A regular meeting of the Board of Selectmen was held on Thursday January 7, 2016, at 7 p.m., in the Francis O’Brien Meeting Room, 26 Bryant Street, Dedham, Massachusetts. Present were:

Michael L. Butler

Dennis J. Guilfoyle

James A. MacDonald

Dr. Dennis J. Teehan, Jr.

Brendan G. Keogh

Mr. Butler called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

Led by Mr. Butler

**DEDHAM CITIZENS – OPEN DISCUSSION**

Russ Poole, Town Meeting member District 2, stated that on behalf of all the children living at the Veterans Road Housing, he would like to extend sincere thanks to Selectman Guilfoyle for his recent fundraising. This provided toys for the children at the Veterans Road Facility. He added that Santa told him that the children thoroughly enjoyed the toys.

Mr. Guilfoyle thanked Mr. Poole for his kind words. He added that it was a joint effort by all the Selectmen. It is called Toys for the Town and we will do it again next year.

**VIOLATION HEARING – JOY VARIETY, INC. D/B/A TERRI’S MARKET, 12 LOUISE ROAD**

Mr. Butler informed all that these hearings are related to Police enforcement action taken on November 19, 2015. Mr. Butler explained that Nancy Baker, Assistant Town Manager, will swear in all the people providing testimony. Detective Sergeant Michael Buckley will explain the circumstances the Police encountered that evening. License holders will have a chance to make comments and then Board members will ask any questions they may have. Mr. Butler will then take a motion to close the hearing, the Board will deliberate and take a vote if they so desire.

Mr. MacDonald recused himself for the hearings as they could potentially go before the ABCC.

Ms. Baker asked that anybody who would be providing testimony, with respect to Terri’s Market, please stand to be sworn in. Ms. Baker swore in the following people:

* Shailesh Patel – Terri’s Market
* Detective Sergeant Michal Buckley – Dedham Police

Attorney Peter Zahka introduced himself and stated that he was at the hearing on behalf of Joy Variety, d/b/a Terri’s Market. Mr. Zahka requested that the Police report not be read. Mr. Butler stated that would be fine but he would like Detective Buckley to set the stage to let the public know what the purpose of the program is and what the Police found on November 19, 2015.

Detective Buckley stated that the Dedham Police Department as agents of the Local Licensing Authority, conduct compliance checks as directed by Dedham Police policy #3-44:

The liquor enforcement officer shall inspect every establishment on a formal basis annually.

Det. Buckley informed all that this year they chose to conduct an underage sting following the ABCC guidelines. A notice of intent was published in the local press, which is recommended by the ABCC. Mr. Buckley continued, saying that they use local college students that have an interest in Criminal Justice. Before the operation, they meet at the Endicott Estate to go over those guidelines to make sure the operatives understand them. A breathalyzer test is issued prior to and after the operation to make sure no alcohol was consumed by the operatives. Det. Buckley concluded by saying that those were the guidelines used by the Dedham Police.

Mr. Butler asked Detective Buckley, in the case of Terri’s Market, what the operative did. Det. Buckley informed all that the operative for Terri’s Market was with Det. Mahoney. He continued saying that they take all ID from the operatives and they are only allowed to carry money provided by the Dedham Police Department and their cell phone in case they may need assistance. Operatives at each location throughout the Town are sent in and instructed, with Dedham Police money, to attempt to purchase an alcoholic beverage. Det. Buckley added that at an off-premise license such as Terri’s Market, they would be instructed to choose a six pack of Budweiser Light and bring it to the counter for purchase. If they are asked how old they are or for ID, the compliance check is over and the establishment would pass.

 Mr. Butler asked Mr. Zahka and Mr. Patel if they had any comments.

Mr. Zahka indicated that his appearance at the hearing should not be indicative of anything to be argumentative or to contradict anything that may or has been said by the Police Department, in their written report or otherwise. Mr. Zahka stated that he is there to make Mr. Patel more comfortable.

Mr. Zahka continued, saying that his client doesn’t dispute anything that is in the report regarding the incident that evening and admits that the violation occurred. On behalf of his client, Mr. Zahka expressed that he is extremely embarrassed and upset by the incident. Mr. Patel understands that as the owner and manager of record, he is fully responsible for the conduct of his employees. Any violation is unacceptable to Mr. Patel. This is not only a State and Town violation, it is a violation of Mr. Patel’s policies at Terri’s market. Mr. Zahka added that Terri’s not only has an ID scanner, they have also installed video monitors. Terri’s policy is to card every customer and put every ID through the scanner. The video monitors are a means of back up.

