

TOWN OF FOXBOROUGH
Board of Selectmen's Meeting Minutes
Tuesday, April 16, 2019

Members Present: Chris Mitchell, Chairman
Mark Elfman, Vice Chairman
James DeVellis
David Feldman

Members Not Present: Leah Gibson, Clerk

Others Present: William Keegan, Jr., Town Manager
Pamela Riccio, Executive Assistant
William Baker, Police Chief
Roger Hill, DPW Director
Mike Kelleher, Fire Chief
Rob Verdone, SEMRECC Executive Director

Others Not Present: Michael Johns, Assistant Town Manager

Minutes taken by Pamela Riccio

Chairman Mitchell called the meeting to order at 7:00 p.m. and read the Agenda into the record.

1. 7:00 PM- Citizen's Input- Pat Stevens asked if the Board had time to review speed limits in Foxborough. She stated she had not heard from the police relative to speeding on Mechanic Street. Chief Baker stated that there were attempts made by Foxborough Police via telephone and stops to her house to discuss but the Police Department was unsuccessful to connect with Ms. Stevens. Chief Baker asked if they could discuss this situation in the back of the room and also reconfirm a telephone and email for Ms. Stevens. Ms. Stevens agreed.

John Gaetani- He stated his discontent with the situation with Beach Street. He said Beach Street is a mess! He said he hit a pot hole on Beach Street and it almost gave his mother a heart attack. Per J. Gaetani, there is only one 40 mile an hour speed limit sign on Beach Street and he feels the speeding is out of control. He said the traffic is crazy too, especially cars that turn onto Beach Street from Mechanic Street. He feels there will be a catastrophe on that street if nothing is done. J. Gaetani stated he has grandchildren and he does not want to take any chances. J. Gaetani also spoke about Willis Lane and what the speed limit should be on Willis Lane. Roger Hill gave Mr. Gaetani the pamphlet on the Massachusetts speed control law. Mr. Gaetani said he understands the speed limit on Willis Lane is 30 mph based on the pamphlet but he believes it should be 15 mph. R. Hill explained if houses are 200 feet or closer apart, Selectmen can vote a speed reduction of 25 mph for Willis Lane and reiterated the same would apply to Beach Street.

C. Mitchell asked when the work on Beach Street would be done. Per R. Hill, the project is a two year project because of the length of the road which is 10,000 feet long. Per Chris Gallagher, the construction of the water main work will be completed at the end of the spring with a target date of Memorial Day. Further, C. Gallagher stated Beach Street will be completed and paved with an inch and one-half (1 ½") of super pave asphalt in the fall. C. Mitchell asked C. Gallagher to spot patch Beach Street in the meantime. R. Hill said he already sent 2 patch trucks out on that road. R. Hill suggested that J. Gaetani have his neighbors sign a petition to lower the speed limit to 25 miles per hour on Beach Street. R. Hill said you will usually find that it is your neighbors who are the speed limit violators and J. Gaetani acknowledge the

same. J. Gaetani also wanted to know when the poles would be taken care of on his street. B. Keegan said we would see what we could do.

2. 7:05 PM- New Small Wireless/Right-of-Way Policy- Per B. Keegan, this is an FCC ruling that came out recently for communities to set regulations. B. Keegan said the Board is looking at the policy originally developed by Burlington and it has been modified for the Town of Foxborough. Basically what has happened is technology has changed and the standard cell tower is being replaced with technology (transmitters) that are installed on top of telephone poles. B. Keegan further explained, without Town regulations these companies can just go ahead and install devices on the telephone poles to the benefit of the company but without benefit to the Town. What Foxborough is looking to do is to establish regulations because this is within our community's right of way and with a policy in place, it allows the Town to collect permit fees for transmitters placed on top of telephone poles. B. Keegan, reviewed the draft policy with IT and other internal staff and all agreed the draft policy is well written. The only area that would need further discussion would be historical areas to be sure they would not be negatively impacted.

Per B. Keegan, the FCC says if you don't have a regulation policy in place by April 14, 2019 then you cannot look back. B. Keegan said he recommended that the Board adopt the regulations looking forward from the 16th and suggested the Board to adopt it now and amend it later if needed. C. Mitchell asked if there are any of these devices already in Foxborough. Bill K., said there are some in Foxborough already at the recreation area, Mechanic Street, and Route 140. When a company comes in they can go ahead and place these transmitters but this policy will make it so they will need a permit. Per B. Keegan, this policy protects the Town and B. Keegan stated he does not believe it covers personal property. Per Bill K. the policy would go into effect right away. Per Chris M. he said he believes it is best to opt into this now and then modify later if needed especially when considering the impact to historical areas. Per D. Feldman, he wanted to know if Paige had looked at this from a zoning perspective. D. Feldman suggested to talk to Paige relative to zoning and to inquire if a fall Warrant article is needed to address this.

Motion to accept the new small wireless/right of way policy.

