

Tuesday, February 19, 2019
Board of Selectmen's Meeting Minutes
Foxborough Town Hall
Andrew Gala Meeting Room
7:00pm

Members present: Chris Mitchell, Chair
Mark Elfman, Vice Chair
James DeVellis
David Feldman

Members absent: Leah Gibson, Clerk

Others present: William Keegan, Jr., Town Manager
Amanda Smith, Community Information Specialist

Minutes generated by Amanda Smith

Chairman Mitchell called the meeting to order at 7:02 p.m. and read the agenda into the record.

1. Citizen's Input

No one present for citizen's input

2. Re-Appoint Interim Finance Director/Town Accountant

B. Keegan recommended to the BOS to re-appoint Christine Dupras as the interim Finance Director/Town Accountant for the time being and will review again in the next several weeks. C. Mitchell asked for an update on the department and status of business in Town; B. Keegan said all budget work is still on schedule and all other processes are going well. D. Feldman asked if the Town is on track to meet regulatory deadlines in March; B. Keegan confirmed the Town is on track. M. Elfman asked how the Finance Department has been working with the Advisory Committee through the budget process; B. Keegan said it has been going well and that a lot of information has been shared and reviewed. J. DeVellis asked if there is a timeline for another review of the position and if the C. Dupras has attended AdCom meetings and interacted with the BOS regularly to date; B. Keegan said she has been in regular communication with the chair of the AdCom and other members of the AdCom and will attend upcoming meetings. J. DeVellis asked for the month-to-month implications of having the consultant, Chris Laviolette, in the Finance Department along with an Interim Finance Director. B. Keegan acknowledged this is a big financial investment for the Town and the impact is significant. J. DeVellis asked where that is reflected in the budget; B. Keegan said it will be reviewed at the end of the year and mentioned the reserve fund in place. J. DeVellis asked for a cost breakdown of having the consultant in place in addition to the Finance Director; C. Mitchell asked for the breakdown for the next BOS meeting. J. DeVellis recommended appointing for two weeks.

S. McGowan from the AdCom came before the BOS to let them know that Christine has not yet attended any of the four meetings to discuss the budget and that C. Laviolette attended one meeting.

Motion to Re-Appoint Christine Dupras as interim Finance Director for a term of 30 days made by M. Elfman, motion made second by D. Feldman

Discussion: J. DeVellis said he would vote against this reappointment for an additional 30 days as he would feel more comfortable with more information to review. C. Mitchell agreed to amend the motion for a 2-week reappointment and review at 3/5/19 BOS meeting. M. Elfman amended motion as stated; motion made second by J. DeVellis

Final Resolution: 4-0-0

3. 7:10pm - Introduce new IT Business/Systems Analyst to BOS

Sandra DeAndrade and Aaron Hyre came before the BOS to introduce Sandra. Aaron provided an update of Sandra's background for the BOS and her experience/credentials. C. Mitchell welcomed her to the Town. B. Keegan said Sandra has been a tremendous help to the Town in reviewing current systems and finding more efficient systems to use and commended her for her efforts so far. A. Hyre said Aaron has been with the Town for about two months and expressed his excitement to have her on the team and highlighted her efforts so far in evaluating current processes for identifying deficiencies to improve for all users in Town; ultimate goal to improve level of service to constituents in Town. Sandra told the BOS that she has been working with everyone in Town to implement massive system upgrades and has been working on revitalizing the Town website.

J. DeVellis asked about her jurisdiction amongst all departments; A. Hyre said she is part of joint IT staff with the schools, providing services to all departments including the schools. J. DeVellis asked if this is a new position; A. Hyre said the Town previously had a financial analyst position and when it was vacated the Town revisited the position and found a need for a more IT-focused position than just financial. The BOS welcomed her and wished her luck.

