

**Tuesday, April 3, 2018
Board of Selectmen's Meeting
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
Representative Jay Barrows
Sue Thibedeau, Animal Control Officer

Minutes Taken by: Amanda Smith, Community Information Specialist

Meeting called to order at 7:01pm by David Feldman; Agenda read into public record at start of meeting

1.0 Citizen's Input

Stephanie McGowan (19 Rhodes Lane) came before the Board to make them aware of an incident that occurred Wednesday night at the Advisory Committee meeting. She said she is a member of the Advisory Committee and wanted to speak to an issue presented as a taxpayer/citizen. She said she spoke with the Town Moderator prior to the meeting and was told that she could speak to an issue provided that she recused herself from the Committee and sit in the crowd as a citizen. She explained she was told to follow the meeting rules and speak after she was called on. She said she did that and explained that she was not speaking as a Committee member. She then said at that time the Town Manager and the Town Finance Director began to "yell" at the Chair and at her and said that she was not able to speak due to her conflict. She said she had spoken with the Moderator and had gotten confirmation from the Attorney General's office that she was able to speak. She told the Board she wanted to let them know of this and that hopes she and other taxpayers are able to speak at any committee meeting if they wanted.

Rich Noonan and John Hurley, co-founders of the former "Foxborough Against Diabetes" 5k Road Race that they have held for the last 17 years came before the Board. R. Noonan said they made notification at the event last year that it would be the last road race. J. Hurley said they wanted to come before the Board to the BOS for their continued support for 17 years. Foxborough Cares is taking over the time slot they have used for the last 17 years and are grateful. They are happy to help in any way as this has proven to be a great community event for Foxborough. R. Noonan presented that through the continued support of the Board and the community, they were able to raise \$390,656; shows what a great community Foxborough is and every year they had almost 1,000 runners. D. Feldman thanked them for all of their efforts. Now we will move to Action Item #7, out of order. D. Elfman read the action item into the record.

Motion made by M. Elfman to approve the public event application for the Foxborough Cares 5k Road Race on 6/2/18 from 10:00 a.m. to 12:00 p.m., second by C. Mitchell.

Further discussion: J. DeVellis recused himself and joined R. Noonan and J. Hurley at the table before the Board as the applicant for the public event and as a resident of Foxborough. For the record, he was speaking as a resident, Jim DeVellis. He presented to the Board the desire to continue the road race on June 2, 2018. The Jaycees started and ran the road race for 10 years and the proceeds went to

families. Then Rich and John came in and ran it for 17 years. After they announced that last year would be the last race for them, 18 people in Town came together to form a 501c3. The beneficiaries of the race are the Marilyn Rodman Performing Arts Center at the Orpheum Theater and Foxborough Police Relief Association; both of which are not 501c3s. They will come together and the proceeds will go right into the community through the fund set up by the Police and to the Orpheum Theater. Rich and John have been great support and help for the group who has never organized a road race before. The group has been meeting weekly/bi-weekly. The name of the Road Race is the Foxborough Cares 5k. Foxborough Cares name came from Jack Authelet and the logo came from Lindsay Cuniff a few years ago. There is a website set up and they are moving pretty quickly. They are hoping to attract 1,000 runners into the program. The schedule will be identical; on Saturday, June 2nd, after Memorial Day and before Founders Day. The runner groups from elementary schools still get the benefit of one flat rate sign-up fee. They are hoping to continue for another 15-17 years at least.

Final Result: Motion Carries 4-0-1

Yes: D. Feldman, C. Mitchell, M. Elfman, V. Coppola

Recused: J. DeVellis

**2.0 Possible Action - Dog Hearing Appeal / Mark and Lisa Brennan vs. Town of Foxborough
Possible Action by the Board of Selectmen to Impound Mark and Lisa Brennan's dog Lacey
Pending Outcome of Appeal - Mark and Lisa Brennan vs. Town of Foxborough**

