

Tuesday, May 1, 2018
Board of Selectmen's Meeting Agenda
Foxborough Town Hall
Andrew Gala Meeting Room
7:00 p.m.

Members Present: David Feldman, Chair
Chris Mitchell, Vice Chair
Mark Elfman, Clerk
James DeVellis
Virginia Coppola

Others Present: William Keegan, Town Manager
Mary Beth Bernard, Assistant Town Manager
Bob Cutler, Town Clerk
Roger Hatfield, Fire Chief
Amanda Smith, Community Information Specialist

Minutes Taken by: Amanda Smith, Community Information Specialist

Meeting called to order at 7:04pm

1. Citizen's Input

David Greenberg, 2 Fairbanks Road, came before the Board to discuss an ongoing issue with the road; it needs to be maintained. He said the road is in poor condition and is hazardous to vehicles. He said he has been making many phone calls to the Town, he felt it was at a point where nothing was being done and came looking for guidance from the Board. D. Feldman said this can be added as an agenda item at a future meeting. B. Keegan said he will reach out to him directly to discuss this matter. B. Keegan explained it has not been accepted at Town Meeting as a public way so it cannot be paved by the Town. D. Greenberg said he and other residents cannot find records to indicate it is a private road. B. Keegan said he will do some research and reach back out to Mr. Greenberg.

2. John Shortsleeve / Power Forward - Electric Bid

*Agenda item moved to after the Firefighter Swearing-In/Pinning Ceremony

B. Keegan introduced John and Joe Shortsleeve and recapped the successful first year with Power Forward; saved about \$1.2 million for the community. The Town is about to embark on the second year of the program with the same rates until October 2018 when they expire. John and Joe came before the Board to explain the rates available as opposed through National Grid.

John Shortsleeve said they will be taking bids next week and have calculated savings for residents through the first 18-month of the program. One significant caveat to mention is that the savings in the first contract were high (about \$100 per resident per year) and would now be about 1/6th of that per person per year. B. Keegan said the market has shifted and other factors have reduced the savings per resident.

D. Feldman asked John to explain why MA rates are higher than other New England states. John said regulatory agencies tack things on to the electric rate. D. Feldman noted that he regularly finds RI and NY less than MA and that we all need to understand it is the regulators and the Green Energy mandate that are driving the rates in MA to be higher. D. Feldman asked for the percentage of residents in Foxborough who participate in the

program. John said there are 6,149 residential accounts enrolled. Joe estimated that about 90 % or more chose to enroll/did not opt out.

John said aggregation in a community like Foxborough means it has been well-vetted and researched, consumer-friendly and anyone can get out any time with no penalty. C. Mitchell asked about rate increases at the start of the new contract in October 2018 and John estimated at least a \$0.02 increase. D. Feldman encouraged residents to go on Power Forward website for numbers and information and urged people to read the fine print.

John said when bids come in, the Town Manager is authorized to decide who to choose because the rates are only good for one day (until 4pm the day submitted). B. Keegan said he can report back to the Board with his findings.

J. DeVellis asked if there were examples where this program hurt those who enroll. John recapped that all communities are saving money and that the program eliminates the seasonal volatility. D. Feldman reiterated that people can opt in and out and back in if they choose. B. Keegan asked how often National Grid changes its rates and John said every 6 months. No further discussion.

3. Swearing-In/Pinning New Firefighters: F.F. Eric Berg F.F. Bill Cavalieri F.F. Joe Dantona F.F. John Villa F.F. Joe Rabuffo F.F. Galanti

*Agenda item moved ahead of Power Forward presentation/discussion.

Chief Hatfield addressed the Board and those in attendance at the meeting about all the new firefighters and their dedication throughout their trainings. He expressed his pride in each person and noted the number of friends and family in attendance was a testament to all five young men.

Town Clerk, Bob Cutler, swore in all five new Firefighters.

B. Keegan said he met with all candidates and thinks these individuals will only compliment the already outstanding Fire Department. He also announced the retirement of the Fire Chief effective January 2019. He thanked the Chief for his service and spoke about beginning the process for determining the next Chief. D. Feldman congratulated all new who were pinned on behalf of the Board and welcomed them to the Town. B. Keegan asked the Board to take a picture.

