

Tuesday, March 30, 2021
Board of Selectmen Meeting Minutes
Virtual Meeting
7:00 p.m.

Members Present: Mark Elfman, Chair
Ed O'Leary, Vice Chair
Stephanie McGowan, Clerk
Leah Gibson
Chris Mitchell

Also Present:
William Keegan Jr., Town Manager
Mike Johns, Assistant Town Manager
Christina Metcalf, Community Info. Specialist
Katie Lang, Executive Assistant/License Coordinator*
*Attended remotely

1. 6:00pm Executive Session

1.1 Union negotiation and strategy discussion regarding upcoming contracts for the Local 379-MCOP AFL-CIO, United Steelworkers Unit A and Unit B, Union AFSCME - DPW, and Boyden Library Employee Union

Motion to enter into executive session for union negotiation and strategy discussion regarding contracts for the Local 379-MCOP AFL-CIO, United Steelworkers Unit A and Unit B, Local 1702 AFSCME - DPW, and Boyden Library Employee Association and to reconvene in Open Session by S. McGowan, 2nd by C. Mitchell.

Roll call vote: CM – Yes, LG – Yes, SM – Yes, ME – Yes, EO – Yes. Approved, 5-0.

2. 7:00pm - Citizen's Input – No public input

3. 7:05 Collective Bargaining Agreement Vote- Vote on Collective Bargaining Agreements for FY22

Motion to approve the MOA between the Town and Local 379-MCOP AFL CIO from July 1, 2021 through June 30, 2022 by S. McGowan, 2nd by C. Mitchell. Approved, 5-0.

Motion to approve the MOA between the Town and United Steelworkers Local 9517 Unit A from July 1, 2021 through June 30, 2022 by S. McGowan, 2nd by C. Mitchell. Approved, 5-0.

Motion to approve the MOA between the Town and United Steelworkers Local 9517 Unit B from July 1, 2021 through June 30, 2022 by S. McGowan, 2nd by C. Mitchell. Approved, 5-0.

Motion to approve the MOA between the Town and Local 1702 AFSCME - DPW from July 1, 2021 through June 30, 2022 by S. McGowan, 2nd by C. Mitchell. Approved, 5-0.

Motion to approve the MOA between the Town and Local Boyden Library Employee Association from July 1, 2021 through June 30, 2022 by S. McGowan, 2nd by C. Mitchell. Approved, 5-0.

4. 7:10pm COVID-19 Informational update

Foxborough remains in the yellow with 63 cases currently in town, a week ago we had about 30 cases. There has been a little bit of a spike and it's happening nationwide. We are tracking that and paying close attention to it. We are at 20.8 cases per day per 100,000 residents over the last 14 days, which is slightly high. The percent positivity rate is moderate at 2.94%, slightly higher as well. The slightly higher numbers are contributed to the new Covid-19 variants which have a greater transmission rate than the previous version of Covid. The Mass Department of Public Health Report as of March 29, 2021, there is a total of 3.04 million vaccinations have been administered across the state. In addition, Governor Baker has announced the launch of a homeland vaccination program to provide in-

home vaccinations to individuals who cannot leave their homes even with support to get a Covid-19 vaccination. As part of this program Foxboro homebound residents will be referred to a local Council on Aging, who will create a list of eligible individuals. The Federal Emergency Management agency has recently announced that Sunday March 31st 2021 and an additional six thousand doses of Covid-19 vaccine will be available at the Hynes Convention Center as part of the federal community vaccination program and can sign up at thevaccinesignup.mass.gov. New travel advisory for it's all persons entering or returning to Massachusetts, to quarantine for 10 days upon arrival if they have been out of the state for 24 hours or more. It does not apply to anyone in the following categories: returning within less 24 hours, travelers who have a negative Covid-19 test results that have been administered up to 72 hours prior, or workers that enter Massachusetts to perform a critical infrastructure while they are commuting to and from their work. Travelers who are fully vaccinated who have received the Covid-19 vaccines or who have received a single dose from the Johnson & Johnson vaccine 14 days or more ago and are not symptomatic. Re-opening Massachusetts update the state is currently in Phase 4 step 1 of the Massachusetts reopening plan. The Executive office of Health and Human Services released a series of new guidance. For further information about the updated guidelines and business standards please visit the Massachusetts reopening page on Mass.gov

5. 7:15pm Fire Department - Inter-Municipal Agreement with the Town of Franklin – Chief Mike Kelleher

MK – The word has gotten around about our apparatus maintenance program and the Franklin Fire Chief asked if we would take on the Town of Franklin The program has been running for a couple of months, doing very well and it's not heavy lift so we can manage it for sure. If you looked at our budget proposal this year I think it's somewhere between a quarter or half percent increase in our budget where it's usually 2.5% to 3% in our expense budget so it's already paying dividends. We expect that revenue will keep that number down.