B. Keegan told the Board he asked Sue (the Animal Control Officer) to be here as a resource. Sue Thibedeau present at the table. He added that following the action the Board took 2 weeks ago to euthanize the dog, the family has filed an appeal and notification was given to Town Manager yesterday (4/2/18). This item was not initially on the agenda but the agenda was amended to include this yesterday, as allowed for under OPM statute. The only action before the Board is that the Animal Control Officer is requesting an impoundment of the dog order; pending the outcome of the appeal. C. Mitchell asked what the process is after the Board votes. Does the Board vote to allow her to do this? B. Keegan explained that the Board is the authority for dog hearings. C. Mitchell then asked how long the appeal process typically takes. S. Thibedeau added the Town has done this once and it took about four months. C. Mitchell asked who pays the fees to have the dog impounded. S. Thibedeau said the owner pays the fees if the order is upheld, otherwise the Town would pay but Foxborough already pays a flat fee to the Pound located in Mansfield. B. Keegan added that if the order before the Magistrate is to overturn the decision made by the Board to euthanize the dog, and the dog is returned to the owners, then the Town could potentially be responsible for the impoundment fees. V. Coppola asked if the leash and muzzle order that S. Thibedeau issued would still be in effect. S. Thibedeau explained that order expired after fourteen days. She was unsure moving forward how the Town is protected if the dog is returned to the owners. B. Keegan added the Court could make an additional order but that he could not speculate as to what action may be taken at this point. V. Coppola asked if the Town's Attorney would be at the appeal hearing and B. Keegan said Town Counsel planning to attend. V. Coppola asked where the dog is now and who is going to go to the home and get the dog. S. Thibedeau said she would go with a Police escort. C Mitchell asked if the Board votes yes, when S. Thibedeau would get the dog. B. Keegan said that would likely happen tomorrow after proper notice was given to the owners to impound the dog. The Board's order would be filed with the court via the Town Counsel. He is unsure if owners can appeal the impound order as well. B. Keegan added that safety was the biggest concern by the Board when they took their previous action.

Motion to impound dog made by M. Elfman, second by C. Mitchell

Further Discussion: J. DeVellis asked to clarify the motion to impound the dog since that is already written in the bylaw. Are we authorizing the Town's Attorney to defend it in court? B. Keegan said that since the owners filed an appeal, the Town would automatically defend the order of the Board. J. DeVellis added that he thought the way the bylaw was written, if there was an appeal, the dog would automatically be impounded without the action of the Board. B. Keegan clarified that there was no action taken by the Board at the previous meeting to impound the dog.

Final result – Motion carries 5-0-0

Yes: D. Feldman, C. Mitchell, M. Elfman, J. DeVellis, V. Coppola

3.0 Jared Craig, Nilo Rodrigues - Foxborough Cultural Council

3.01 Appointment of Nilo Rodrigues to the Foxborough Cultural Council for a term starting 4/3/18 and expiring 4/3/23

Documents included: Letter from the Foxborough Cultural Council to the BOS recommending Niloufer Rodrigues for appointment to the Council

Jared Craig, Co-Chair of the Cultural Council, thanked those who could attend the event held the previous weekend. He would like to nominate N. Rodrigues. She is an active mother in Town and will bring great energy and excitement to the Council. Niloufer “Nilo” Rodrigues introduced herself and said she has lived in Town since 2004 and loves it. She is currently Vice President of the Mom’s Club and served previously as Treasurer. She is also a Troop Leader for the Daisies Troop. She said she sees the Council as a wonderful opportunity to bring arts, science and humanities to everyday life in the Foxborough community. She said she is looking forward to working with them and to developing programs to enrich the community.

There were no questions from the Board. J. DeVellis added that Nilo brought a nice group of kids to the talent show; it was very successful. D. Feldman added it is great to see how the Council has grown in the last 3-4 years. It was a really nice event last weekend. The Council is doing a lot of good things. There is no committee in Town that does more with less.

Motion to Appoint Nilo Rodrigues to the Foxborough Cultural Council may by M. Elfman, second by C. Mitchell

No further discussion.

Final result: Motion carries 5-0-0

Yes: D. Feldman, C. Mitchell, M. Elfman, J. DeVellis, V. Coppola

4.0 Presentation - Bill Yukna/Article 6 High School Track & Stands

Bill Yukna and Amy Berdos came before the Board. B. Keegan stated that this is an article that is on the warrant for consideration at the Annual Town Meeting. The Board requested at the last BOS meeting to have a presentation on this Article. This is a separate article from the Capital Improvement Plan and consistent with discussions that occurred this past year, a separate Article was established for a request that met or exceeded the amount of \$1 million. A. Berdos wanted to go back over last 5 years and what has taken place at the Athletic Complex at the High School. The three phases of this project began in 2013. During the 1st phase in 2013, the beginning of this project took place due to the funds from the high school renovation project, as well as from fundraising, donations, and the NFL grant. This all took place as part of the establishment of the “Turfs Up” Foundation. In Spring of 2014, as part of the 1st Phase, the Baseball and Softball fields were re-constructed using renovation funds. Also installed were the scoreboard thanks to a donation from the Spinney Family. Phase 2 began in the summer of 2014 with the building of lights, the electrical substation, transformers/power panels. The next piece was, the Sam Berns Memorial garden and flagpole occurred in the Fall of 2015. At the end of the 2nd phase, the lighting installation took place to allow longer use of the field than just the school day and to be used by many different groups through Recreation and other rentals. The 3rd Phase is the concession stand and the bathrooms, is expected to take place soon and looking toward the track to go around that with the construction at the same time. It is Mr. Yukna’s opinion that it would be more costly to do the concession stand without completing the rest of the project. The field can last 10-15 years and they need to revenue to do a replacement when the time comes so the order of items in Phase 3 is important. The safety of students is the top priority. It is a community field. To have the students stay at the high school and not travel to Ahern is the goal and brings a lot of safety considerations into play. Bussing is a safety issue and having a field at the high school adds to their high school experience. Accessibility for school support and spirit; to stay with peers if