Mr. Zahka continued, saying that the policy is only good if it is enforced by the employees. On the evening in question, the policy was not followed. Mr. Patel isn’t making this an excuse, but to explain the situation, the regular employee had a family emergency so the clerk on duty was called in to coverthe shift. Mr. Patel looked at the video which clearly shows that an ID was not requested. As a result the clerk has been discharged. Mr. Zahka added that Terri’s has the tools in place to keep this from happening. Mr. Patel has reemphasized the policy with his employees.

Mr. Keogh asked what improvements have been made since this incident. Mr. Patel stated that he spoke to all his employees and reemphasized Terri’s policy regarding alcohol purchases.

Mr. Guilfoyle stated that he lives in the neighborhood and he has seen the steps that have been taken to make the store safe. Mr. Guilfoyle agrees with the decision to discharge the clerk. Mr. Guilfoyle added that he hopes Mr. Patel uses the ID scanner to keep the store and community safe.

Mr. Patel stated that he is extremely sorry.

Dr. Teehan asked Mr. Patel if he gave each new employee a written copy of the ID policy. Mr. Patel stated that the clerk on duty the evening of the incident only worked if another employee had an emergency and could not work. All regular employees are well trained regarding the policy. Dr. Teehan stated that every employee, no meter how much they work, should have a fundamental knowledge of the implications of a violation. Dr. Teehan agreed that the Mr. Patel had the tools in place to prevent an incident but this person wasn’t fully aware.

Mr. Patel stated that he will get a written copy of the procedure and go to the ABCC’s website to get the detailed instructions to provide to all employees.

Dr. Teehan asked if this was the employee that misrepresented the findings to Officer Buckley. Mr. Patel responded yes. Dr. Teehan stated that it was a good idea to discharge this particular employee.

Mr. Butler asked Ms. Baker if there was a previous violation at Terri’s. Ms. Baker responded yes, in 2013 for serving a minor. Mr. Butler stated that this was the second violation in 2 years and asked Mr. Patel how long he has owned Terri’s. Mr. Patel answered since 2012. November 28, 2012.

Mr. Butler stated that the Board recognizes that you have done a nice job at Terri’s market. There is a responsibility that, from your statements, you take seriously. In the end it all comes down to the employees. Mr. Butler asked Mr. Patel how long the employee had been on the job. Mr. Patel answered about 6 months, part time. Mr. Butler stated that they encourage all Dedham establishments to card everyone 100% of the time.

Dr. Teehan stated that an employee that has worked for you for 6 months should have known the policies enough to carry them out. You are responsible for every employee and making sure they know and carry out your policy. Mr. Patel assured the Board that he will make every employee aware of the policy and what is expected of them.

Mr. Zahka stated that after the 2013 violation, Mr. Patel had the card reader and video monitoring equipment installed. The employee in question worked sporadically when a regular employee was sick or had an emergency. Mr. Zahka added that this is not an excuse, she knew the rules. She chose, for whatever reason, to ignore those rules.

Mr. Butler asked Detective Sergeant Buckley if he had any comments to add. Sergeant Buckley stated that he was provided with a copy of the video from the incident. Sergeant Buckley added that Mr. Patel has been helpful in the past aiding Police investigations by providing video from outside his store. Sergeant Buckley stated he would meet with Mr. Patel and provide him with an updated copy of the Town rules and regulations. Mr. Patel was unaware that the card scanner he has can save ID information, but since the incident he is utilizing this feature.

Mr. Butler asked Mr. Patel if he felt he had received a fair hearing this evening. Mr. Patel answered yes.

Mr. Guilfoyle made a motion to close the violation hearing; seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, abstained.

Mr. Guilfoyle made a motion to find that the licensee, Joy Variety, Inc. d/b/a Terri’s Market, 12 Louise Road, did violate Massachusetts General Laws Chapter 138, Section 34 [sale or delivery of alcohol to a person under 21 years of age], 204 CMR 2.05(2) [permitting any disorder, disturbance or illegality of any kind to take place in or on the licensed premises], and/or the Rules and Regulations for Holders of Alcoholic Beverage Licenses in the Town of Dedham (“Rules”), #23 [sale or delivery to person under 21 years of age]; seconded by Dr. Teehan. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, abstained.

Mr. Guilfoyle made a motion to suspend the Wine and Malt Package Store License issued to Joy Variety, Inc. d/b/a Terri’s Market, 12 Louise Road, for a period of 3 days; 1 day to be served on January 21, 2016 and 2 days to be held in abeyance for a period of 12 months; and that a written warning he placed in the licensee’s file; seconded by Dr. Teehan.