CM - So brought it up and then I have to give Mike huge kudos for reaching out to me at the beginning and went over my concerns. He gave me some good numbers, good statistics, it doesn't take that much time and the ROI right now is like 48%. Definitely put me at ease and I'm satisfied with allowing another town.

Motion to approve the Inter Municipal Agreement with the Town of Franklin by S. McGowan, 2nd by C. Mitchell.

Discussion: CM – The draft agreement needs to be cleaned up and finalized.

Approved, 5-0.

6. 7:20 Foxboro Nutrition - Common Victualler License – Jeff Pina,

Jeff Pina – Looking to open Foxboro Nutrition on 60 Central Street in town. Foxboro nutrition is going to be a nutritional smoothie and energizing tea store. We have four other locations throughout the state of Rhode Island and have been doing this for 6 years now. The style and set up of it is like a café, people are able to come in and purchase nutritional protein shakes as well as energizing teas. Customers will be able to sit out a little table and enjoy it there or take it and go. We get involved doing work within the community, with the high school or local athletic programs.

LG - Jeff has already joined the Foxborough Common Business Collaborative and he's joined those meetings that seems like he's going to be a great addition to Uptown. One of the members even traveled down to Rhode Island to get a shake and there was good reviews.

CM - I just want to give you credit for having four businesses already and keeping them afloat of the last year and starting another one during this pandemic so good luck.

JP - Thank you very much, we are very fortunate for our success and I we look to duplicate everything that we've done Rhode Island in the Town of Foxborough. We're looking to open in the middle of summer, and as long as I get the approval from you wonderful folks what the start pulling our permit so we can start our renovations within the next week or so.

LG – What is your Instagram if people want to check out where the new so why are Omar store that's in Smithfield

JP – It's FoxboroughNutrition

Motion to approve the 2021 Common Victualler License for Foxboro Nutrition by S. McGowan, 2nd by C. Mitchell. Approved, 5-0.

7. 7:25pm Shovel Town Brewery Inc. Public Hearing - Frank Altieri* and James McSherry*, Owners- Public Hearing & possible vote on the request for Alteration of Premises, Farmers Pouring License -Malt Only, Common Victualler and 7 Day Entertainment License for Shovel Town Brewery Inc. d/b/a A Taste of Foxborough

Reading of Public Hearing Notice

ME – This project came up a few weeks ago. We have representatives here from Shovel Town, resident of Shea Lane who abut the property where this project would temporarily reside as well as our Planning Director Paige Duncan. We have a statement from the abutters that we are going to review and also have the abutters speak as well.