facilities are at the school. It would be a safe place to be part of a greater community. A community field will add to the community value.

B. Yukna presented to the Board that this was brought to the School Committee in 2012 by the “Turfs Up” Committee. The high school renovation funds dictated where the project could go. The plan always showed bleachers and the track. He pointed to plans to show approach to finishing touches, including the concessions and bathrooms with a new main entrance to the field. Due to the tight site constraints, it would benefit the project as a whole to do the track at the same time as the concessions and the bathrooms. They would take advantage of the site work contractors that would do track to do the work around the concessions. In the original presentation to the Town, there were only 2 phases estimated at about \$3.5 million. So far about \$2 million, with concessions, have been spent to date. About \$460k was from donations. Looking at another \$1.1 million, total \$3.1 million, includes total rebuild of baseball and softball fields in back; they have been fairly frugal on the process to date. After 5 years in, is this something the Town is willing to do or not? The facility has been rented to smaller groups and the approximately \$6,200 collected so far has gone into an account just to replace the turf field when needed. Anything we can do to advance the Town would be a benefit.

D. Feldman opened it up to public for comments and questions.

Joe Cusack, a town resident with 3 kids at high school who coaches cross-country high school indoor and outdoor track. Mr. Cusack was at the Advisory Committee meeting last week and spoke to the safety concerns of having the track at the Ahern. There is a shuttle but the schedule does not accommodate for a lot of students as it leaves at 2:10 p.m.; so the rest have to figure out how to get there. There is no shelter over there now and today was a perfect example, it was 38 degrees and raining. There is no running water or bathrooms for the kids and they are totally exposed. Trainers are at the meets but not at the practices. So far nothing has happened but there is concern that something could happen and they are not provided shelter and running water. Everyone is too scattered. The facility at the high school would be convenient, sure but it is more a safety concern. He recalled waiting today for an hour in the rain for a parent to pick up their kid. About 1/5th of school does spring track; about the same number does winter track. Other teams would be able to use it; there are a lot of benefits. Thank you.

Rich Cormier, Athletic Director at High School. He reiterated what B. Yukna, A. Berdos and Coach Cusack said. He said if we are going to remain at the Ahern for track programs, there need to be improvements so there is going to need to be financial investment in terms of the throwing events, in particular. Safety is the concern. The jumping pits turn to swamps and currently still do not have access to the pits. This complex would be a huge benefit to entire athletic program and to have more of student body engaged after school. Athletic practices are highly engaging. The winter track team would be able to use the track as well. He added that he cannot stress enough the medical components; not having a trainer there is a huge disadvantage and a huge safety concern. He stressed from his point of view that would put him more at ease for medical attention on site as needed.

No other public comment.

M. Elfman asked where the throwing events would take place on the plan shown. B. Yukna said they would occur behind the tennis courts; an area used now as practice fields. This is a wide open area we can control. C. Mitchell asked what events the Town could rent to after completion that you cannot get now with the turf and the lights. B. Yukna answered that any track and field competitions; most meets require an 8-lane track. The Ahern is a 6-lane track; not sanctioned by MIAA. They could also do leagues that are full tournament style. The issue for that is a place to sit when waiting. B. Yukna clarified that some of these are MIAA tournaments, some are private and some are AAU. C. Mitchell asked other than MIAA, are these groups looking to use the field and have stands or are looking for track and stands. B. Yukna said it is a mix; very few are looking for both. V. Coppola asked where the rental money would go if this was built and able to rent. B. Yukna said it would go to the revolving account that is ear-marked for turf replacement. V. Coppola previously asked about fundraising