Motion made by M. Elfman second by D. Feldman

No Further Discussion

Final Resolution Motion Carries: 4-0-0

3. 7:20 PM- Amendment to Regional Dispatch Inter-Municipal Agreement- B. Keegan explained the amendment is to take out the old location of regional dispatch which was 50 West Street, Mansfield. Rob Verdone further explained the amendment strikes all references to the Mansfield location in the agreement. C. Mitchell asked if there would be a new "clean" document that would list the new Foxborough location. R. Verdone said SEMRECC could propose an additional amendment at a later date to clarify the new location. C. Mitchell said since the original document was written with the location he feels this change should be incorporated into a new document once everything is finalized. R. Verdone said he doesn't think it is a requirement but if it is desired by the Board of Directors it could be done. D. Feldman mentioned that Norton and Easton voted in favor of this amendment and Mansfield is the only community who has not voted yet.

Motion to approve the amendment to the Regional Dispatch IMA agreement.

Motion made by M. Elfman second by D. Feldman

No Further Discussion

Final Resolution Motion Carries: 4-0-0

4. 7:30 PM- FY20 Budget Discussion/Update with Advisory Committee- Sue Dring explained she is the Chairman of the Advisory Committee (AdCom). She said it is AdCom's job is to examine the warrant articles, present them at Town Meeting, and give recommendations on the all the articles with the most

important article being the Operating Budget. She explained each department budget is reviewed twice by AdCom.

S. Dring said this year, AdCom has three main concerns with the FY20 Budget. She wants to see more money in the rainy day fund otherwise known as the stabilization fund. She said \$100K is going into this fund this year based on a budget of \$79M. She mentioned health insurance came in lower than anticipated with a cost savings of \$139K and that was shifted to Capital Outlay. AdCom's recommendation is to put the additional \$139K into stabilization instead of into Capital Outlay. Currently Sue said there is \$4M in the stabilization fund but she said it would be nice to have more. Pensions and healthcare are the second concern. She said it is a problem for all towns. Typically the contribution made by the Town and employee is accumulated and invested and over time and is supposed to grow to cover the employee's pensions/healthcare benefits. However the typical scenario is its growth is always overestimated and not enough to cover these benefits.

Sue explained the \$4.8M the Town has in the pot to pay for retiree pensions and benefits is all going out to pay for retirees. In fact that amount is not enough so additional money is taken out of the pot to pay these benefits. She said every time more positions are added it is costing the Town more in benefits. Therefore, AdCom would like to slow down the process by limiting new positions. Sue said there were six new positions proposed but AdCom is recommending not adding the new position in Finance or Water and taking out the Deputy Chief position in the Fire Department.

AdCom's final concern is the increase in salaries by 4% year after year. AdCom's concern it is not sustainable. She said we have Proposition 2 ½ so if taxes are only going up 3% and raises are going up 4% year after year, it could be a problem during an economic downturn.

C. Mitchell asked Sue if she reached out to those departments who would be affected by the AdCom's recommendations before the meeting that took place on April 3, 2019. Per Sue it is never really known what motions will be made until that night and it is impossible to predict.

D. Feldman mentioned the BOS has also tried to keep salaries down but some employees are under contract or are union so that adds another layer. He did mention there is a small group who are not in a bargaining unit but to keep the peace, raises to non-union have been consistent to what union employees receive as a raise. D. Feldman agrees that every effort should be made to keep salaries at 50% and to put money back into stabilization. His main concern is to understand AdCom's process and would like to know if there was open debate with department heads relative to recommended cuts before the vote was taken by AdCom. Therefore, he would like to see the minutes of all the AdCom meetings. He said he might agree with S. Dring on AdCom's recommendations or he may not. D. Feldman stated he doesn't know right now because he wasn't at AdCom's meeting on April 3rd and reiterated he would like to review the meeting minutes.

S. Dring stated that AdCom is only an Advisory Board and she understands the Board of Selectmen is an elected Board whose recommendations obviously carry more weight than AdCom's. S. Dring restated AdCom's job is only to recommend. D. Feldman said the BOS welcomes AdCom's recommendations but wants to be sure the recommendations are truly vetted. This is why D. Feldman wants to look at the AdCom's meeting minutes and see what the discussion was before the vote on recommended cuts was taken.

Per S. Dring, a lot of times there is pressure on AdCom to go with the same recommendations as the Town Manager. She also stated it is very important the taxpayers can see there are different sides relative to the budget and can decide at Town Meeting how their money will be spent. D. Feldman said at the same time, the taxpayer also needs to know how recommended cuts will impact services. J. DeVellis asked how the AdCom voted on the various recommended cuts. S. Dring said the vote to put money into stabilization was

unanimous but she did not have the information on all the votes with her. C. Mitchell said his main concern was he wanted to know if AdCom consulted with department heads before making their recommended cuts and did AdCom know how these cuts would impact each department.

D. Feldman explained how the BOS voted the FY20 budget. He said there was very little debate on any line item so the BOS decided to vote on the proposed budget. D. Feldman said if there was debate about any line item, the BOS would be sure to have those departments affected in the room to have a discussion to see what the impact would be and then take the vote.