**4. Public Hearing - Renaissance and Hilton Garden Inn - Innholder and Common Victuallers
Liquor License hours Extension**

Documents included: Public hearing notice; application

M. Elfman read the public hearing notice into the record. Socrates Ramirez came before the Board and explained that opening early for events and brunch on a consistent basis would complement brunches they already do and with weddings, Mother's Day, and other events. This has been consistently requested by patrons. There were no questions from the Board.

Motion made by M. Elfman, second by C. Mitchell to close public hearing.

No further discussion.

Final Resolution: Motion Carries 5-0-0

Motion to Approve the extension of liquor license hours as per M.G.L. Chapter 138, Section 33B to permit serving on Sundays at 10:00 a.m. to 12:00 p.m. and certain legal holidays and to be accompanied by a brunch menu made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

Motion to Approve the extension of the Common Victualler to reflect early openings on Sundays between 10:00 a.m. and 12:00 p.m. and certain legal holidays made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

Motion to Approve the extension of the 7 Day Entertainment License hours to reflect early openings on Sundays between 10:00 a.m. and 12:00 p.m. and certain legal holidays made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

5. Public Hearing - The Kitchen - On Premise All Alcohol License, Common Victuallers License, 7-Day Entertainment License, Liquor License hours extension

Documents included: Public hearing notice; 7-Day Entertainment application; Common Victuallers application; All-Alcohol application; abutter affidavit; abutters list; proof of insurance

Steve and Jennifer Mekler were present at the table. D. Feldman asked what is new at the Kitchen. B. Keegan asked Steve to describe where they are in the process and what has been done. Steve said they spent the last four months finishing up; kitchen arrives in 2 weeks. Jennifer said they are aiming for June 19th opening. D. Feldman asked about the menu and Jennifer summarized the menu for the Board by each course and brunch and said about 90% of food is from scratch. She said they ran into more issues than originally thought and thanked the Town for being patient. C. Mitchell asked about business hours and Steve said they are not doing lunch right away so opening at 3pm. Steve responded that after the restaurant has been open for a while they will begin to open for lunch. J. DeVellis asked for total occupancy number and Steve responded 90.

Motion made by M. Elfman, second by C. Mitchell to close public hearing.

No further discussion.

Final Resolution: Motion Carries 5-0-0

Motion to Approve the On Premise All Alcohol Restaurant License as authorized by Special Legislation Chapter 308 of the Acts of 2016 made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

Motion to Approve the extension of liquor license hours as per M.G.L. Chapter 138, Section 33B to permit serving on Sundays between 10:00 a.m. and 12:00 p.m. and certain legal holidays made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

Motion to Approve the Common Victuallers license for established hours of operation made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

Motion to Approve the 7 Day Entertainment License for established hours of operation made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

**6. Public Event Application - Foxboro Jaycees Concerts on the Common beginning Thursday June 7, 2018 through August 2, 2018 every Thursday night with rain dates of August 8, 9, and 16
Documents included: Event application; email of support for Farmers Markets**

Lynda Walsh shared a flyer for the event with the Board. Lynda Walsh and Max Lowe (incoming Jaycees chapter president) and current chairman of concert series on the Common. L. Walsh said this year is different because they will be partnering with the Farmers Market on the Common to feed off of one another. The hope is that crowds will go to both events and they were at the meeting for the Board's approval. Max reiterated the overlap and Lynda said it will use the full Common. Max said this year they were trying to get local, Foxborough talent; four shows are local talent and four are from other areas. Last concert will be open mic night and he said he is still working on that. Lynda said some sponsors will like to pick who to sponsor but tend to get the same sponsors each year. B. Keegan said many can benefit from an event like this on the Common. J. DeVellis thanked them for their hard work.

Motion to Approve the Foxboro Jaycees Town Common Application for the Concerts on the Common to be held every Thursday night from 5:00 p.m. through 9:00 p.m., beginning June 7, 2018 through August 2, 2018 with rain dates of August 9 and 16th made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

**7. Resignation of Donald Treannie and New Appointment of Jeff Whitehouse to the Permanent Municipal & School Building Committee for a term beginning 5/1/2018 and expiring 5/1/2020
Documents included: Letter of resignation; Letter of interest to board**

Motion to Accept the Resignation of Donald Treannie from the Permanent Municipal & School Building Committee made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

Jeff introduced himself to the Board and his experience that brought him to work in the Facilities department and his desire to serve on this Committee.

