

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

**MINUTES OF THE SELECT BOARD MEETING
VIA TELECONFERENCE
DECEMBER 2, 2021, 6:15 P.M.**

BOARD MEMBERS:

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

TOWN OF DEDHAM STAFF:

Leon Goodwin	Town Manager
Nancy Baker	Assistant Town Manager

Minutes prepared by Mary-Margaret Scrimger of Minutes Solutions inc. from an audio/video recording.

1. CALL TO ORDER

The Board recited the pledge of allegiance. The Chair, Ms. Sullivan, called the meeting to order at 6:15 p.m.

2. OPEN DISCUSSION

There was no open discussion.

3. TOWN MANAGER'S REPORT

Mr. Goodwin presented the Town Manager's report. He noted that trash cart removal and replacement have begun. This is a big operation and will take time to complete. There have been a few challenges in receiving replacements, and Mr. Goodwin asked everyone to let the Town or DPW know if their cart is missing. ARPA funds were used to purchase these.

The county parking lot is being addressed, and the county administrator is finalizing an agreement for 25 parking spots in the county lot.

The Town is working to receive an LWCF Grant for the new green space. There needs to be more discussion before anything concrete occurs, but this process needs to begin.

4. CONSENT AGENDA

A motion was made by Ms. MacDonald to approve the consent agenda, which included items related to the drainlayers (recommended for approval Pat's Contracting, TID Trenches LLC; Recommended for Denial Environs Solutions Inc.), Gifts (\$50 from Dedham

Art Association for the Endicott Estate and Elizabeth Games Trust \$500, Donahue Real Estate for \$100 for Dedham Youth Commission); Minutes (Open Session August 12, 2021, September 23, 2021, October 7, 2021, October 19, 2021, October 21, 2021); three-day entertainment license for Liberty and Main (December 31, 2021 until January 2, 2022) and vote to extend New Year's Eve closing hour until 2:00 a.m. The motion was seconded by Dr. Teehan. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

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

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

Motion passed unanimously, 5-0.

Ms. Baker noted a request for a parade on December 4, 2021, to celebrate Hanukkah.

A motion was made by Ms. MacDonald to approve a Hanukkah parade on December 4, 2021. The motion was seconded by Mr. Coughlin. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

5. PUBLIC HEARING: OFFICER CHANGE REQUEST (WHOLE FOODS)

A motion was made by Dr. Teehan to close the public hearing. The motion was seconded by Ms. MacDonald. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

A motion was made by Mr. MacDonald to accept the changes in officers and directors at Whole Foods Market. The motion was seconded by Dr. Teehan. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

6. DISCUSSION: DWWD COMMISSIONERS

The Dedham Westwood Water District was welcomed. Mr. Locke presented the 2021 Capital Improvement Projects. In the 2021 season, over four million was spent on infrastructure. A zero interest loan was given to support this via the Massachusetts Water Resources Authority. This loan was received to upgrade the water mains on Ridge Avenue, Eastern Avenue, and Pine Street. These pipes were from approximately 1915 to 1930. Water mains were also replaced on Schiller Road, Providence Highway, and Carroll Court and additional upgrades were done to the White Lodge Treatment Plant and Elm Street Office.

Mr. Lukis noted that the upgrades were not an emergency. Water was frequently tested, as per regulation. Only one area had samples with TTHM levels above compliance levels, which is being monitored. A delicate balance ensures chlorine kills bacteria but is not too high to create a chemical reaction with organic material. These levels were likely a result of increased rainwater. This needs to be addressed for the long term as increased precipitation is expected.

Mr. Lukis provided a plan to communicate TTHM exceedances. Operationally to address the TTHM, the DWWD is purchasing MWRA water to dilute the current distribution system, flushing the system, and taking additional samples. This has resulted in decreased TTHM numbers. The DWWD is investigating ways to reduce the age of the water in the tanks, is working with Weston & Sampson to analyze TTHM levels, and exploring new equipment.

The DWWD expects the water study from Weston & Sampson soon. There have not been any complaints regarding water quality since these problems began. There was a discussion about when roads are ripped up and coordination on accessing the pipes. This does happen with the DWWD. There is a collaboration with the paving schedule to allow access and find efficiencies.

7. PUBLIC HEARING & VOTE: CLASSIFICATION HEARING

A motion was made by Ms. Cheryl Sullivan to reconvene the December 2, 2021 meeting of the Board of Assessors. The motion was seconded by Mr. Schoenfeld. A roll call vote was taken:

Richard Shoenfeld	Yes
Mike Polito	Yes
Cheryl Sullivan	Yes

Motion passed unanimously, 3-0.

Ms. Cheryl Sullivan presented the fiscal year 2022 classification hearing. The hearing requires two votes by the Select Board and addressed classification, tax shift, overall sensed property in Dedham, average values, estimated tax rates, and historical rates. The two Select Board votes will decide whether to continue classification for the Town of Dedham and, if classification continues, what shift does the Select Board vote to use. A tax rate for the 2022 fiscal year is created based on these votes.