last year and asked again why they did not solicit any funds; not for the \$1.5 million, but even if it were \$10k. Why not send out letters to solicit funds for those interested? It would make it easier at Town Meeting because interest is shown. B. Yukna said he would speak for himself. He is not a professional fundraiser and it is not his job. One group did solicit and raised \$60,000, turned it over and moved on. His personal opinion was that the Town asks residents to donate to everything. Funds were solicited at the beginning and at each phase. The lighting was phenomenal; a \$300,000 cost that the Town paid \$165,000 for. Sam Berns' parents helped with lighting and the lighting company out of Norfolk, MA to do the installation and donated it all. He said they are trying to get what we can as we go. Services are always donated but we have to show them the next step. Personally, if this is a community field, it doesn't belong to just one group; it belongs to everyone and it should be an equally-shared project. The fundraising kicked it off and got people motivated and feels like if we are all pitching in, let's all do it. V. Coppola as Jay Barrows for an update about Paul Feeney putting it into the Senate budget. J. Barrows said he was not sure of the status of that. R. Scollins said that if the Town received all of the money from the Senate budget, the Town would have to go back to Town Meeting to return the unused funding that was proposed by this project. Those funds could not be used for something else.

D. Feldman said he has done the shuttling to the Ahern. His concern was the parking out back when the baseball and softball teams are playing and there is one entrance into the high school. He asked if there are ideas to address this and creating a second means of egress. He knows of past injuries and cars parked on sides of road. B. Yukna acknowledged there are a couple of issues. There are approximately 500 parking spaces at the high school and the Ahern has in the low to mid-300s. The site is able to handle the average daily cars coming in and out, about 500 cars. There are very few events that there would be 500 cars. If there is money in budget to fix the paving, it is atop the school's priority list. They purchased signs to say that parking is only allowed on one side of the road and will take some preventative measures. They have strategized the side lot off of Carpenter Street to potentially be a gated, emergency-only entrance; the Town does own that property. It would be locked to regular traffic and not interfere with the neighborhood.

D. Feldman asked if this is it for the campus build-out. Is there another phase we should be looking at? B. Yukna said the only other is potential locker room for the football team; which is currently in the basement of the Igo School. Current locker room can handle visiting team but not ideal. It may be possible to add on to the existing but he said he is not sure when that will come up.

V. Coppola asked what the plan is for turf replacement funding if the Town does not get the rentals as envisioned. Is there a plan for raising money for this fund? B. Yukna said that some towns don't do it to ensure longer life of the field. As in the past, the Town has rented if allowed and able to and have rented in a very controlled environment. This would be the only way he would do it to protect the state of the facilities; maintenance is key. V. Coppola expressed concern that B. Yukna was seeing this as guaranteed money to the fund from rentals. B. Yukna clarified that he did not say they could guarantee the money collected from rentals would cover all of the cost of turf replacement but that the money collected would go right to the account to mitigate the costs of such work. If everyone uses it, he assumes there would be strong support for replacement. V. Coppola asked if other organizations donate to the field for maintenance. B. Yukna said that schools take care of all of the maintenance, as said they would from day 1. It is in their budget to maintain and control.

J. DeVellis said this was a fair presentation; very insightful. He said he looks at this project with positives and minuses. It has been used quite a bit and been maintained impeccably. Commended Kevin Corliss for his care of the field. He said he would like to see more community input on it and would like to see football here on it. A lot of hard work went into this Article from Turfs Up, the School Committee and the Finance Department. This was put into the Master Plan so there was the potential to bring it to Town Meeting for funding. The Town has done a great job maintaining it but would like to see more of the sports groups supporting it. He explained he was bothered by last year's budget cut request of 1.25% and an additional \$1 million came in this year and was spent. He said the effort is lacking this year and that a tax is not the same as a donation. He said he would like to see it go to Town Meeting. M. Elfman added to what Jim said and asked how this will be financed, especially with respect to the Burrell School is looming and people have asked if the money can't be

put aside for that instead. Where was the thought for where that \$1.2 million would come from? R. Scollins said the \$1.2 million comes from the free cash account, from the FY17 money that came in. It was the best year ever in terms of Free Cash certification. In terms of the Burrell School, the Town has been trying to minimize ultimate amount to borrow and have identified other areas to bring in funds to buy down the amount needed to borrow. The Town is looking to avoid extra burden for taxpayers. B. Yukna added this has been laid out so that they can achieve the track and stands, as well as the Burrell School. It would be nice to see it at Town Meeting to see the support behind it. J. DeVellis asked how this was received by the Advisory Committee. B. Yukna said there were not many questions but the Advisory Committee did also mention the issue with the trainer. J. DeVellis echoed that the trainer acknowledged the desire to be there on site. B. Yukna said it was well received by the Advisory Committee; they will vote next week.

D. Feldman asked if there were additional questions and clarified there was no action to take. B. Keegan confirmed there was no action to take and the Board would make their recommendations when they go through the warrant.

5.0 Motion to Reopen Town Warrant to Add Article for Sewer for Burrell School Project

Motion to reopen warrant made by M. Elfman, second by C. Mitchell

No further discussion.

