

Tuesday, April 2, 2019
Board of Selectmen's Meeting Minutes
Foxborough Town Hall
Andrew Gala Meeting Room
7:00pm

Members present: Chris Mitchell, Chair
Leah Gibson, Clerk
David Feldman

Members absent: Mark Elfman, Vice Chair
James DeVellis

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

Minutes generated by Amanda Smith

C. Mitchell opened the public session at 7:00 p.m. and read the agenda into the public record.

1. Citizen's Input

Patricia Stevens, 63 Mechanic Street, came before the Board and recalled her attendance at the November 2017 BOS meeting with photos and posters with concerns about the status of Mechanic Street; speed limit and traffic patterns of drivers on the road. P. Stevens summarized three accidents she witnessed on her street around the entrance/exit to the YMCA. P. Stevens provided copies to the Board of MA General Law. P. Stevens mentioned that exit 8 off Route 95 is the employee exit for Gillette Stadium and stressed the increase in traffic volume on Mechanic Street as a result. P. Stevens said the speed on the road is the major concern and asked the BOS to consider this issue and suggested additional speed limit signs may help; she has offered to help this effort move forward.

Brian Matthews, 15 Hillcrest Road, came before the Board with suggestions for abandoned properties in Town; the Payson Road property in particular. B. Matthews proposed the idea to the Board that this property be redeveloped into a community center.

2. 2018 Year in Review Video

FCATV presented the 2018 Year in Review video for the Board and the Town of Foxborough. B. Keegan said this is the third year FCA has put together this video. B. Keegan thanked Mike and his team for their work on the video. Mike Webber thanked his intern Patrick from the Southeastern Regional High School for his work on this video.

3. Town Manager Recommendation for BOS to Re-Appoint Christine Dupras as Interim Finance Director/Town Accountant

B. Keegan recommended the reappoint Christine for another two weeks. D. Feldman said he checked with Bill to ensure

Motion to Reappoint made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 3-0-0

4. BOS to Review CRGE Foxborough, LLC d/b/a Toby Keith's I Love This Bar and Grill Cessation of Business and possible action concerning the Current Annual All Alcoholic Beverages License

L. Gibson read the public hearing notice into the record.

C. Mitchell asked B. Keegan to confirm this is the formal practice for the BOS to recall the license currently held by Toby Keith's. Brian Earley, General Manager of Patriot Place, came before the BOS to provide an update. B. Earley summarized the cessation process that occurred at Patriot Place following the closure of the business that included turning the license in to the Town, returned by CRGE as a condition of escrow agreement with Patriot Place. B. Earley summarized for the BOS the events that led up to the termination and eviction of the business at Patriot Place on January 29, 2019 when CRGE ceased operation and abandoned the property, including the liquor license. B. Keegan said the hearing tonight is to close out the process of

C. Mitchell asked about the potential for a six-month appeal period as in other cases before the BOS; B. Keegan said in this case the license holder did not show up to appeal for the license.

There were no public comments from the audience.

Motion to close the public hearing made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 3-0-0

Following in hand notice to the license holder, CRGE Foxborough, LLC and timely notice of public hearing and opportunity to be heard on the matter of cessation of the licensed business located at 275 Patriot Place, and upon facts and evidence presented that the license holder ceased business operation on or about January 29, 2019 and voluntarily relinquished the aforementioned all alcohol license to the town of Foxborough, I move for the Board of Selectmen to forthwith cancel the all alcohol license issued to CRGE Foxborough, LLC, all in accordance with to MGL C. 138, s. 77 made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 3-0-0

5. BOS to Discuss/Review Commercial Parking Regulation

C. Mitchell said this agenda item is on the agenda for the Board to discuss whether or not to hold a public hearing to potentially amend the current BOS regulation. B. Keegan said this would be the best course of action so all parties would be notified of the hearing and have the opportunity to discuss. C. Mitchell referenced the letter sent to the BOS recalled past amendments to the regulation and that it would be worth looking into this regulation further through a public hearing. B. Keegan said the BOS can at that time decide to amend the regulation or determine another course of action after all parties have had a chance to weigh in. L. Gibson said she supports a public hearing to review the regulation; D. Feldman concurred. B. Keegan suggested the Board choose a date for consideration. C. Mitchell said this will be put on the April 30th meeting as a public hearing; L. Gibson asked the audience members interested in the topic if they were able to attend. C. Mitchell then suggested adding it to the May 14th BOS agenda.

Motion to set a public hearing for May 14, 2019 for public hearing to discuss/review possible amendments to commercial parking regulation made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 3-0-0

6. BOS to Review and Discuss Annual Town Meeting Warrant and Proposed FY20 Budget; Possible Vote

B. Keegan said the documents presented to the BOS tonight is the final Town budget, pending final State Aid numbers, and final draft of the warrant as of 4/2/19. B. Keegan summarized the budget adjustment documents as presented to the BOS and went through the list of capital requests based on original requests and his recommendations. D. Feldman asked to confirm that this does not change the bottom-line budget, just reallocates funds; B. Keegan confirmed. C. Mitchell asked if the capital requests worked back into the budget were those on the CIP list this year; B. Keegan said no, these are items under \$25,000 already in the budget. L. Gibson asked if the Town were able to take the save from insurance benefits instead of the allocating them to something else; B. Keegan said he focused on the capital items as they tend to be one-time purchases and use the savings to cross these off the list. C. Mitchell asked for the total savings; B. Keegan said it was \$302,170. C. Mitchell asked about the increase in Workers Compensation and if that locks us in for a few years; B. Keegan said the rates are reflective of the year and number of claims. B. Keegan said the overall increase of 3.9% is for operational costs, through taxation.