FA – I want to start by saying shovel Town Brewery would love to take this opportunity to thank the select board for giving us the opportunity to discuss what we believe an exciting opportunity for the town of Foxborough and shovel Town Brewery. I'd like to introduce myself I'm Frank Altieri that I'm the co-owner of shovel Town Brewery and my business partner James Mcsherry. We also have some other members are of our team online including Bill Buckley who has been advising us from the colony grew and the Bay Colony group sorry and Sam Schofield who is representing Doug King Builders tonight who owns the property on that we're talking about. We are proposing establishing A Taste of Foxborough, a local food and craft beer pop-up market under temporary outdoor entertainment food and craft beer location in a current vacant parcel located at 25 Chestnut Street. We would like to run this pop up from late May through October of 2021 and the facility would feature a 20x30 tent with tables underneath as well as tables with umbrellas outside of the tent area, a game area, food and beverage structures and portable restroom facilities. The site will be handicapped-accessible, family-friendly, and future food from either other local Foxboro restaurants or Shovel Town Brewery and feature shovel Town Brewery's beer. It will operate under all the conditions required by effective emergency orders and guidance associated with Covid-19 and the state of emergency that are in place at the time. As requirements change we would like to stay apprised of those and ensure that we're operating under those conditions. We've executed a letter of intent with Doug King to establish the brewery restaurant location on the side of the former fire station and the Keating Funeral Home on School Street in Foxborough Center when that building is ready for occupancy in early 2022. This proposal would allow Shovel Town Brewery to introduce ourselves to the community while providing an outdoor venue for families to enjoy which aligns with the current guidance the Commonwealth and their initiative to promote and develop outdoor Gatherings and entertainment during the pandemic or as post-pandemic activities. Shovel Town Brewery has successfully operated a taproom and restaurant in Easton for four years without a single incident. We have also been instrumental in creating and running Prova, which was a similar concept in Brockton, in the base of a building that was yet to be built and we ran that with the Prova team for two years. It was a huge success really was the only reason why we wouldn't be doing that again is because that the space in which we were doing this temporary activity was it has a building built on that site so you no longer could use that. We are looking at other opportunities in that area but right now we're focusing on the Foxborough location. As you may be aware and and I don't know if you saw it in the news this week you know these these outdoor pop-up gardens of I have really been grown so significantly in popularity across the United States, several cities and towns leverage these types of things for cultural activities for event space for get their residents to enjoy. Recent trends are seeing these types of events moving into the suburbs and it's really brings a sense of community to the areas in which it has been brought in. We've met and actually we we started to work on it last year but it wasn't the right time according to the town. We've revisited we've applied more resources to it and we have met with the town departments including Fire, Police, Board of Health, Inspectional Services, Planning, Economic development and the Town Manager's office to ensure you know the package that we put together and the the approach that we're going for is going to be mutually

beneficial for everyone. We're looking forward to being an engaged member of the community, we are very active in an Easton and our community we do events with lots of the community organizations. We're looking to do the same thing in Foxborough and contribute to the community as we grow.

CM – I would like to go over the site plan at some points.

FA – I will turn that over to Bill Buckley.

Bill Buckley – I work for Bay Colony Group and we put together this site sketch for Shovel Town for this project. The property is location on Chesnut Street, opposite of Payson Road. This is a commercial development site. There would be 28 tables and pushed them as close to the road as we could for visibility and to be consideration of the residential neighborhood of Shea Lane that we would back up from. There are 58 spaces on this lot. We figure 1 car per table and we have double the spaces. There are food sheds or trailers, we have a portable toilet and have sewer and water, it won't be permanent but it will be a hard connection. Oh the map in yellow is where people will be. Along the back there will be 6 foot high arbor vides per zoning requirements. We are trying to be sensitive to the neighbors using the cars to block noise, and push people toward the street. It's designed to address noise issues, buffering and some of the public health issues.

CM – Are the entrances are two ways or one way loop?

BB – Most likely one way entering from left and exiting after speaking with the Planning Board.

CM – Will this be legitimate fence or chain link fence?

BB - It's will be a temporary fence and it's not something that you couldn't jump over if you didn't want to.

CM – The buffer area it looks like the whole lot gravel and there is a big mound. Will the arbor vides got there or further back?

BB - The arbor vides will go further back. The row between the cars and arbor vides is 60 feet.

CM - Will that be gravel or grass?

BB – It will be what ever is there now, no plans for landscaping.

CM – Will there be fence or curbing to delineate parking?

BB - Do barrels and lining of the lot like we do at stadium events with the gravel parking lots on Route 1.

LG – I support this idea but I think we should go through site plan review through the Planning Board and with respect to the public process and neighbors it needs to go through the site plan for the generators. If we are doing this under the guise of Temporary Outdoor Dining (TOD) guideline orders. I don't think that the intent of the temporary dining orders was to allow a new establishment to go through without the proper process. I believed the temporary outdoor dining should be existing establishment to have new outdoor dining.

Paige Duncan – To frame it from my perspective as Planning Director, this was brought up last year and the staff level and Shovel Town was told no because of Covid and there was an appeal on the fire station project. This year with the appeal being resolved and the intention of Shovel Town going in there. So many of the seminars I've been attending are encourage this type of thing. This is outside the box and the Governor issued the executive order that has suspended of zoning laws currently there have been changes to the rules that we have. This is a mixed use location. We will be holding a discussion on this during the April 8 Planning Board meeting for us to go over.