Final Result: Motion carries 5-0-0

Yes: D. Feldman, C. Mitchell, M. Elfman, J. DeVellis, V. Coppola

B. Yukna came before the Board for this item. B. Keegan said a determination was made to connect to the Town sewer system during restoration. It was later determined that the school itself is not included in the sewer district. He said B. Yukna expressed the desire to include this item in the spring Town Meeting because they are working on the final design plans and would like to come to the fall Town Meeting for appropriations for the project. Town Council has advised the Town that the Board can add this item to the warrant if they choose and then close the warrant again.

D. Feldman asked the Board if they had any questions relative to reopening the warrant. There were no questions.

B. Yukna told the Board this process started 6 months ago. At the last Town Meeting, the Town was able to buy back a significant volume of sewage from Canon Forge that runs through the pipes down Morse Street. The current cost to the Town would be about \$42/gallon/day and is slated to go up. The MSBA wants the septic resolved and worked out because it is a big stumbling block in the design process; sewer is the practical way to go. The Town has almost all buildings on sewer. The only school not on sewer after this would be the Taylor School. In the design, the Town is required to bring any additional piping in to where it is. This is a boiler plate article that says where the flow would go. The improvement of the building itself would include low-flow fixtures. The Town would borrow 1900 gallons/per day today and sell it back to the water/sewer district if not used; preserving the rate today. No matter the outcome with the school, having on sewer would help. C. Mitchell asked how it happened that the school is not in the district. B. Yukna explained it is a spotty district in that area. C. Mitchell asked if the pipe is already there to connect to sewer. Are any of the houses there in the district? B. Yukna clarified only the school would be in the district. C. Mitchell asked how residents would feel about that if they have a failed septic system. B. Yukna said the resident(s) would have to follow the same process for resident if their system failed; apply for a one-off tie-in to the sewer system; since the Town is not fully sewer. J. DeVellis asked to clarify the cost \$42/gallon, about \$85k one-time payment. Has the current septic system failed? B. Yukna said it has not failed and is maintained on schedule. It borders wetlands and there is not a lot of overflow area left to go if there is a need to rebuild. J. DeVellis asked if the system failed, would the existing system be decommissioned. B. Yukna said yes. J. DeVellis asked if the costs to day include the system rebuild. B. Yukna said that MSBA does not allow that to be included in the final cost because if you can go on sewer, MSBA recommends to do it. J. DeVellis asked if the 1900/gallons per day affect any of the

businesses nearby. Will their capacity be affected? J. Barrows added that this connection should not affect anyone else and the Town can sell the excess obtained from Canon Forge. V. Coppola asked B. Keegan if Roger Hill could let the Board know how much flow has been sold. B. Keegan said he can ask him to do that.

Motion to include this article in the warrant made by M. Elfman, second by C. Mitchell

No further discussion

Final Result: Motion Carries – 5-0-0

Yes: D. Feldman, C. Mitchell, M. Elfman, J. DeVellis, V. Coppola

Motion to close the warrant made by M. Elfman, second by C. Mitchell

No further discussion

Final Result: Motion Carries – 5-0-0

Yes: D. Feldman, C. Mitchell, M. Elfman, J. DeVellis, V. Coppola

6.0 Discussion/Possible Action - Town Warrant Articles and Proposed FY19 Budget

Documents included: May 14, 2018 Draft Warrant; Draft CIP FY19 materials; Town Warrant Article Morse Street

B. Keegan said the Board has latest version of warrant itself. D. Feldman said the Board went through article by article at the last meeting with exception to the budget. He asked B. Keegan if anything would be coming off. B. Keegan said the Pratt School Article will likely come off because it is not ready at this time. D. Feldman asked if there were any others in jeopardy of not being ready. M. Bernard said most likely the library contract approval would not be ready due to meetings being postponed for various reasons. B. Keegan said the amended sewer map Article will be the new #19, effectively. C. Mitchell asked what the Advisory Committee schedule is to complete this process. B. Keegan said the committee is proceeding through. R. Scollins said the committee added another meeting the week of the 25th to accommodate participation in planning articles. They have been moving efficiently through hearing and voting on articles. He said the Board would need to act on this by April 17th. D. Feldman asked if the Board can take things in and out on the 17th. B. Keegan said the Board can do that now. D. Feldman said the Board will wait for the final at the BOS meeting on April 17th. M. Bernard said they will present the final spreadsheet with final language for the 17th. D. Feldman asked if members of the Advisory Committee present had questions for the Board. No questions for the Board.