Municipalities can tax different classes of properties at different rates. Dedham has had a split tax rate where the residential tax burden is split among commercial, industrial and personal properties. The 2021 shift factor was 1.75, the maximum shift available for Dedham. Property value is based on values as of January 1, 2021. The total of all Dedham property is \$6.085 billion, and residential represents just over 82.1%.

Assessors do not raise or lower tax rates. Their responsibility is to find the full and fair cash value of properties. The average single-family home was assessed at \$597,742, which increased 8.66% from the year before. The average commercial/industrial property was assessed at \$2,480,353, an increase of 4.84% from the year before. If the tax shift is 1.75, it will equate to \$1,335 per \$100,000 of value for residential taxes and \$2,793 per \$100,000 for commercial/industrial taxes.

The tax levy, which is the bills the Town needs to cover, for 2021 was \$93,340,826. The tax levy for 2022 is \$97,124,922. This is an increase of 3.87%.

Ms. MacDonald asked about the impact of COVID-19 on commercial and retail value. COVID-19 stopped the market for housing and commercial. This caused an increase in value for residential properties while decreasing commercial values. Dr. Teehan noted that when residential property values increase significantly, they cannot be substantially shifted to commercial. The Select Board attempts to mitigate the burden on taxpayers.

Ms. Sullivan asked how the residential assessments are determined. Sales in the prior year, location, bathrooms, property condition, and other factors are considered. Ms. Sullivan noted that this is a significant increase, and many projects are coming up. Therefore, the Town must watch its spending.

A motion was made by Ms. MacDonald to close the public hearing. The motion was seconded by Mr. Coughlin. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

A motion was made by Mr. MacDonald to endorse the recommendation of the Board of Assessors to continue the classification tax system for the Town of Dedham. The motion was seconded by Ms. MacDonald. A roll call vote was taken:

Dennis Teehan	Yes
Dimitria Sullivan	Yes
James A. MacDonald	Yes

Sarah MacDonald Yes
Kevin R. Coughlin Yes

Motion passed unanimously, 5-0.

A motion was made by Mr. MacDonald to endorse the recommendation of the Board of Assessors to keep the maximum tax shift of 1.75 for the Town of Dedham. The motion was seconded by Ms. MacDonald. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

A motion was made by Ms. Cheryl Sullivan to adjourn the December 2, 2021 meeting of the Board of Assessors. The motion was seconded by Mr. Polito. A roll call vote was taken:

Richard Shoenfeld Yes
Mike Polito Yes
Cheryl Sullivan Yes

Motion passed unanimously, 3-0.

8. COMPLIANCE FAILURE VIOLATION HEARING: STOP AND SHOP

Mr. Mooney, the attorney for the Packing Center, addressed the compliance failure violation for Packing Center Inc d/b/a Stop and Shop Supermarket.

Ms. Baker swore in all individuals testifying for these violations.

Mr. Mooney did not dispute the facts in the report. Sergeant Munchbach provided details on what occurred. On October 14, 2021, an underage operative was sent into the store with money to purchase beer. Sergeant Munchbach noted that Stop and Shop was very helpful in their investigation. Mr. Mooney noted that Stop and Shop agrees that it was at fault. The cashier, who was 18, requested another cashier, who was 19, to make the transaction. Unfortunately, the cashier misread the birth date on the identification.

Mr. Mooney noted that this is not an excuse, and efforts have been implemented to ensure that this does not happen again. All the Stop and Shop associates have received TIP training or re-training. In addition, an electronic block has been put in place so that associates that have not been TIP trained cannot make alcohol sales. Mr. Mooney noted that Stop and Shop has a zero-tolerance for this behavior, and the associate who made the sale has been terminated.

Mr. MacDonald asked if the manager of record reviewed and understood the regulations. Mr. Mooney noted that he has and there is a pending request for Mr. William Roy to be the new manager, but he is currently on paternity leave. Mr. MacDonald noted that this was the second violation.

Ms. Sullivan asked if Mr. Mooney felt that he had a fair hearing. Mr. Mooney thought it was fair but requested information regarding the other violation. It will be forwarded to Mr. Mooney. Mr. Mooney noted that there was no malicious intent, and this was human error.

A motion was made by Mr. MacDonald to close the public hearing. The motion was seconded by Mr. Coughlin. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

A motion was made by Mr. MacDonald to take this matter under advisement for a ruling at the December 16, 2021 meeting. The motion was seconded by Ms. MacDonald. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

9. COMPLIANCE FAILURE VIOLATION HEARING: P.F. CHANG'S CHINA BISTRO

Mr. Upton, the attorney for P.F. Chang's China Bistro Inc, addressed the compliance failure for P.F. Chang's China Bistro, d/b/a P.F Chang's China Bistro.

Ms. Baker swore in all individuals testifying for these violations.