Ron Bresse – I agree with what you have to say. I did reach out to Bill Buckley to address a few things on the site plan to adjust. I think this is a positive move for the community.

LG – I support this but we should go through the process and making this project success and notifying the abutters.

ME - The thought at the time was to keep with the outside dining regulations set up by the Governor and sitting in that classification instead of the hard building a restaurant where abutters have to be notified. The public meeting notice went out was the sufficient notice to notify the public.

LG – If there is a second public hearing with site plan review to make sure we notify abutters.

BK – This is a fact finding mission at this point because it's a new idea but is allowed under the Governor's direction to consider these types of things. We are sensitive to the fact that it is a new concept for this particular neighborhood and want their input. Paige is correct that this is a mixed use area and something like this would have to be granted with a special permit if it was going to be permanent. Because this is a temporary use we do this and provide our community an opportunity that it wouldn't normally had.

ME – When the public hearing notice went out there were a number of calls that were received by the Selectmen's office and they were all answered and more information went out to all the abutters. I do have comments to read into the record as well as virtual attendees.

SM – My initial feeling is that its great and then started to think about the location. One of the concerns I have is the overflow of cars. Where does over flow parking and how do people cross safely? How will lights from cars be buffered? There were also a lot of question from the Board of Health meeting that weren't addressed? I don't think we are ready to vote this and I see motions here to approve this, but I'm not ready to approve this without more information.

LG – Also, we need to ask what are the right questions for this Board versus what questions go to Planning and what this Board should be focusing on.

BK – We put all the motions in depending on what was decided because we didn't know what the Board would want to do. The Board's primary goal is to focus on the licensing piece and Town Liquor Counsel is available if you have questions about that.

LG – Does this license have the \$5,000 EDC fee?

BK – It will for the permanent location but not for this.

PD – It won't be a formal site plan review process at the Planning Board meeting and we can notified by abutters on April 8th. We will be discussing the layout of the site, the screening, parking areas, etc. I would expect the Planning Board make a recommendation back to the Selectmen. Under the outdoor dining guidelines this is permitted under the Town Manager's Office.

LG – Do we need to look at the TOD guidelines? This was never our intent under the TOD orders.

BK – It was unique and wanted to get weigh in from the Board. If you read the TOD order it allows for it.

PD – It doesn't conflict or precludes this from happening.

LG – I don't believe our intent was something like this.

PD – It's a unique thing, nobody else that this situation would apply to and this would be a one-time experience. It doesn't say it specifically. The TOD order doesn't specifically have information for this but it doesn't preclude it. Its unique circumstance and unique time situation.

LG – We can't skip important steps of the process.

BK – Normally we have site plan review for permanent buildings.

ME – So we are going through everyone to get their input and approval.

CM – Since it's under our perview to approve the liquor license let's hear from our liquor counsel and get the information from him.

Dave Deluca – Liquor Counsel – I have been briefed by the Town Manager's office and it is a unique situation and very common in the city and less in suburban areas. It's permissible under the Farmers Brewing and then the LLA can issue a farmers pouring permit for a location, which in this case, is an outdoor facility. In this instance it is permissible to review the merits and if it complies with Chapter 138 section 23 and in favor of public good and public convenience to issue a pouring permit. You do have every right to condition that permit and can assist you with those conditions. The Board can consider the merits of an alcohol license and that there are other things to consider and leave it to the application to confirm that all those requirements.

BK – Would it be appropriate for this board to continue this hearing and to receive the recommendation to consider the licensing?

DD - That is a good thought and reasonable strategy. This does conform to the use but would be good to get recommendations.

LG – Should we look at our temporary dining orders due to this situation?

DD – You have every opportunity to review those regulations that are relevant as outdoor dining begins again. If you have a reason to make those modification it is a good time to review those.

ME – Reading of highlights of abutter's letter. This will be available in the Selectmen office as a public record.

1. We don't believe this is allowed for this district.
2. We believe that the town and employees met with them and it excluded abutters.
3. Noise issue.
4. Parking is not adequate.
5. Traffic concerns.
6. Noise odors trash odors, music toilet, food trailer and beer trailers would be issues.
7. Believe if the town believes that it should have an more appropriate location.
8. This would have an impact on the neighbors and affect emergency response.
9. We ask they don't approve this project.