Mr. Butler asked Ms. Baker of the motion needed to specify the date on which the sanction is to be served. Ms. Baker informed all that the law allows five days for the license holder to appeal. So the day served needs to at least 5 days from tomorrow, January 8, 2016. She continued, saying that it has been the Board’s policy that the sanction is served on the day of the week the violation occurred, which is a Thursday. So, that could be January 14 or 21 and can be stated in the motion.

Ms. Baker clarified that the Board is suggesting a 3 day suspension, 1 served on a Thursday and 2 held in abeyance for 12 months. Mr. Butler responded, yes.

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

Mr. Butler stated that in his time on the Board, it is rare for a business to come in with 2 violations and even more rare for a business to have 2 violations in 2 years. As an example, the owner of East Dedham Liquors could never figure out how to get his employees to card everyone all the time and he is no longer in business. Mr. Butler suggested to Mr. Patel that he work with his attorney and the Police Department to make sure he is prepared as possible. Mr. Butler informed Mr. Patel if he comes in with a third violation, it will certainly be more serious than this time.

**VIOLATION HEARING – THE IRISH ALEHOUSE, INC. D/B/A WATERFORDS, 2-4 BRIDGE STREET**

Ms. Baker stood and swore in Tony Haggerty, owner of Waterfords.

Mr. Butler asked Sergeant Buckley to explain the situation with Waterfords.

Sergeant Buckley stated that compliance check at Waterfords was conducted on the same evening and by the same rules as mentioned earlier.

Mr. Butler asked Mr. Haggerty if he had any comments. Mr. Haggerty apologized and accepted responsibility for the actions of his employee. He has been with Waterfords for 34 years and when he heard what had happened, it was a serious shock. He stated that the employee in question has been in the business most of her life. With the help of Sergeant Buckley, Mr. Haggerty had all of his employees train with Mike Marcantonio in liquor awareness, how to deal with IDs and to make sure they are not overserving. Mr. Haggerty stated again that he takes full responsibility and is very embarrassed and hopes the Board appreciates his position.

Mr. Keogh stated that it is great to see that you were proactive in providing extra training for your employees.

Dr. Teehan asked if this was the first violation at Waterfords. Ms. Baker informed all that this is the first violation, service to a minor, by Waterfords.

Mr. Haggerty added that in defense of the employee, who is horrified, she is very good at making sure that people do not get overserved and takes hat apart of her job very seriously. She just made a mistake.

Dr. Teehan asked Mr. Haggerty to pinpoint anything that lead to this infraction that can be improved moving forward. Mr. Haggerty asked Dr. Teehan to clarify his question. Dr. Teehan asked Mr. Haggerty if there was a way to improve the current system. Mr. Haggerty replied that they ID anybody that looks under the age of forty and that asking everyone for ID might not go over so well with the older patrons.

Dr. Teehan informed Mr. Haggerty that the few violations the Board as seen have often been a result of an assessment by the employee of the person’s age. Dr. Teehan added that a safer approach may be to card everyone. This takes away the decision point regarding whether to ID or not.

Mr. Guilfoyle stated that one of the reasons compliance checks are done is to educate people and keep licenses on their toes. The purpose is not to stop your business or shut you down, but we want the ID process done right and the communities safe. The last thing we need is to have a minor getting served and something happening as a result. Mr. Guilfoyle applauded Mr. Haggerty for being proactive and having his staff attend training.

Mr. Butler asked Sergeant Buckley if he had any further comments. Sergeant Buckley stated he applauds Waterford’s change from a barroom to a more upscale dining establishment in that neighborhood. He pointed out that two of Waterford’s owners, Tony being one of them, attended the District Attorney’s

Holiday Safe Drive Kick Off at Gillette Stadium. All liquor license holders in Dedham were invited but only a few showed up. Waterfords came and cared about learning. Sergeant Buckley offered many of the licenses in Town free TIPS training with a master trainer, Michael Marcantonio, who has over 30 years of experience. Sergeant Buckley added that the District Attorney takes drunk driving seriously and he provided the training for free. Sergeant Buckley informed the Board the Waterfords took up eight seats at the training.

Mr. Butler asked Mr. Haggerty if he felt he received a fair hearing. Mr. Haggerty replied, yes I do.

Mr. Guilfoyle made a motion to close the violation hearing; seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, abstained.