B. Keegan said Representative Jay Barrows was here to update the Board on the state land piece following his meeting with the Department of Capital Asset Management (DCAM) and the Department of Agriculture. J. Barrows said they met with DCAM & the Mass Department of Agriculture representatives about the property on 140. The property is currently under the control of the Department of Agriculture but they are willing to do an exchange. The next step would be to determine what the State land is worth. Based on the input from the State, they determined that it would not be valued the same as a commercial parcel. If Town Meeting is successful in supporting the effort to request the parcel from the State, then the process would go to the next step in evaluation process. B. Keegan added the Town would not have to pay for this land. The Town would be required to replace the open space with an equivalent value of Town-owned land. The first step in the process is to approve the Article at Town Meeting, then go to legislature for their approval of the action; then identify the Town parcel or parcels to swap for the State parcel. Once identified, there would be another Article presented to Town Meeting to formally swap the parcels. The State land is intended to be used for Public Safety purposes. D. Feldman said this was the same process as Auditorium. J. Barrows said no one at the State level has said no to this request, so this is good news so far. J. DeVellis acknowledged the first step is to get the land, but there are a lot of people that remember when the Public Safety Building was built. He asked at what point did the Town study that a second sub-station is needed? Is this because people are asking because it is free land? Chief Hatfield said J. DeVellis asked the same question in 2009. He said the Fire Department is not looking to build a substation at this point in time. They are simply trying to be proactive and plan for when the Town is ready. This was a great question to clarify for everyone. V. Coppola asked if that is the best location or the only space available. Chief Hatfield said they look at specific aspects of response time and call volume

and currently the greatest impact is in that area. The growth in this area of Town has already showed an increase in response times for this area. He went on to say that this parcel is attractive because there are not a lot of turns or intersections; and the site distances in each direction are very good. If at the time the Town finds a better location, they always have the option of giving the land back to the State or to ask them if they will agree to a change in municipal use. At this point there is no time window for pursuing the sub-station. Our request is to just commit to a piece of property for the possible future.

V. Coppola asked if the Public Safety Study has been done that the Town funded. Chief Hatfield said the RFP is almost done. J. Barrows said this would be a long process and there is an agreeable administration at this time. He said he doesn't see it costing the Town anything, except for appraisals down the road. B. Keegan called this "strategic planning" on the Town's part.

D. Feldman said he would like R. Scollins to run through the budget quickly. R. Scollins read through the budget. He said there was no need to use free cash to balance budget for the first time since he has been preparing budgets for this community. He said we are planning and are hopeful the Town will be positioned to absorb the full debt service for the Burrell School Project within the levy limit. The Town is able to financially sustain the current budget as recommended by the Town Manager. There were no questions from the Board.

D. Feldman said they Board decided to wait until the April 17th meeting to go through the remainder of the Town Warrant items.

7.0 Approve Firefighter Contract

B. Keegan requested the Board make a motion to approve the 2% increase for FY17 and FY18 along with a \$300 increase in the EMS stipend for each year. M. Bernard further explained the proposed changes in the contract.

Motion to approve the proposed firefighter contract for Fiscal Years 2017 and 2018 made by M. Elfman, second by C. Mitchell

No further discussion

Final Result: Motion Carries 5-0-0

Yes: D. Feldman, C. Mitchell, M. Elfman, J. DeVellis, V. Coppola

8.0 Child Sexual Abuse Awareness Committee

*Merged with following agenda item

At the table: Lynda Walsh, Deb Spinelli, Bob Correia, Nancy Stockwell

9.0 Discussion/Possible Action - Draft Policy to Establish Mandatory Training for Child Sexual Abuse Awareness

Discussion/Possible Action - Jaime Kenny, Esq. - Draft Policy to Establish Mandatory Training for Child Sexual Abuse Awareness

Documents included: Draft FCSAAC Policy Version 2

B. Keegan informed the Board that Jaime Kenny, Esq. (Labor Counsel) could not attend due to family illness but Jack Dolan, Esq. (HR Counsel) was in attendance. He said before the Board was a brand new policy done in conjunction with members of this committee, the Town Manager, Labor Counsel, Mary Beth Bernard, the Gary Whitehouse, the Personnel Board Chair, and the BOS chair. The group was able to hash out all the issues and worked together pretty easily. B. Keegan read the Draft Policy into the public record and indicated the draft policy would then go back to the Personnel Board for further review. B. Correia clarified the correct name of the committee is the "Foxborough Child Sexual Abuse Awareness Committee". D. Feldman thanked everyone for their patience as this has been long overdue. He wanted to look to the Committee to stay fully-

engaged and to work with the Town to make sure this policy continues in perpetuity. Every parent should take the training; it is eye-opening. He told everyone to “Keep up the good work”.

No questions from the board.