Gary Wallrapp 10B Shea Lane – I wanted to say that this is the first we've heard of this. We felt left out and we just wanted to be part of the process.

ME – This is the process.

John Greenhalgh, 14A Shea Lane – We didn't hear anything around this about a week ago. Disappointed that we weren't involved and would have expected more from town. The biggest issue is that the Zoning doesn't actually allow this and the Town might try and twist the Covid outdoor dining extension. It clearly states it allows an expansion of outdoor table service for an existing restaurant not something new. Can you tell me how this can be considered?

PD – We are looking this a bit differently and believe it fits the parameters of the TOD order. We were trying to work with a restaurant coming to town. It does say creation or expansion.

JG - The next issue would be traffic and how fast it moves in that area, you'll have people driving through the middle of town. The beer they serve is great so it will be busy, has the town put any analysis into how traffic will be handled and what problems this could cause?

ME – We can't answer that at this stage.

BK – I disagree because it's not outside the use of this area and this particular place is not slated for residential use. It's important to point out that it is a temporary use not permanent. This was waved and that's why we can have this conversation. We get inquiries like this, vet them internally to see if this is for the town and then being able to be prepared and have the Board act for it and be able to give you answers and the correct information.

JG – I believe there has been more meetings and this has been going on a lot longer than you have said. We should also consider before Conrad's we had Waxy's, which was a problem with DUIs and issues and putting another drinking place nearby should be a consideration if this should be done.

ME – This hasn't been in the planning stages longer. The first time I heard about it 5 weeks ago.

CM – Besides Mark, as chairman, we got this information on Friday.

SM – I believe that it was Paige said that we didn't have to but we should have.

BK – This is a first opportunity for people to comment and voice their concerns and get answers.

SM – Seeing the motions made me thinks that is final.

BK – We give the Board an array of motions to make sure that you are able to act in several ways.

ME – This is a unique situation that doesn't fit the mold. All motions are in there so you can have the proper language when voting. There is a lot more information we need and we've got a lot of input and that's what we needed.

BK – Abutter weren't notified because this is an alteration of premises not a new site plan review which we would normally notify them.

JG – The last thing, there is a lot of mis-information, and big unanswered questions and seems that this has not been thought through.

Curt Fauth – I am a Shea Lane resident and was one of the signers, I'm heartened by the discussion so far of this project and that Board recognized we have not had a chance to provide input that would impact our neighborhood. I appreciate the fact that we can have a Planning Board meeting to address the specifics issues in detail. Stephanie brought up a lot of the issues that we have and that could impact us that people could cut across private property, noise with all the people and refrigeration truck (we would want a solid barrier there to reduce noise and dust) and the potential issue of vermin and or rodents.

Bob Conrad - I have no issue with fair market competition. The restaurant business has been hard it and 3,400 restaurants have closed since Covid. I opened 3 weeks before Covid and because of the community we have been able to stay open with the patio we have. I have an issue with the parking. It's a great idea but for somewhere else and more suitable for all. Is this a one year only thing?

BK – This is a one year and it will expire at the end of October.

LG – Have we asked the state?

BK – We have not asked the state because this is a Local Licensing Authority issue.

Nick Lombardi - Not to repeat but I wanted to make a point. As Curt said the parking on Shea Lane is a concern for us. The garbage is also a concern, it's a daily garbage pickup. We do appreciate the Board is including us and look forward to the April 8th meeting. I like the concept of his but there might be a better spot on town. I have no illusions that it's probably going to be there but I'm happy to see that the Board is taking our concerns seriously.

Ron Bresse – We made these regulations together for outdoor dining. I'd be happy to go over the TOD regulations with you Leah, to go through them further.

LG – That would be great, I already have some ideas and the group worked well together to get this done quickly.

Ron Bresse - With Bob Conrad questions, when looking we were looking at creating sites for uptown proper on the common and it's not unusual that we would look at something offsite. I will admit this is unusual and as a board we are going to vet this.

LG – I'm in favor of this concept as long as it goes to through a process.

ME - Reading in to record of letters of support by Katie Wells and Jill Linberg.