Mr. Guilfoyle made a motion to find that the licensee, The Irish Alehouse, Inc. d/b/a Waterfords , 2-4 Bridge Street, did violate Massachusetts General Laws Chapter 138, Section 34 [sale or delivery of alcohol to a person under 21 years of age], 204 CMR 2.05(2) [permitting any disorder, disturbance or illegality of any kind to take place in or on the licensed premises], and/or the Rules and Regulations for Holders of Alcoholic Beverage Licenses in the Town of Dedham (“Rules”), #23 [sale or delivery to person under 21 years of age]; seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, abstained.

Mr. Guilfoyle made a motion to suspend the All Alcohol Restaurant License issued The Irish Alehouse, Inc. d/b/a Waterfords , 2-4 Bridge Street, for a period of 3 days; said 3 days to be held in abeyance for a period of 12 months; and that a written warning he placed in the licensee’s file; seconded by Dr. Teehan. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, abstained.

Mr. Haggerty asked for clarification regarding the suspension. Mr. Butler informed all that Waterford’s All Alcohol Restaurant License was suspended for 3 days, all to be held in abeyance, 0 days served. Mr. Butler continued, saying that if Waterfords had another violation within the next 12 months, the sanction would be 3 days to be served plus possible further days to be decided on at a future hearing.

Mr. Butler asked Sergeant Buckley how many other license holders did the Police visit that night. Sergeant Buckley asked if the Board would like him to list the licensees that passed. Mr. Butler replied, yes; let’s hear the ones that passed. Sergeant Buckley read the following list of licenses that passed:

* Hilton
* Village Manor
* Tedeschis
* Anthony’s Wine and Spirits
* American Legion
* VFW Post
* Gilberts
* Midway
* Auld Sod
* Half Way
* Moose Lodge
* Unos
* DHAC - Dedham Health and Athletic complex
* BJs
* Costco
* Stop & Shop
* Bamboo
* Joe’s American Bar & Grill
* P.F. Chang’s
* Met Bar
* Chillis
* Aquataine
* Kings
* Wicked Pizza
* Showcase
* Yardhouse
* Genki
* TGI Friday
* Plaza Liquor Mart
* Centre Deli
* Kouzina
* Paradise Café – (Dedham Square Coffee House)
* Isabella
* Dedham House of Pizza

 **VIOLATION HEARING – BRIDGEVIEW, INC. D/B/A BRICK HOUSE CAFÉ, 107 BRIDGE STREET**

Attorney Anthony Ross, 95 Stoney Lea Road, Dedham, and Vincent Marino, owner and Manager of record of the Brick House Café were present before the Board.

Ms. Baker swore in Mr. Marino.

Mr. Butler asked Detective Sergeant to explain the details of the violation. Sergeant Buckley informed all that the same guidelines were used for this compliance check as the previous two.

Mr. Ross waived the testimony from Sergeant Buckley as they understand the allegations.

Mr. Butler asked Mr. Ross if he had and remarks or comments. Mr. Ross stated that the Brick House Café is a family restaurant and Mr. Marino and his staff take their obligations to observe the law very seriously. All servers are TIPS certified. This incident was a regrettable lapse in judgement and is the first violation ever for the Brick House Café in its 13 years at that location. Mr. Ross continued, saying that the server involved has worked for Mr. Marino and other establishments for 30 years.

Mr. Marino stated that he’s been in the business for 50 years and this is his first violation and added that he is sorry and it won’t happen again.

Mr. Keogh asked Sergeant Buckley if any employees from the Brick House attended the Attorney Generals sponsored TIPS training. Mr. Buckley stated that the Brick House employees were already TIPS certified.

Mr. Keogh added that he commends Mr. Marino for this being his first violation in 50 years in the business and knows that he and his staff take this very seriously.

Dr. Teehan asked Mr. Marino if there is anything he could identify moving forward that might make this less likely to happen. Mr. Marino responded that he honestly couldn’t think of anything. He added that he is constantly reminding his employees to check IDs but it is just a mistake that happened. He apologized to the Board again.

Dr. Teehan asked if everybody that orders alcohol is proofed. Mr. Ross stated that proofing everyone is not the policy. Mr. Ross added that since the violation, Mr. Marino has a floor Manager on duty, in addition to himself to oversee the staff, especially the less experienced servers. Mr. Marino added that he has surveillance cameras in his restaurant.

Dr. Teehan stated that he suggests having a policy of how to ID and would suggest going further and proofing everyone. That takes the guess work and decision making out of the hands of your servers.

Mr. Guilfoyle stated that it was not a Police Officer but a Criminal Justice student. Mr. Guilfoyle explained that these compliance checks are done to educate people and businesses that this can and does happen.