4. Child Sexual Abuse Awareness Committee Discussion & Review of New Policy and Potential By-Law Amendment

Bob Correia, Bill Dudley, Lynda Walsh and Nancy Stockwell of the CSAAC came before the BOS. B. Correia said the CSAAC met and voted in favor of the new policy with small changes; L. Walsh abstained from their vote. B. Correia summarized the changes suggested by the CSAAC. The CSAAC would like the policy to encompass all properties in Town, no matter if it is a Town-sponsored event or not. C. Mitchell asked to clarify the language to call out town-owned land; B. Correia agreed that would suffice. L. Walsh asked where the policy will live in Town since it is not a by-law. C. Mitchell asked if there were other policies in Town that cover everyone like this one. B. Keegan said the policy could be included in the BOS policy book and be available on the Town website. J. DeVellis said a discussion has not occurred as to where the policies should be located, including on the website. L. Walsh asked how an average resident would know about this policy and be able to review the language. M. Elfman said media coverage of tonight's meeting in public session would be the first step; B. Keegan said advocacy for the policy would further get the word out. Jeff Peterson, in the audience, said this policy would need to be made available in writing to any user of town property. B. Correia confirmed this policy document can be included in the packet given to those signing off that he/she has taken the required Darkness to Light training. D. Feldman asked if the current by-law could be amended to address this policy. L. Walsh asked who wrote the policy; B. Keegan said Chief of Police and Town Counsel wrote this with him. L. Walsh called out her edits to the policy, including word changes such as "others"; "posed"; he said/she said"; "confidential". L. Walsh said the policy seems far-reaching for the Chief of Police, Town Manager and the BOS. L. Walsh expressed concern for the weight given to relying on hearsay as stated in the draft policy. B. Keegan said the policy was written to address a gap in the current policy that allows the Police Department to intervene when a situation is identified as a potentially dangerous situation when prosecution is not an option. D. Feldman clarified his comment that he suggested included adding a note to the by-law referring to the policy, not changing it. L. Walsh said over 2,500 people have been trained to watch and report any behavior they deem unsafe. C. Mitchell said some of the changes can be made as suggested by the CSAAC but would like to get a policy that all parties agree on. C. Mitchell said this policy would protect the children and would protect the Town. L. Walsh asked for the review process; M. Elfman said Chief of Police, Town Counsel and Town Manager. J. DeVellis asked which Town Counsel reviewed this policy; B. Keegan said Louis & Costello, Town Counsel. C. Mitchell suggested making the changes prior to approval by the BOS and review at the next BOS meeting.

B. Correia told the BOS the CSAAC all voted to not move this to Town Meeting and question where this comes from. B. Correia said the CSAAC has been made up people with a passion, not simply because of their

occupation or background. B. Correia said the CSAAC will agree to include language to amend the by-law in May 2014 to remove investigative authority from the committee. L. Walsh called out the inconsistencies on the Town website with the name of the committee and the language in the by-law. J. DeVellis recalled the Town Meeting in 2014 when the name of the committee was officially changed to CSAAC and expressed frustration that the website does not reflect the approved by-law in 2014. J. DeVellis said the language on the website is not what was voted on or approved. B. Keegan said this was brought to the attention of the Town Clerk's office who informed the general code of this error and are working on correcting this issue as soon as possible.

B. Keegan read the Chief of Police's recommendations for the policy and by-law into the record. B. Keegan said the suggested changes are not an attempt to take away from the work the CSAAC is doing but to assist in their efforts by providing expertise to serve as guidance and a resource. B. Correia said the CSAAC has never had anyone come to them with concerns or issues with their work and again expressed the shared passion that led to the creation of the committee in the first place. B. Correia said geography is not relevant, passion is the requirement to volunteer on this committee. L. Walsh summarized her suggested edits to the by-law language and her concerns with the draft language that calls out those who would make up the CSAAC under this by-law. C. Mitchell asked how the current structure of the CSAAC has been working; B. Correia said the CSAAC works well now. C. Mitchell said there is no one policy that states that members of boards and committees must be residents; B. Keegan agreed that a challenge many face is finding volunteers. L. Walsh said the CSAAC bring many experts into present and educate the committee regularly and know how to find the resources. B. Dudley requested that suggestions for the CSAAC come directly to them for discussion, not by the drafted by-law document. J. DeVellis said the draft by-law does not make a lot of sense to him. C. Mitchell suggested the BOS take this back under review and discussion.

M. Elfman said it is unfortunate the Chief of Police is not present to discuss this and suggested this by-law could possibly serve as a template for future years when the members of the committee then may not have the same passion as the current CSAAC from five years ago. L. Walsh said the future BOS could be responsible for giving the okay to the Chief of Police to take that next step and potentially call attention to someone unfairly. B. Keegan reiterated the draft language that states that appropriate actions may be taken; not guaranteed to be taken. J. DeVellis called out the divide between someone's civil rights and for not taking action when something is suspected. L. Walsh said the CSAAC encourages everyone to come forward with any and all concerns; B. Keegan said the draft policy closes the gap with how the Police can act when given this information. D. Feldman agreed to not change the by-law and to not limit the members with drafted criteria. J. DeVellis suggested listing the others suggested as potential members. B. Dudley said 9 out of 10 predators are never arrested and is how that behavior can continue and the draft policy would be a step toward closing the gap.

Kathy Brady, 35 Cocasset Street, came before the BOS. K. Brady said as a committed team member, reiterated that there are now 2,500 people have been trained to watch this behavior and are taught how to report behaviors they believe to be unsafe. K. Brady also called out the diligent work of law enforcement that already work to identify and investigate these behaviors and echoed the fear that the hearsay may have a negative impact. K. Brady also called out her concerns with regards to confidentiality as it pertains to what is defined as "actionable criminal conduct". B. Keegan said the goal of the draft policy is to empower the Police Department to act in absence of actionable criminal conduct. B. Dudley gave a hypothetical situation working in churches and asked what the Police Department should do in that case under the current policy. L. Walsh echoed that the trainings state that no one can be alone with a child. C. Mitchell said the BOS and the Town will clean up the policy for review at the next BOS meeting and review the by-law for amendments as discussed this evening.