Mr. Upton agreed to the facts of the October 14, 2021 report. Detective Mahoney noted that on October 14, 2021, an undercover underage operative was sent into the facility with instructions to text the police if he was served. The operative was served. The operative was ID'd, but the operative was served despite an underage ID. Mr. Upton asked if the operative paid for the alcohol. Detective Mahoney confirmed that he did not, as it appeared a tab was established.

Mr. Upton noted that this was human error, misreading the identification. The employee has been disciplined, and the staff has completed additional training. Additional practices and policies have been put in place.

Mr. Joe Pezzino, the regional manager, apologized for the situation. As soon as it was brought to his attention, the corporate office was informed. Processes were reviewed to ensure it did not happen again. The policy of P.F Chang's China Bistro is to help and support town officials and staff. Mr. Joseph Kashouh, the manager, also apologized for this oversight. The bartender was given a final warning. The staff has been coached on TIP, and additional efforts have been implemented for new hires.

Mr. MacDonald noted his disappointment with the unprofessional reaction of the staff. He noted that P.F. Chang's China Bistro had two other violations in the last three years. Mr. Upton noted that the last one was in May 2018. The Board will review the time requirements for this violation.

Mr. Upton confirmed that he had a fair hearing.

A motion was made by Dr. Teehan to close the public hearing. The motion was seconded by Mr. Coughlin. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

A motion was made by Mr. MacDonald to take this matter under advisement for a ruling at the December 16, 2021 meeting. The motion was seconded by Ms. MacDonald. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

10. COMPLIANCE FAILURE VIOLATION HEARING: PMA BEVERAGE SERVICES

Ms. Baker swore in all individuals testifying for these violations.

Mr. Jeffery, the manager of record, agreed to stipulate to the report of the October 14, 2021 incident. Sergeant Munchbach noted that rule number eight was not violated. Officer Feeley noted that an alcohol check was done on October 14, 2021. An underage operative entered the hotel, went to the bar, ordered, and was served. The operative was ID'd and was served alcohol. The operative advised Officer Feeley and Detective Mahoney. Mr. Jeffrey noted that this was an unlawful sale, and efforts need to improve. This was a clear failure by someone who was trained and certified. There is a zero-tolerance for alcohol sales at the Hilton.

Mr. MacDonald asked what more Hilton needs to do to ensure procedures are followed. Mr. Jeffrey noted that service personnel are trained. The bartender was distracted as the bar was not set up and was not technically open. Mr. Jeffrey noted that the bartender was distracted due to personal issues. She is an excellent bartender and has been given a warning.

Mr. Jeffrey confirmed that he received a fair hearing.

A motion was made by Dr. Teehan to close the public hearing. The motion was seconded by Mr. Coughlin. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

A motion was made by Mr. MacDonald to take this matter under advisement for a ruling at the December 16, 2021 meeting. The motion was seconded by Dr. Teehan. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

11. **DISCUSSION AND VOTE: RENEWAL OF LICENSES FOR 2022**

Ms. Baker asked the Select Board to review all licenses in its purview, including licenses covering all alcohol restaurant and package stores, wine and malt restaurants and package stores, class one, two and three motor vehicle licenses, club licenses, dancing, fortune-telling, and jukebox, second-hand dealer licenses, along with entertainment, automatic amusement licenses, theatre, and innholder.

Ms. MacDonald asked the Board to remove J&J Arms from the list and invite the applicant to the next meeting to discuss the application. Also, three restaurants on the list are no longer operating. Ms. Baker noted that the ABCC approved the Dedham Square Coffee House transfer in 2021. The current owner is working to open the space before the holiday. One of the principals for Joe's came in to sign the document and is looking for a new holder. Risers is working to reopen and has a new tenant. If this does not occur in a timely fashion, they will be called to the Board.

If someone has an outstanding obligation to the Town, then the license is not issued. Letters regarding overdue payments will be sent out next week.

A motion was made by Ms. MacDonald to approve the licenses listed, except for J&J Arms. The motion was seconded by Mr. MacDonald. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

12. PUBLIC SAFETY BUILDING UPDATE

Ms. Goodwin noted that the public safety building is on schedule and expected to be under budget. By January, the building will be full weather tight, including the roof. Internally, masonry and carpentry are being addressed. In addition, there are temporary heaters in the building. An abutter has complained about the heater noise, and a schedule was created.

13. OLD/NEW BUSINESS

Ms. MacDonald noted that the new trash carts had been distributed. Bulk pick-up will also be a service that has a charge. The master plan celebration will occur on December 4, 2021.

Mr. MacDonald noted that the tree would be lit on Saturday.

Dr. Teehan noted there will be a public meeting regarding the East Street Bridge next Thursday.

14. ADJOURNMENT

A motion was made by Ms. MacDonald to adjourn the meeting. The motion was seconded by Mr. Coughlin. A roll call vote was taken:

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

Motion passed unanimously, 5-0.

DISCLAIMER

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

 Director
Feb. 17, 2022

 Date

 Director

 Date