Dr. Teehan added that the Board’s goal is to help businesses move past these infractions and learn from them so they don’t happen again.

Mr. Ross stated that even though they do not card everyone, they are very careful to be aware and have increased their attention to this issue.

Sergeant Buckley re-iterated that the goal of this exercise is education to the liquor license holders in Dedham. He added that it is better to run these checks then to have a minor served and get into an accident or hurt someone else. Sergeant Buckley informed Mr. Ross and Mr. Marino that the Police Department uses Criminal Justice students. The operative that went in to the Brick House was 20 years old. The Police run checks on their criminal history and also check their Facebook page. Sergeant Buckley continued, saying that the Dedham Police take it very seriously regarding who they use for their operatives. He pointed out that all establishments were checked on the same date. Sergeant Buckley stated that he is glad to see a family restaurant in that neighborhood and there have been zero problems in the 13 years that Mr. Marino has been there.

Mr. Butler asked Mr. Marino if he believed he had received a fair hearing. Mr. Marino responded, more than fair.

Mr. Guilfoyle made a motion to close the violation hearing; seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, abstained.

Mr. Guilfoyle made a motion to find that the licensee, Bridgeview, Inc. d/b/a Brick House Café, 107 Bridge Street, did violate Massachusetts General Laws Chapter 138, Section 34 [sale or delivery of alcohol to a person under 21 years of age], 204 CMR 2.05(2) [permitting any disorder, disturbance or illegality of any kind to take place in or on the licensed premises], and/or the Rules and Regulations for Holders of Alcoholic Beverage Licenses in the Town of Dedham (“Rules”), #23 [sale or delivery to person under 21 years of age]; seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, abstained.

Mr. Guilfoyle made a motion to suspend the All Alcohol Restaurant License issued Bridgeview, Inc. d/b/a Brick House Café, 107 Bridge Street, for a period of 3 days; said 3 days to be held in abeyance for a period of 12 months; and that a written warning he placed in the licensee’s file; seconded by Dr. Teehan. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, abstained.

**DISCUSSION AND VOTE RE: AUTHORIZATION TO VOTE ON CHANGE TO JOINT PURCHASING AGREEMENT WITH WEST SUBURBAN HEALTH GROUP**

Mr. Kern stated that the Town of Dedham employees are part of the West Suburban Health Group. This is a joint purchasing arrangement with 13 other entities, Towns, schools, etc. Four entities have left this group in the last year. Questions have arisen and changes need to be made as to how an entity leaves the group. Mr. Kern continued, saying that when the 4 entities left there was no surplus, so the expense (trailing claims) was borne by the remaining groups. They left and the remaining groups paid the bill.

Mr. Kern stated that the Board is being asked to authorize Human Resources Director, Miriam Johnson, to vote, as our representative, to approve the primary change; which is that if future entities decide to leave they will be responsible for their trailing claims. Mr. Kern added that he attended previous meetings discussing this and got the general feeling that if this change was not made there was a question as to whether staying in the West Suburban Health Group was viable. It is one thing to pay the expense of health insurance but it is another to pay the expense of a group that is contracting. Mr. Kern continued, saying that these groups are seen as beneficial to its members. We believe this one is and other communities do as well. In summary, Mr. Kern is asking the Board to authorize Ms. Johnson to go to the next meeting and vote in the affirmative.

Mr. MacDonald made a motion to authorize Human Resources Director, Miriam Johnson, to vote on behalf of the Town regarding changes to the Joint Purchasing Agreement with West Suburban Health Group; seconded by Dr. Teehan. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, yes.

**DISCUSSION AND VOTE RE: REQUEST FOR LIVERY LICENSE BY M&M LIMO SERVICE, 140 MILTON STREET**

Nabil Mourtada, 140 Milton Street and Serge Ketchedjian were present before the Board.

Ms. Baker informed all that a few months ago under the new rules and regulations that the Board adopted, they approved 2 licenses, one taxi and one livery. She added that Mr. Mourtada is looking for a livery license and operates out of 140 Milton Street. He has a business certificate on file with the Town Clerk and his CORI check came back with no concerns. Ms. Baker added that the Board has his complete application in front of them. The vehicle is housed at the MBTA lot.

Mr. Keogh asked Mr. Mourtada about his livery experience.

Mr. Ketchedjia, Mr. Mourtada’s brother-in-law, stated that Mr. Mourtada has worked for Uber for about 2 years but he would like to work out of Dedham under a livery license. Mr. Ketchedjia added that MassPort requires a license to pick up at the airport.