Motion to Appoint Jeff Whitehouse to the Permanent Municipal & School Building Committee to fulfill the vacancy for a term beginning 5/1/18 and expiring 5/1/2020 made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

**8. Appointment of Kimberly Mellen to Member from Associate Member of ZBA; Appointment of Lorraine Brue to Associate Member of ZBA
Documents included: Letter of appointments from Barnet Ovrut**

Kim, Lorraine and Barney all present at the meeting. Barney explained the change in the makeup of the Board, the current vacancy and he explained how associate members are moved to become full members. He expressed his confidence in both members serving on the ZBA. There were no questions from the Board. V. Coppola

commended the choices for ZBA member and associate member. Barney thanked Kris for his service and wished him well in future endeavors.

Motion to Appoint Kimberly Mellen to the Zoning Board of Appeals as a Member from Associate Member for a 3-year term starting 5/1/18 and expiring 5/1/21 made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

Motion to Appoint Lorraine Brue to the Zoning Board of Appeals as an Associate Member for a 1-year term starting 5/1/18 and expiring 5/1/19 made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

9. Application for Hackney Licenses - QLS Inc. - Pascal RH Vasserot; Donald Leo Vandal; Julie Ann Slocum to expire on 5/1/2020

Documents included: License applications; business certificate

Pascal said he operates a limousine service and he recapped his history operating the limousine service and his previous business in Foxborough at a different location. D. Feldman asked if this was a renewal and B. Keegan clarified this was not. C. Mitchell asked if the license is assigned to the business, not the person and B. Keegan confirmed the license is assigned to the location. He then said the police department did all background checks and everything was deemed satisfactory. Pascal added the vehicles will be inspected by the police this week.

Motion to Approve the Hackney Licenses to Operate a Limousine for QLS Inc. for drivers Pascal RH Vasserot, Donald Leo Vandal and Julie Ann Slocum to expire on 5/1/2020 made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

10. Approval Consideration of Finance Director's Contract

Discussion/Possible Vote to Approve new 3-year contract for Finance Director, Randy Scollins

Documents included: Updated version of contract

B. Keegan explained the attached document is the new contract for Randy Scollins and explained the changes included in the contract. The changes in the new contract were highlighted in the document provided to the Board for review. D. Feldman asked if increases going forward will only be based on performance and B. Keegan confirmed this was another change; no COLA percent increases moving forward. There were no additional questions from the Board.

Motion to Approve new 3-year contract for Finance Director, Randy Scollins made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

Citizen comment followed the motion to approve the contract with Board permission to speak:

Heather Harding said she was there to thank the Board for addressing their allegations and addressing the matter; speaking for herself and for other women who could not attend. Deb Stewart had a question about the contract and how it relates to other managers in Town. B. Keegan said it is consistent with others and that some others are on a pay plan and that Mr. Scollins' pay is consistent with market conditions. D. Stewart asked

if he is the 2nd highest paid employee in Town and B. Keegan said no. D. Stewart asked if past behaviors were discussed/thought about during the process and B. Keegan said performance matters cannot be discussed with the public. D. Stewart said she is disappointed with the Board and would like this noted.

L. Brue came before the Board and said she has been involved in Town politics since 2005 and she has found that with her experience, Randy has acted professionally and thinks he is owed an apology for what just occurred.

11. Selectmen's Update

D. Feldman said he was not able to participate in Clean-Up Day. M. Elfman said it was outstanding, over 200 participants, and a lot of trash. Very successful. Kudos to AJ, his staff and Tina Belanger and all donors. D. Feldman said AJ, Tina and Joe always do a good job. M. Elfman said it looks cleaner driving around Town.

D. Feldman reminded everyone that May 7th is Town Elections and wished luck to Chris, Ginny and Leah. Get out and vote. M. Elfman asked about the resident email regarding televising Town Meeting. B. Keegan explained the process for approving this via the Town Moderator and explained that it has been discussed in the past. Currently, Town Meeting is recorded but not taped/televised for rebroadcast. D. Feldman said the most important part is to be there and cast your vote. B. Cutler said he agreed with Frank Spillane (Town Moderator) and that it is his call alone. The moderator has the bounds of the hall. A 100-person quorum is needed for votes and televising Town Meeting may deter people from showing up. Bob added that past Town Meetings have been pretty well attended. D. Feldman agreed most important is to get people there.