LG – Adding this to current projects to the Planning Board page on the website

PD – Yes, we will

**Motion to continue the public hearing for Shovel Town Brewery Inc. d/b/a A Taste of Foxborough to the April 13th, 2021 Board of Selectmen Meeting by S. McGowan, 2nd by C. Mitchell.
Approved, 5-0.**

8. 7:45pm Department Update – SEMRECC – Rob Verdone - Director

RV – We took on full 911 operations back in 2019, we took on wireless direct calls the first day. We have saved 2.5-3.5 minutes off a 9-1-1 call from dial to dispatch. We have advanced emergency medical dispatch which trains dispatchers the ability to help assist with calls before first responders arrive. We took 25,481 calls in 2020. Our answer time is 3.1 seconds our average call is 1.41 seconds long and our compliance rate is 99.63% state requires 95%. We've taken 12,548 calls this year which is already half our call volume from last year. Call distribution data tools show that our busiest time is Thursday at 6pm. These tools allow us to analyze how to staff.

Building update at High Rock - We were on time and on budget with Covid that was a miracle. We had some staffing, regulatory and HVAC equipment issues and delays and we were able to get this and we were able to come in under budget. We took down 8,000 square feet of the facility and we tore down the original phase, which saved money instead of refurbishing it. We've built 10 stations and we can build more and have additional expansion capabilities. We have water tanks that hold water for fire suppression and collectis the water off of roof.

Transition and cutover – we were operational for 4 communities. We partnered with Duxbury Regional Center. We interfaced our centers together. We had full access to our softwares and copy and pasted SEMRECC to Duxbury and moved from the public safety, got things set up and tested at High Rock and then cut over to High Rock we could go to Duxbury if we had a fire or other issue. We are the first two regional centers to have these capabilities. Our staff started up a food drive and donated to the Foxborough food pantry. We did some training with regional county SWAT teams as well. We ask that you call 9-1-1 for emergencies use the 7 digit line for administrative issues and questions.

CM – You've done and incredible job and going up there with you and Mike Grace to look at this. It is beyond state of the art. I appreciate the hospitality Foxborough and thank Kelleher and Grace.

LG – I did customer service for 10 years and with this it can't imagine

BK – The SEMRECC official ribbon cutting will be April 16th at 11am. Face coverings will be required for this event. Thank you to Rob and Erik for all your hard work. You have an incredible team and it came out better and beyond my expectations.

CM – There were a lot of hurdles to get this done.

MJ – I had occasion to make two 9-1-1 call this past summer and they were incredible to deal with.

9. 8:05pm Final FY22 Budget Review and Recommendations

We thought our budget would be at 3.5-3.6%. Our total General Fund Operation budget will be 2.7% increase total. We were able to maintain services and this is the second year that we have come under 3%. We were able to save money on the health insurance, save money on pension costs and employee cost were relatively flat including a 2% COLA. Its 2.88% we have an overlay amount that we had to use and submit for snow removal. We came in at \$194,000 more for that. Our overall budgets have coming in at 0 or below 0 and there were very few situations that were over 2.5% guideline that we established. We had 3 firefighters that we had to pick up the cost for because the grant funding expired. At this point in time I'm happy to take questions.

LG – I think that we have gone through a number of Ad Comm meetings and gone through a number of guidelines and some free cash adjustments that we made. I think we are in a good place and Foxborough is in a good place and there are some areas that we can firm up and there is room to improve the process.

BK – We are open to that and using the new platform ClearGov. Thanks to Marie and George for what they have done as well as the department heads for staying within the guidelines and following the direction that this Board, School Committee and Advisory Committee to keep numbers down as well as we could. We look to be the 5th lowest for increases to a budget county wide.

LG – Marie has been phenomenal answer questions and providing information.

Marie Almodovar – I wanted to mention in regards to OPEB even though we didn't fund OPEB in FY21 or FY22 with the investment earnings we made \$2 million dollars.

BK – We found that out a week ago and saving that news for tonight. It's also interesting to note I did see an analysis of the country and we are #2 with OPEB funding and #1 in terms of retiring that debt in terms of time and will retire our debt by 2035. We will free up spending capacity because we don't have to make those payments. At the State wide level we were in top 5 towns for funding capacity. We did meet with Standard & Poor's last week about our bond rating. We won't know our rating until tomorrow morning. We did have a conversation with Dr. Berdos and Bill Yukna about the Recovery Act and spoke with Congressmen Auchincloss. We will have a meeting with 3 boards to discuss how to use these funds.