Mr. Guilfoyle asked Mr. Mourtada if he was still driving with Uber. Mr. Mourtada replied no. When he realized that Uber was not a transportation company, that they just connected driver with passengers, he decided to start his own company, with a license so he could operate from Dedham.

Mr. Guilfoyle asked Mr. Mourtada if he was going to subcontract. Mr. Mourtada answered that he would be setting up his own business.

Dr. Teehan asked Mr. Mourtada if a Buick Verano was a limousine or a Town Car. Mr. Mourtada answered that the Buick Verano is not considered a black limousine; it is just a livery car. Kind of an alternative of a taxi and we would charge a flat rate. Rates that people can afford. Dr. Teehan asked how many people the Verano can hold. Mr. Mourtada answered four and added that if the business goes well, he would consider getting a minivan.

Mr. Keogh asked if car was inspected on an annual basis. Ms. Baker answered yes, the Police Station hackney officer can do that.

Mr, Keough asked Mr. Mourtada and Mr. Ketchedjia if their cars would have the business name on the car. Mr. Ketchedjia informed the Board that the company name would be on the side of the car. Mr. Mourtada stated that this is optional for a livery car.

Mr. Guilfoyle clarified that Mr. Mourtada’s business will not be like Uber as the customer will hire him directly. Mr. Mourtada answered that is correct.

Mr. Ketchedjia informed the Board that the difference between Uber and a Livery service is that the livery car has full insurance coverage for the passengers.

Dr. Teehan made a motion to approve the request for a Livery License by M&M Limo Service, 170 Milton Street; seconded by Mr. Guilfoyle. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, yes.

**DISCUSSION AND VOTE RE: 30 COMMITTEE POSTINGS**

Ms. Baker informed all that a few meetings ago Mr. Guilfoyle made a motion to hold any future appointments within the Board’s jurisdiction. This is so the Board could look into upcoming appointments. We have an almost complete list of committees that the Board is responsible for. At the beginning of every month we will bring before the Board copies of the postings for those committees that come up. Ms. Baker continued, saying that in the past we have tried to coordinate within the beginning of the fiscal year but there are statutory requirements or By-Law requirements or Charter requirements for certain boards and committees to be appointed at certain times of the year. We are trying to organize those committees that do not fall within that so we can keep track of them on a more comprehensive level. Ms. Baker stated that if the Board is so inclined to lift that limit in the restriction,

We can open up and post positions that are forthcoming for committees that have vacancies. In particular, for the month of January there are 2 outstanding positions that need to be considered; the Conservation Commission, Wetland By-Law Working Group.

Mr. Guilfoyle made a motion to lift the freeze on Committee/Board appointments; seconded by Dr. Teehan.

 Mr. MacDonald clarified that the Board is not waiving the 30 day posting requirement. Mr. MacDonald added that they are authorizing the process to continue, which includes a 30 day intention of posting an opening followed by the 2 week posting. This gives the people who are interested in serving enough time to respond.

Ms. Baker confirmed that it is a 30 day notice of intent to post, followed by a 10 day posting. The 30 days allows an interested resident time to make an inquiry, perhaps attend a meeting and chat with Committee members. The 10 day posting is when applications are accepted and then brought before the Board.

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

**DISCUSSION AND VOTE RE: DATE TO CLOSE THE WARRANT FOR 2016 SPRING TOWN MEETING**

Ms. Baker stated that she would like to recommend to the Board that the Warrant for the May 2016 Spring Town Meeting closed on Friday February 12, 2016.

Mr. MacDonald made a motion to approve the recommendation that the Warrant for the May 2016 Spring Town Meeting be closed on Friday February 12, 2016; seconded by Mr. Keogh.

Mr. Butler asked Ms. Baker if it was the close of business on the 12th. Ms. Baker answered, yes, the close of business on Friday February 12th.

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

**TOWN MANAGER’S REPORT**

Mr. Kern stated that Town Hall is back in the swing of things after the Holidays.

* Town Hall/Senior Center: The early demolition has begun in the Ames Schoolhouse.  The tenants are out.  The Planning Board Peer Review has been received and the site plan is being discussed over the next couple of weeks.

Dr. Teehan asked if there could be an update regarding the progress at the next Board of Selectmen meeting. Mr. Kern stated that he and Chairman Butler have discussed putting this discussion on the next meeting’s agenda. It will include a financial and building update.

Mr. Guilfoyle asked if the company doing the light demo the same company that will do the whole building. Mr. Kern answered yes it is. Mr. Guilfoyle asked what company won the bid. Mr. Kern answered American Environmental. They are in a light demo phase right now but that will pick up in the coming weeks.