J. DeVellis echoed the Chair’s sentiment and thanked the Committee for their efforts. He recapped that back in 1983, the National Child Abuse Prevention Month started, so it is fitting it is now April. There are more legal case steps that still need to take place. He summarized the history within the Town and former employee William Sheehan who abused a number of boys and it went unnoticed. This policy would require all employees to take the training; PERIOD. He added that Foxborough is the first Town to do this and the committee should be proud. Once it is in place, the Town would need to train a large number of people right away. He thanked the committee for bringing reports each year and hopes it stays strong. C. Mitchell asked for clarification about the statement that reads the Town Manager can excuse someone from the training. B. Keegan explained there are situations where people have been personally impacted by the very issue they are being trained on and this would be considered an exigent circumstance that could bring about trauma. In such instance(s) the employee would be excused from the training requirement. M. Bernard added 99% of people will still get trained. D. Spinelli said someone may come with previous training but would need retraining every 2 years. L. Walsh added that is has taken from 2012 until now. It has been set in place now that all youth groups need to take this training and re-up every 2 years. This is also part of lease agreement when they go to use the fields. B. Correia said it is important to show that everyone has taken the training and there hasn’t been any push-back from Unions that he was aware of. All of this was done on Town time and even if not in contact with kids at work, this training can apply to personal life. He said he does not anticipate push back.

B. Keegan asked the Board to adopt the policy and send it in draft form to the Personnel Board. V. Coppola asked if the policy is in place now. B. Keegan said the training has been going on anyway, but nothing has been in place to require it. M. Bernard and D. Spinelli added that the practice is already in place in many areas and this policy puts meat behind their intentions. D. Spinelli said the Committee made a promise to maximize the number of eyes and ears on children in the community. The training gives people the ability to understand the signs. J. DeVellis said the 2nd part is if you can recognize it, this training gives you a “how” to act. D. Spinelli added that this training gives the confidence to act. V. Coppola said the cards the committee gives out are powerful. Good design by Lynda.

Motion to adopt the policy in draft form by M. Elfman, second by C. Mitchell

No further discussion.

Final Result: Motion Carries 5-0-0

Yes: D. Feldman, C. Mitchell, M. Elfman, J. DeVellis, V. Coppola

10.0 Selectmen's Update

D. Feldman recapped the cultural council performance last weekend; did a great job. No committee does more in Town with less.

C. Mitchell said he went to the Regional Transportation meeting last week at Gillette Stadium. Paige Duncan did a great job presenting. There are a lot of exciting opportunities out there; a great turn out. B. Keegan agreed it was a great meeting, very informative. Four years ago, Gillette Stadium hosted the same meeting and it is interesting to see how it has evolved since then and how it has all come to fruition from there. The meeting emphasized the need to form a coalition to support regional transportation for this area.

11.0 Town Manager's Update

B. Keegan said he was at State House today testifying on the local Bill that the Town supported for fully funding reimbursing the Town's cost for Charter Schools. He was very pleased that the Town was asked to present on this topic. He said that he, Randy Scollins and Bill Yukna were able to demonstrate the impact the costs have had to the Town of Foxborough; and to communities across the Commonwealth. He explained that no one here takes issues with the concept of Charter Schools, but the funding mechanism needs to be addressed. It has drained many resources from local school systems. Massachusetts is one of the biggest supporters of Charter Schools in the country. There was support from MMA on this topic, as well. He said he was grateful to B. Yukna and R. Scollins for assisting in today's presentation. He added it has been a busy few weeks that we are getting wrapped up for Town Meeting. It is about 6 weeks away from Town Meeting on May 14th.

V. Coppola asked B. Keegan for an updated on the new sewer line construction near the old fire station. B. Keegan said crews should be back out this month and hopefully get this done by end of this fiscal year. J. DeVellis said it is horrendous to drive on Market Street. The materials laid all over the road are in total disregard to DPW practices; a private contractor is doing the work. B. Keegan said he intended to address that issue tomorrow at his Operations Meeting.

B. Keegan confirmed he did reach out to National Grid as requested by the Board for a Q&A and a presentation, including a tree trimming plan for the upcoming year. He has asked them to talk about the perception of Foxborough's outages and for them to do comparisons with other communities. This presentation is not intended to criticize them in a public forum. They expressed that they are happy to come here and present before the Board.

