; Seconded by Mr. Macdonald.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle yes

Mr. MacDonald – yes

Ms. Sullivan moved to approve the permit and accompanying route for the Rolling Rally to celebrate the DHS Class of 2020 on Saturday, June 6, 2020 (rain date June 7, 2020) beginning at 5 pm; Seconded by Ms. MacDonald.

**Discussion & Vote Re: Creation of Committee Aid to Elderly/Disabled Fund**

Ms. MacDonald explained that as part of the work that the COVID-19 Relief Task Force did in looking at the various mechanisms that exist in Town to help residents financially, we came across some unfinished business. Ms. MacDonald added that at the Annual Town Meeting of 2014, an Article was adopted to create a Special Fund to aid the elderly and disabled taxation fund. Ms. MacDonald stated that the purpose of that fund in the article is to help defray real estate taxes for low income elderly and disabled residents. Ms. MacDonald added that the Fund was created and we have been allowing residents to make contributions into that fund. Ms. MacDonald pointed out that the Board did not complete the second task which states that it is the Select Board’s responsibility to create and appoint a Taxation Aide Committee to propose how we allocate those Funds. Ms. MacDonald stated that either she or someone who is interested, work with Jane Lepardo – Town Treasurer to come up with the Constituency of that Committee. Mr. Goodwin clarified that the Committee would include the Chair of the Board of Assessors, The Treasurer/Collector and 3 residents appointed by the Board. Ms. MacDonald moved that the Board designate the Town Manager’s Office to post those openings as soon as possible. Seconded by Ms. Sullivan.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle yes

Mr. MacDonald – yes

**Discussion & Vote Re: Marathon Relay (6/14/20)**

Dan O’Neil – requester

Mr. MacDonald stated that it looks like the Board Health has not been consulted and that needs to happen before consideration by this Board. Mr. MacDonald added that this along with the Chief of Police’s comments show that we cannot move forward at this time. Mr. MacDonald moved that this request be tabled; Seconded by Ms. MacDonald.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle yes

Mr. MacDonald – yes

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

* Meters press release went out Friday
* Quite a bit of feedback from business owners in the square
* Meters have been discussed for over a year
* Because of COVID-19 meters were not installed until recently
* MPS Meter Vendor) is a small business
* They want to have good business relationship with Dedham
* engaged in talks with MPS and Town Council
* contract amendment to modify the installation schedule imposed by MPS

**Ames Building**

Team walkthrough today

CTA - dealing with life safety issues

Hopeful to receive temporary Certificate of Occupancy soon

Move-in scheduled for June 19

**COVID-19 Task Force**

Met this past Monday

Meeting again tomorrow

Bulk of discussion re: phases, opening and development

Phase 2 Restaurants, some recreational activities

Cares act - $2.23 million available to Town of Dedham

Applied today for $480,000 of reimbursements, Dedham is eligible for under Cares Act

**Action by SB**

**Minutes**

2-4-20, 3-5-2020, 3-31-2020

Dr. Teehan moved approval; Seconded by Ms. MacDonald.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle - yes

Mr. MacDonald – yes

**Acceptance of Gifts (Youth Comm)**

Karen Keaney

$25

To help families in need of financial assistant \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dedham Junior Women’s Club

$500

To help families in need of financial assistant

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Anne Marie Quinn

$100

To help families in need of financial assistant

Ms. MacDonald moved approval of the; Seconded by Dr. Teehan.

**On the Vote:**

Ms. MacDonald - yes

Dr. Teehan - yes

Ms. Sullivan - yes

Mr. Guilfoyle - yes

Mr. MacDonald – yes

**Old/New Business**

None.

Mr. MacDonald moved to close 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 next Meeting is scheduled for Thursday June 11, 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 4, 2020 which minutes were approved on September 24, 2020.

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