* Web Site improvement: We have received four website proposals and the review has begun.  We expect to have a firm selected by the end of the month.  We see the need to update the Town’s website to improve the user experience.
* Capital Budgets/CEC.  We had a lengthy discussion with FinCom and CEC members about the role of the CEC in the capital process on Monday.  The capital submittals are in and the review calendar goes through January. We are trying to make the process as efficient as possible so Department Heads aren’t making repeated presentations on the same items. Also talking about how to do Capital planning so it is taken seriously but it is not so rigid that if it wasn’t on last year’s plan it can’t be considered. This will help the CEC to prioritize the list.
* Budget: The departments will be submitting by 1/21, 2016.  Budget presentation to BOS 2/25.  Auditors will do their exit interview. That will include a proposal for the Free Cash balance – along the lines of the email I sent before the 12/14 meeting.

Mr. Butler clarified that the free cash operation means the following; the Board has received ideas from the public meeting in December and conversations have taken place between the Town Manager, the Board and the Finance team. So, we would like to wrap this up at the next meeting, as best we can.

Dr. Teehan stated that the Board doesn’t want a budget proposal at the end of February that they haven’t been a part of. The clear message from the December meeting is that everyone is in favor of reducing debt as a way to promote tax relief. Mr. Teehan also believes that everyone supports the idea of leaving some money in Free Cash. There will probably be 3 to 4 million dollars left over and there should be a dialogue regarding what to do with that money. Dr. Teehan added that he would like to see the sidewalk at Rustcraft Road get done as it is a huge public safety issue. The State could help with this in some way. Dr. Teehan concluded by stating again that he would like to see a dialogue in open session regarding the budget.

Mr. Kern stated that there are a number of reasons to look at and be supportive of that project. Our proposal is on the State wide list of State funded projects. The question is regarding the likelihood of it coming up and when it may come up.

* Insurance Advisory Committee:  Third meeting yesterday.  Well attended.  Useful discussion.  Starting to think about options.  The item on the agenda asking you to authorize Miriam to vote to approve the changes to the West Suburban Group’s by laws is primarily to require any present participant who leaves to pay the trailing claims to protect the remaining members.  I think all of the other Towns have voted to authorize.

Mr. Kern stated that this is a big part of our budget and if we don’t manage it, we will pay a big price. He added that the purpose of this committee is to look over all options and present the best ones to us.

* Finalizing the contract w/ Fallon Ambulance.
* Miriam and Mike Welch and I are discussing a reconfiguration of the HR structure in the wake of the HR person’s resignation.  We should combine the effort to provide better HR to everyone.  In the discussion stage.

**DISCUSSION AND VOTE REGARDING RENEWAL APPLICATION FOR A DRAINLAYER’S LICENSE FOR MITCHELL ASSOCIATE CONSTRUCTION CORP.**

Mr. Guilfoyle made a motion to approve the renewal application for a Drainlayer’s License for Mitchell Associate Construction Corp.; seconded by Dr. Teehan. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, yes.

**DISCUSSION AND VOTE REGARDING RENEWAL APPLICATION FOR A DRAINLAYER’S LICENSE FOR J&L MUSTO CONSTRUCTION, INC.**

Mr. Guilfoyle made a motion to approve the renewal application for a Drainlayer’s License for J&L Musto Construction, Inc.; seconded by Dr. Teehan. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, yes.

**DISCUSSION AND VOTE REGARDING APPLICATION FOR A NEW DRAINLAYER’S LICENSE FOR W.D. COHEN CONTRACTING CORP.**

Mr. Guilfoyle made a motion to approve the application for a Drainlayer’s License for W.D. Cohen Contracting Corp.; seconded by Dr. Teehan. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, yes.

**OLD/NEW BUSINESS**

Mr. Keogh stated that this coming Saturday night (Jan. 9, 2016) there will be a fundraiser for the Dedham Food Pantry as well as the Relay for Life. They will be starting at the Dedham House of Pizza at about 6:30pm and stopping in to sample food at various eateries. They will end up gathering at the Dedham Community House where the band Cinder Gray will be performing. Mr. Keogh added that this fundraiser was started a year ago on a whim and it turned out pretty good. This year, with a little more effort, the response has been even better. As well as benefitting two great causes, this will also benefit Dedham Square establishments.