ME – To review, we have some funds going to the town and some funds going to the school and some going to the county.

BK – The time line for this is we will receive a payment 45 days from now, we will get about \$1.8 million and get \$900,000 and then the second payment same time next year and looking to get this sooner if possible.

CM – Do we have to spend it on Covid related stuff?

BK – No, but we are still waiting on further guidelines we can reduce taxes or make pension payments. They didn't want to allow it because it's a one-time thing.

ME - It can be used for infrastructure.

BK – We want to be in a position to make a plan to use those funds.

SM – Up until a few minutes ago I wasn't go to vote for this budget. When I ran for this Board, I ran on fiscal responsibility and hearing people are barely keeping their jobs and pay cuts. Once we got to a certain point in the budget it became hard to step back. I will be voting for this budget. I think we should be trying to be lean as well as we can. I think the effects of Covid will be felt and we may be in trouble going down the road. I respect everyone's hard work but I was made nervous that I didn't do everything I could to get relief for people. It's not for lack of effort.

Motion to approve the proposed FY22 Budget as presented by the Town Manager by S. McGowan, 2nd by C. Mitchell. Approved, 5-0.

10. 8:35pm 2021 Annual Town Meeting Warrant Review and Recommendations

BK – My suggestion would be to go through the warrant and if there is a particular article that any Selectmen has issue or wants to discuss that we pull it out, then vote on the agreed upon articles and then discuss the others and vote separately on those.

ME – Okay, are there any warrant articles that we would want to take out and discuss? I'm comfortable with entire warrant.

LG – I'm comfortable with entire warrant. I can't say I've looked at some of the older union agreements.

CM – To your point Leah, they were review and voted on here at a previous meeting.

ME – Steph and Ed are you good to vote

SM/EO – Yes, I'm good.

BK – I think we should not recommend Article 26. I think the current process in place works well and nobody has said what is wrong with the process. To create a process for one that is not broken, I think is a challenge.

ME – I think we should vote on Articles 1-25 and then vote on Article 26 separately.

CM – Is this approve or recommend?

BK – This is to recommend and your recommendation will be printed.

Motion to unanimously recommend the following 2021 Annual Town Meetings Articles 1 - 25 and 27 by S. McGowan, 2nd by C. Mitchell. Approved, 5-0.

Motion to recommend the Annual Town Meeting Article 26 as amended by S. McGowan, 2nd by C. Mitchell.

Discussion:

ME – I don't think we need this. It is another layer of oversight that we don't need with CIP and Advisory Committee.

CM – They are talking about people on the CIP Committee who if they lived in town, they would have no problem. Those two members are subject matter experts and we know for five years what is on the CIP plan for the 5 years. I don't believe it needs another layer of review.

SM – I respectfully disagree. This was brought forward by a different person this time and last time it was approved to move forward last time. The merit to this article is that no employee will be on the CIP Committee. The arguments are who would know the budgets better than the person presenting it but to that what does the School Superintendent know about DPW and vice versa.

CM – They work hand in hand every day.

SM – You are asking that person to vote on something they don't have the expertise on. The merit of the article to have an independent review committee. I wanted to make sure that there is a lot of meat to that article. The process isn't perfect and I'm not sure we are following the bylaw of who should be on the committee.

LG – I usually have strong opinions but on this I'm in the middle. I don't think it's broken but I have had people contact me about it. I will support it and let it go to town meeting and the citizens decide.

EO – I think mentioning that people will make up their own mind on what's best for the community and it will be a vote at town meeting and it will be critical and necessary and that is what each of us are trying to do for this community.

Opposed, 2-3. Selectmen Elfman, Mitchell and O'Leary against.

11. 9:05pm Town Manager Evaluation Process

MJ – I sent out the template town manager evaluation form. Once we come to an agreement on what the evaluation should be, give the Town Manager 2 weeks to complete his self-evaluation, and then send his self-evaluation and

evaluation for Selectmen to complete the evaluation. Then the evaluations get sent back to me via email or paper and the Chairman and I open and review together.