5. Annual Town Meeting Warrant

B. Keegan said the warrant before the BOS this evening is as of the closing date on 2/15/19. C. Mitchell asked about the language in the working warrant; B. Keegan said it is a draft and not yet finalized. B. Keegan said the Police Contract has not yet reached an agreement and are awaiting response from the Union. J. DeVellis called out the Citizen's Petition listed about digital billboards and went to the table with Paul Beck to field questions

from the BOS. J. DeVellis provided an update of the background of this petition to the BOS. J. DeVellis said there are no major changes planned for the exterior, aside from the sign on the Main Street side of the building. J. DeVellis said the current sign is no longer a working option for them and went to the ZBA who helped them draft this petition for the Warrant. J. DeVellis said the plan would be to replace the current sign with a digital board of the same size and design/layout with no video. J. DeVellis read the petition into the record. P. Beck said with the frequency of changing the sign, an increased safety hazard has resulted and echoed the ideas of utilizing the message board in the event of an emergency to get the word out. J. DeVellis said the ZBA was very receptive but stated the digital message boards are not allowed within 100 feet of the Common. M. Elfman asked if this petition would overrule the existing zoning exemption; J. DeVellis confirmed. P. Beck said the goal was to design a plain sign that would not be first identified as a digital sign. P. Beck said the brightness would likely be adjustable to prevent a blinding effect and will ensure that is possible. M. Elfman asked if the sign can be updated remotely; P. Beck and J. DeVellis confirmed.

J. DeVellis asked about the article to amend the sewer district and the article as presented at this time. B. Keegan said he will get the language to the BOS for the next meeting.

Motion to close the annual town meeting warrant made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

6. FY20 Budget

C. Mitchell suggested waiting for the next BOS meeting when all of the BOS is present to address questions. J. DeVellis said he feels that the discussion over the budget in recent years has not included the big picture. J. DeVellis called out other Towns that have had layoffs and budget cuts and asked to have a larger discussion about annual budgetary increases so that the constituents know this is taken seriously. D. Feldman added that some of the questions he posed to Bill speak to having a larger conversation but call out that part of the problem in town is the revenue, as well as the expenses. J. DeVellis reiterated he is not bashing Administration or Finance but thinks that it is time to start discussing down the road when to turn the tide in a population that is not growing. J. DeVellis called out the desire for people to work in the Town and that the need to pay higher rates each time should not be automatic. D. Feldman said he would like to clarify misconceptions regarding tax increases and where the numbers come from, including explaining where the money comes from and where it is going. B. Keegan said he welcomes the conversation.

7. Selectmen's Update

No update provided

8. Town Manager's Update

B. Keegan said a follow-up meeting to discuss CSX is scheduled for this Friday at Town Hall.

B. Keegan said another AdCom meeting is scheduled for tomorrow evening at Town Hall.

B. Keegan spoke to the fire at the Mansfield Fire Station last week and informed the BOS that the Foxborough Fire Department has offered assistance and continue to standby to assist as they need before they move to a new fire station.

B. Keegan informed the BOS that an application for a license will come before the BOS at the next one or two meetings for the Toby Keith's space and that discussions are ongoing regarding Waxy O'Connor's. D. Feldman

asked if all bills have been paid by the licensee and M. Elfman asked if all of the alcohol has been removed. B. Keegan said he would find out and report back to the BOS.

B. Keegan said Battle Road is working to pull together their application for an annual alcohol license soon.

B. Keegan said four bids came in for the Fire Station/Funeral Home RFP and are under review by EDC to make a recommendation to the BOS at a future meeting.

B. Keegan said he is working on a Town partnership with Dean College for training opportunities, including EMT training.

9. Action Items

9.01 Common Victualler - ERE Foxborough FG LLC d/b/a Five Guys Burgers & Fries

Motion to Approve made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

9.02 Historical Commission - Acceptance of Gift Donation of \$100.00 to the Foxborough Historical Commission from 28th Massachusetts Volunteer Infantry for the general historical fund

Motion to Accept made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

9.03 Historical Commission - Acceptance of Gift Donation of \$20.00 to the Foxborough Historical Commission from Patricia Howe for the general historical fund

Motion to Accept made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

9.04 COA/HS - Acceptance of Gift Donation in the sum of \$260.00 to the Council on Aging/Human Services from Friends of Foxboro Seniors for November and December Tai Chi and from Paul & Carolyn Godin and Patti & Charles Feeney in Memory of Emil Ferencik

Motion to Accept made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

9.05 COA/HS - Acceptance of Gift Donation in the sum of \$150.00 to the Council on Aging/Human Services from Foxboro Cemetery Corp. and from Mr. & Mrs. Bruce Cushman in memory of Emil Ferencik to provide programs that benefit seniors and others at the COA/HS

Motion to Accept made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

9.06 BOS Approve 1/8/19 and 1/22/19 Meeting Minutes

Motion to Approve 1/8/19 minutes made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

Motion to Approve 1/22/19 minutes made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

10. Adjourn

Motion to adjourn at 9:07 p.m. made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0