Dr. Teehan stated that since the last BOS meeting, the Master Planning Committee and the Open Space Committee held meetings and there is not much to report there. There was a public meeting at the Endicott Estate where we had an interesting discussion regarding Transit Oriented Development. Dr. Teehan added that the Board is taking these discussions very seriously. Dr. Teehan continued, saying that he had proposed the Wetland By-Law Review Committee and was wondering if anyone had applied.

Ms. Baker informed all that the By-Law Review Committee has appointed its representative and one application has come in for the two at large members to be appointed by the BOS.

Dr. Teehan stated that he will continue to work on that and will hopefully have something for the next meeting’s agenda.

Mr. Guilfoyle informed all that Jason Mammone sits on the Traffic Advisory Committee and does a great job explaining what is going on.

Mr. Butler added that the Board should ask Mr. Mammone to come in to a meeting to give an update on the Traffic Advisory Committee.

Mr. Guilfoyle stated that the East Dedham Revitalization Committee will hopefully be meeting next Wednesday (Jan. 13, 2016) to discuss some grant applications and some streetscape models for the Bussey Street to Milton Street project. Mr. Guilfoyle added that he met with one of the largest parcel owners in East Dedham and the Chairman of the Mother Brook Community Group to discuss options going forward.

Mr. Guilfoyle informed all the VFW will be holding exhibition fights as a fund raiser on January 16, 2016, called “Brawl in the Hall.” Contact the VFW for tickets. Mr. Guilfoyle concluded by saying do not give up on the Pats!

Mr. MacDonald thanked Rita Mae Cushman and her family for their annual, beautiful Christmas display. This is the 42nd year and we all look forward to the 43rd year. People from Dedham and surrounding towns come to see the display. The Boston Globe South had an article and a picture of Rita Mae buying some additional items for the display. Mr. MacDonald thanked Ms. Cushman and her family for this wonderful tradition.

Mr. MacDonald stated that everybody knows, especially residents in Riverdale that the big ditch is under construction. There is already one temporary and the second bridge is being added. Mr. Keogh had the idea of sending home a letter to inform residents of the construction schedule and the Board is working on that. Mr. MacDonald hasn’t seen any disruption or stopping of traffic. Mr. MacDonald added that he attended a wake today for retired Boston Firefighter Mike Mullane. Mr. Mullane was the International Association of Firefighters 3rd District Vice President. He looked out for Firefighters in Boston, in Massachusetts and the US and Canada. Mr. MacDonald concluded by saying that he just wanted to remember Mike.

Mr. Butler added that he has quite a legacy.

Mr. Butler stated that according to one of the articles past recently for the East Dedham 375th, the Board is required to appoint 3 people to that committee. Ms. Baker informed all that it is not a permanent committee and it will disband after the celebration. She has not yet received any applications but hopes to have enough for the Board to appoint at the next meeting so they can begin working and fundraising.

Mr. Butler stated that he asked Ms. Baker to schedule to Sustainability Committee for February or March, as they just updated their goals and the BOS is interested in hearing what they are. Mr. Baker added that just before Christmas he received a call from Eileen Commane, Executive Director of the Dedham-Westwood Water District and on behalf of the commission has asked for a joint meeting. That would include the Dedham BOS, the Westwood BOS and the Dedham –Westwood Water District. They had a similar meeting in Westwood 2 or 3 years ago, so Dedham will host it this time. Mr. Butler informed all that the impetus is the project regarding the Bridge Street Pumping Station. Mr. Butler asked the Board to think about how long they think would be sufficient for such a meeting and maybe it can be part of a regular BOS meeting.

Mr. MacDonald stated that he thinks this meeting will need to be more than a half hour. He has looked over the financial and rate hikes as well as the unfair restrictions they placed on MS Walker in the Readville area in Boston, which is Dedham that is giving them an unfair surcharge on the use of water. Mr. MacDonald continued, saying while they might want to come in and talk about the Bridge Street project they should be prepared for some pretty tough questions regarding the policy and the fairness of the effect on a single business. Mr. MacDonald wants them to be prepared for a conversation.

Mr. Butler stated that they will do their best to schedule that meeting and stated that the Dedham-Westwood Water Districts financial are available online.

Mr. MacDonald made a motion to adjourn the meeting in memory of Mike Mullane; seconded by Mr. Guilfoyle. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. Butler, yes; Mr. Guilfoyle, yes; Mr. MacDonald, yes.

The meeting adjourned at 8:49 p.m.

The next meeting is scheduled for Thursday, January 21, 2016 at 6:30p.m.

This is to certify that the above is a true and accurate record of the Minutes of the Board of Selectmen’s Meeting held on January 7, 2016, which minutes were approved on February 11, 2016.

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Michael Butler – Chairman