The front part of it is the exact goals put together, they were extensive and more to the point and more to the interest of town. There are 4 main goal areas with sub goals for each section. The Selectmen would score each subsection and that will be averaged and you'll also be able to give comments as well for each section. I want to define the scale. He must score a satisfactory or better to get his performance raise. He just gets his performance raise but not a COLA. What I suggested is that 3 meets the level of satisfactory, with the ratings for each section scored on a level of 1-5. Then averaging the score of the 5 members. We can't make your evaluation public but we take a sampling of the good, bad, constructive comments and then the Chairman and I have sat through and made the report. Then each Board Member should set up a time individually to meet with the Town Manager (preferred by BK before to answer questions).

CM – One clarifying question, are you saying for each goal and sub goals and then the 4 goals would make the main goal average?

LG – Yes, but the only thing we do it in April not the full contract. So how do we work out the timing of it?

BK – We usually do it in April so that the sitting board member can do the evaluation.

CM – If we want to change that we can and I'm willing to my review after I'm off the Board.

LG - It should be the member that served not the new member that would be elected.

BK – It was done this way because I started in April.

LG – I think we should keep it April to April and with your goals next year to reflect that time period. We did put a definition of satisfactory review. Another thing is I don't agree on the collection of the evaluations. I don't believe the Chair should collect them.

BK – The Chair won't collect them but works with Mike to do the final tally.

LG – I think it should be Sara because it could be a conflict of interest with Mike doing the compilation. He is a direct report to Bill. I think it would both of you in a better position for someone else to do.

MJ – Once you decided the instrument is and adjustments to be made and then go from there.

LG – Can we decide if we do in excel?

ME – I'd prefer paper.

CM – I'll do it before I leave.

LG – The evaluation should match the goals.

BK – What kind of form do you want my self-evaluation to be in excel or do a narrative?

CM – You can do both as your comments are good to have along with the rating.

MJ – The plan is to work with Leah to turn the goals document into an evaluation for Bill, once finalized we give him two weeks to complete and then we set a date before a meeting for me to go over the evals and put it together.

BK – It was okay for the chairman to not accept the reviews but to review after they had all come in.

LG – It goes into it on the Q&A on that seminar of who can and can't open the document.

12. 9:10pm Assistant Town Manager's Update

- We have been busy negotiating good contracts that are fair to our employees and tax payers. I want to thank all the negotiations and the staff

- For Town Manager goals, the goals are great. The goals set are the town's goals.

- Marie has been promoted to the Assistant Finance Director/Town Accountant, this came with a small raise.

- Advisory Committee meeting will be this Thursday, not their normal Wednesday.

- The last nine weeks we've been negotiating, monies have come into play and I was asked by negotiating teams, am I going to get that in my raise? It was clarified that money is for infrastructure and not payroll. This could be used

for PFAS and we haven't talked about it since the beginning of Covid and that is something that could fall under Covid.

BK – We do have traces of it that in a well but this well isn't actively used. If we have to treat PFAS it's a whole new treatment and they are still figuring out how to treat this.

MJ – Other facilities that we think about infrastructure is our DPW building as well as the Laundry building.

As far as the motions go, usually it's just the clerk that is interested in them. If everyone wants to see the we can do that and you'll see that Christina works really hard to put all the options no matter what the Board needs and gives you the tools the Board needs to make decisions and votes.

13. 9:15pm Town Manager's Update

The Health Department had a grant put through and see what the grant tally will come in at the end of the year.

14. 9:25pm - Selectmen's Update – No updates

15. Action Items

15.1 BOS - Approval of Board of Selectmen Meeting Minutes for February 16, 2021

Motion to approve the Board of Selectmen February 16, 2021 Meeting Minutes by S. McGowan, 2nd by C. Mitchell. Approved, 5-0.

15.2 CBS Sporting Club - Extended Hours Request

Motion to approve the extended hours request for CBS Sporting Club LLC for April 24th, May 15th, and June 12, 2021 until 2:00am for food service only. Approval may be rescinded for any and all dates requested if Covid restaurant operating regulations change, the Board of Health deems it unsafe to extend the hours, or CBS Sport Club LLC is found to be in violation of current Covid restaurant operating regulations by S. McGowan, 2nd by C. Mitchell. Approved, 5-0.

16. Adjourn

Motion to adjourn by S. McGowan, 2nd by C. Mitchell. Approved, 5-0.