12. Town Manager's Update

B. Keegan said he was at the Commonwealth of MA Economic Development Summit of 2018 at the Worcester DCU Center; it was well-attended. Governor Baker, Lt. Governor Polito, Secretary Ash, and Secretary Beaton were all there. Various new grants and grant programs were discussed. He told the Board that now all 351 communities in the Commonwealth have signed a Community Compact Agreement with the State, like the Town had done previously.

An Israeli Delegation will be in Foxborough to hold a Counter Terrorism Seminar in conjunction with the Foxborough Police Department and MetroLEC, on May 29th and 30th to hold a two-day training seminar geared toward terrorism prevention and response.

The FBI NAA New England Chapter is sponsoring a youth leadership program, with public safety representatives from around the state, including Town of Foxborough Police Department. He commended the Chief for his efforts in Town to bring leadership opportunities to Town.

He announced the Partners in Patriotism Scholarship Program for seniors in Foxborough – increased from \$5,000 to \$25,000 (5 scholarships this year). Really grateful to see this happen for Foxborough students to participate.

He said an event to commemorate setting the beam for the new health care facility at Patriot Place will be held on Friday, May 4th. He said this will be a great addition and resource for the community.

13. Assistant Town Manager's Update

M. Bernard said the Personnel Board also approved the new Child Sexual Abuse Awareness training policy and letters were sent out to the Unions regarding the required trainings. She added that Town is continuing to do trainings.

M. Bernard said she will provide a summary of the Town Manager's evaluation at the next BOS meeting. She said all findings and documents will be compiled into one single report with all scores for review. She thanked the Board for their comments. She added that May 15th will kick off more performance evaluations.

14. Action Items

14.01 Acceptance of Gift Donation of a granite top for new desk in the reception area to the Town Hall from Ron Bresse

Motion to Accept the Gift Donation of a granite top for new desk in the reception area to the Town Hall from Ron Bresse made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

14.02 COA/HS - Acceptance of Gift Donation of \$980 to the Council on Aging/Human Services from the Friends of the Foxboro Seniors to supplement programs held at the senior center

Documents included: Gift donation form

Motion to Accept the Gift Donation of \$980 to the Council on Aging/Human Services from the Friends of the Foxboro Seniors to supplement programs held at the senior center made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

14.03 Police Department - Acceptance of Gift Donation of \$200.00 to the Police Department from the Hockomock Kennel Club for K9 maintenance

Documents included: Gift donation form

Motion to Accept the Gift Donation of \$200.00 to the Police Department from the Hockomock Kennel Club for K9 maintenance made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

14.04 Historical Commission - Acceptance of Gift Donation of \$59.95 to the Foxborough Historical Commission from Ellen and David Gustafson for the purpose of book sales

Documents included: Gift donation form

Motion to Accept the Gift Donation of \$59.95 to the Foxborough Historical Commission from Ellen and David Gustafson for the purpose of book sales made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

14.05 Historical Commission - Acceptance of Gift Donation of \$200.00 to the Foxborough Historical Commission from Jim Murphy and the Foxborough Historical Society for the cemetery preservation fund

Documents included: Gift donation form

Motion to Accept the Gift Donation of \$200.00 to the Foxborough Historical Commission from Jim Murphy and the Foxborough Historical Society for the cemetery preservation fund made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

14.06 Veterans Services - Acceptance of Gift Donations of \$100.00 to Veterans Services from Mark and Naomi Boucher and \$40.00 from Lilian McGrath for the Iraq and Afghanistan War Memorial

Documents included: Gift donation form

Motion to Accept the Gift Donations to Veterans Services of \$100.00 from Mark and Naomi Boucher and \$40.00 from Lilian McGrath for the Iraq and Afghanistan War Memorial made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

14.07 Approve BOS minutes from 4/3/18 and 4/17/18

Documents included: DRAFT minutes from 4/3/18 and 4/17/18 meetings

Motion to Approve the Board of Selectman minutes from April 3, 2018 made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

Motion to Approve the Board of Selectman minutes from April 17, 2018 made by M. Elfman, Second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0

15. Adjourn

Motion to adjourn made by M. Elfman, second by C. Mitchell

No further discussion.

Final Resolution: Motion Carries 5-0-0