B. Keegan requested the BOS to take the police contract and the CSAAC articles off of the warrant for now. C. Mitchell asked about the status of the police contract; B. Keegan said it will not be ready for the Annual Town Meeting but may be ready for the Special Town Meeting.

Motion to remove Article 7 and Article 28 from the Annual Town Meeting Warrant made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 3-0-0

L. Gibson asked about the process for taking a vote tonight to move the warrant forward and to vote/recommend each article at the next meeting when the entire BOS is present; B. Keegan requested the BOS vote to move it forward tonight for AdCom to take it under review at their meeting tomorrow night.

Motion to move the Annual Town Meeting Warrant and Proposed FY20 Budget as amended to Advisory Committee made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries: 3-0-0

7. Selectmen's Update

C. Mitchell said he, Senator Paul Feeney, Representative Jay Barrows, School Superintendent Amy Berdos, Lt. Rich Noonan, Deb Spinelli, Mike Johns, Bill Dudley and Lynda Walsh of the Child Sexual Abuse Awareness Committee testified before the State House for the Mandatory Reporting Bill.

C. Mitchell announced the joint BOS meeting on April 10th regarding Regional Dispatch, to be held at the Mansfield Town Hall.

L. Gibson said the new principal at the Ahern Middle School was announced by Superintendent Berdos.

8. Town Manager's Update

B. Keegan announced that this year's Student Government Day will be held on June 4, 2019; everyone is excited to hold another Student Government Day.

B. Keegan reiterated the Joint BOS meeting to be held on April 10th at the Mansfield Town Hall at 6:00 p.m. about Regional Dispatch where updates will be discussed regarding the process to begin operations on July 1st and the status of the building.

B. Keegan announced the ribbon cutting for the MFN Regional Wastewater Treatment Facility on May 11th at 10:00 a.m.

B. Keegan said he, Mike Johns and Ally Rodriguez taped another episode of Ask Bill Keegan at FCATV today that will air later this week.

9. Assistant Town Manager's Update

M. Johns said B. Keegan has completed his self-evaluation and it will be sent out to the Board members for their review soon. M. Johns also asked the Chairman to let him know if the Board needs more time than one month to complete his evaluation.

M. Johns elaborated on the presentation at the State House in support of the Bill regarding mandated reporters. M. Johns also spoke about those who also attended to testify in support and in opposition of the Bill for various reasons.

M. Johns echoed the excitement to hold another Student Government Day as there is always a need for service in local government and it is exciting to see young students interested in this field.

10. Action Items

Reappointment of James Evans, Jr. to the Industrial Development Financing Authority for a 5-year term expiring 4/1/24

Motion to reappoint made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries: 3-0-0

Public Event Application - Foxboro Jaycees Easter Egg Hunt on the Common - April 13, 2019 from 8:00 a.m. to 1:00 p.m.

Motion amended to approve event on April 14th made by L. Gibson, motion made second by D. Feldman

Discussion: Max Loew and Marc Rivard explained the plan to reschedule the Egg Hunt for Sunday, April 14th at 11:00 a.m. and a rain date of Saturday, April 20th at 8:00 a.m.

Final Resolution: Motion Carries: 3-0-0

Officer Scott Dion - Approval of \$1,849.50 for Tuition Reimbursement

Motion to approve made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries: 3-0-0

Officer Ken Fitzgerald - Approval of \$1,849.50 for Tuition Reimbursement

Motion to approve made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries: 3-0-0

COA/HS - Acceptance of Gift Donation of \$180.00 to the Council on Aging and Human Services from Friends of Foxboro Seniors to pay for 1/2 of Tai Chi Classes in January and February as agreed

Motion to Accept Gift Donation made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries: 3-0-0

Recreation - Acceptance of Gift Donation of \$1,000.00 to the Foxborough Recreation Department from the Foxboro Rotary Club

Motion to Accept Gift Donation made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries: 3-0-0

Motion to enter executive session at 8:05 p.m. to discuss strategy with respect to collective bargaining with Library Union where an open meeting may have a detrimental effect on the bargaining position of the public body; to discuss strategy with respect to collective bargaining with Foxborough Professional Firefighters Association, Local 2252 where an open meeting may have a detrimental effect on the bargaining position of the public body; and to Review/Approve Executive Session minutes 2/6/18, 6/5/18, 6/20/18, 10/2/18, 10/30/18, 11/27/18, 1/8/19 and 3/5/19 not to reconvene in open session made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 3-0-0

Roll Call: L. Gibson – Yes; D. Feldman – Yes; C. Mitchell - Yes