12.0 Assistant Town Manager's Update

Documents Included: MCAD Q&A; MIIA PWFA flyer; Guidance on PWFA 01/23/18

M. Bernard congratulated Mike Johns on the Vietnam Veterans ceremony with special guest Congressman Joseph Kennedy. She was astounded at the number of Foxborough and local Vietnam veterans who attended. Today, the Library Director held a library staff development day. A number of people were asked to present to the library staff. M. Bernard and Sara Ackerman presented on anti-discrimination and Chief Baker did workplace violence training. This was a nice concept by Manny to bring staff together. She let the Board and the community know about the new Pregnant Workers Fairness Act that was put in place on April 1st. This law adds Pregnant Workers as a protected class. The Town will be putting that up on the website. Power Forward will be doing mailings on April 5th. B. Keegan added that he has been having conversations with Peregrine/Bay State about going out to bid now in anticipation of the October deadline for the existing electric aggregation contract. D. Feldman asked if Power Forward can give the Board the number of households that participated and compare what they saved versus if they didn't opt in. M. Bernard said they will do that in addition to a customer service update; they have a report to provide to the Board.

M. Bernard added April again means Bill Keegan evaluation time. Human Resources for the Town is debuting a new online performance evaluation software. The Board will complete the form online after Bill completes his self-evaluation.

13.0 Action Items

Bay Colony Group, Inc. / Foxborough Land Partners, LLC. - River Ridge subdivision roadway names

Documents included: Site plan; cover letter

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

No further discussion.

Final Result: Motion Carries 5-0-0

Yes: D. Feldman, C. Mitchell, M. Elfman, J. DeVellis, V. Coppola

Veterans' Services - Acceptance of Gift Donation of \$1,000.00 for the Iraq and Afghanistan War Memorial from Fred and Carol Green

Documents included: Gift donation form

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

C. Mitchell thanked the Greens for the generous gift.

Final Result: Motion Carries 5-0-0

Yes: D. Feldman, C. Mitchell, M. Elfman, J. DeVellis, V. Coppola

Veterans' Services - Acceptance of Gift Donation to Veterans Services of \$50.00 from John and Joan Haddigan

Documents included: Gift donation form

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

No further discussion.

Final Result: Motion Carries 5-0-0

Yes: D. Feldman, C. Mitchell, M. Elfman, J. DeVellis, V. Coppola

COA/HS - Acceptance of Gift Donation of \$240.00 to help defray costs of programs at the Senior Center as agreed from the Friends of Foxboro Seniors

Documents included: Gift donation form

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

No further discussion.

Final Result: Motion Carries 5-0-0

Yes: D. Feldman, C. Mitchell, M. Elfman, J. DeVellis, V. Coppola

COA/HS - Acceptance of Gift Donation of \$50.00 for the Lockbox Program from Anonymous

Documents included: Gift donation form

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

No further discussion.

Final Result: Motion Carries 5-0-0

Yes: D. Feldman, C. Mitchell, M. Elfman, J. DeVellis, V. Coppola

Animal Control - Acceptance of a Gift Donation of \$140.00 to Animal Control for the adoption fee from John Thibedeau

Documents included: Gift donation form

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

No further discussion.

Final Result: Motion Carries 5-0-0

Yes: D. Feldman, C. Mitchell, M. Elfman, J. DeVellis, V. Coppola

Approve Public Event Application/Foxborough Cares 5k Road Race 6/2/18 from 10:00 a.m. to 12:00 p.m.

Documents included: Public event application

**Action Item moved to Citizen's Input for vote/presentation by applicant.

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

Final Result: Motion Carries 4-0-1 (J. DeVellis recused himself)

Yes: D. Feldman, C. Mitchell, M. Elfman, V. Coppola

Recused: J. DeVellis

Hampton Inn & Suites Foxborough Mansfield - Approval of 7-Day Entertainment License and Common Victuallers License

Documents included: 7-day entertainment application; 1st Floor plan; Workers Comp. Insurance Affidavit; Common Victuallers License application; Payment check

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

C. Mitchell asked when the hotel is opening. B. Keegan said that the plan is tomorrow. V.

Coppola asked about that status of the gateway sign at the entrance into Foxborough. B.

Keegan said the sign is still in progress and there is a slight hold up at the circle. The sign will be out on Route 140 and will be finished when they do the construction.

Final Result: Motion Carries 5-0-0

Yes: D. Feldman, C. Mitchell, M. Elfman, J. DeVellis, V. Coppola

Motion to go into executive session To Conduct Strategy Sessions in Preparation for Negotiations for Contract Renewal with Non Union Personnel - Finance Director Randy Scollins; To Conduct Strategy Sessions in Preparation for Negotiations for Contract Renewal with Union AFSCME – DPW; and To Conduct Strategy Sessions Relative to Pending Litigation and will not be returning to regular session made by M. Elfman, second by C. Mitchell.

No further discussion

Final Result: Motion carries 5-0-0

Roll Call – V. Coppola – Yes; J. DeVellis – Yes; D. Feldman – Yes; C. Mitchell – Yes; M. Elfman - Yes