W. Baker spoke about the process and how from his perspective it was different this year versus last year. He said he met with his liaison and there was a good exchange of ideas. He said concise information was given to his liaison which was then submitted to AdCom. Despite this, AdCom recommend and voted to cut overtime and a fourth cruiser. W. Baker stated this will significantly impact the operation of his department. He said he was left confused about AdCom's process. He said what was voted by AdCom at their meeting on April 3rd was dramatically different than what was discussed prior. He said it feels like the decision of the AdCom happened in a vacuum and wished AdCom was more transparent and collaborative. W. Baker said he will be taking the floor at Town Meeting to defend his budget and his position and explain the operational impact.

B. Keegan stated there are a number of people who want to speak on the process issue. Bill stated he asked S. Dring if he was need at the April 3rd meeting and she said "no, you are not needed." Bill said he has been working on this budget every day and there is always an effort to be transparent. He said "Sue and I do not have to agree on the budget but he wants to know why there is disagreement." He stated that he has not heard any information tonight nor has received factual information on why there is disagreement. Bill did not know of any problems with the budget until after the AdCom's meeting on April 3rd when he was informed by Mike Johns that AdCom voted to cut almost \$500K out of the budget. Bill said as the architect of the budget he should have known about these recommended cuts.

J. DeVellis stated that the process was different this year. He said it is fine that the budget numbers may be different in the Town Manager column, BOS column, and AdCom column. He said if department heads want to come and defend their budgets at Town Meeting they can certainly do that. He said it sounds like AdCom had their discussion, debate, and took their vote but department heads weren't there. So the process was different this year and a bit of a curve ball was thrown in because department heads didn't have the extra level as in the past. J. DeVellis said all departments are aware of when these meetings are taking place and should attend and defend their Warrant articles.

C. Mitchell thanked S. Dring and said he would see her at Town Meeting.

5. 8:00 PM- BOS– Sign Annual Town Meeting Warrant- C. Mitchell asked if the Board had any questions on the Warrant. The Board had no questions.

Motion to approve the Warrant.

Motion made by M. Elfman second by D. Feldman

No Further Discussion

Final Resolution Motion Carries: 4-0-0

6. 8:10 PM- Foxborough Housing Authority-Requests a Waiver of Building Permit Fees

B. Keegan explained the Foxborough Housing Authority requests a waiver of building permit fees and explained that most Towns do not waive these fees. J. DeVellis felt it would set a bad precedent. C. Mitchell said he was not a fan of it.

Motion to vote no action
Motion made by M. Elfman second by D. Feldman
No Further Discussion
Final Resolution Motion Carries: 4-0-0

7. 8:20 PM Selectmen's Update-

C. Mitchell thanked the Jaycees for the Easter Egg Hunt and commented they filled 4,000 eggs.

8. 8:25 PM Town Manager's Update-

B. Keegan said Mike Johns is not at the meeting tonight because he is on vacation. He stated the recruitment process for a Finance Director is starting and a panel will be put together which will include a member of the BOS. He mentioned Six String and Orpheum's alcohol licenses were approved by the ABCC, construction on the roundabout is scheduled to start May 1st and should be completed in 6-8 weeks, and lastly, Chief Baker is retiring in October and Bill and Mike will begin the process to find his replacement.

9: Action Items:

Splitsville & Howl at the Moon- Acceptance of 10:00 a.m. early service of alcohol request for Sunday, May 5, 2019 for the 4th Annual "Bowl-A-Strike Against Muscular Dystrophy" charity event.

Motion to approve the 10:00 a.m. early service of alcohol request for Splitsville & Howl at the Moon for Sunday, May 5, 2019 for the 4th Annual "Bowl-A-Strike Against Muscular Dystrophy" charity event.

Motion made by M. Elfman, motioned second by D. Feldman

No further discussion

Final Resolution: Motion carries 4-0-0

Foxborough VFW Post 2626- Approval of license renewal for (2) Coin-Operated Pool Tables to expire 5/1/2020.

Motion to approve the license renewal of (2) Coin-Operated Pool Tables to expire 5/1/2020 for the Foxborough VFW Post 2626.

Motion made by M. Elfman, motioned second by D. Feldman

No further discussion

Final Resolution: Motion carries: 4-0-0

Recreation- Acceptance of a Gift Donation in the amount of \$2,000.00 to the Recreation Department from St. Alban's Masonic Angel Fund for Booth Summer Program.

Motion to approve a Gift Donation in the amount of \$2,000.00 to the Recreation Department from St. Alban's Masonic Angel Fund for Booth Summer Program.

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

No further discussion

Final Resolution: Motion carries: 4-0-0

Veterans- Acceptance of a Gift Donation of \$50.00 to Veteran Services from Lynda and Peter Stevens for the General Gift Fund in Memory of Paul C. Ramsay.

Motion to approve a Gift Donation of \$50.00 to Veteran Services from Lynda and Peter Stevens for the General Gift Fund in Memory of Paul C. Ramsay.

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

No further discussion

Final Resolution: Motion Carries: 4-0-0

Library- Acceptance of a Grant in the amount of \$400.00 to the Boyden Library from the Foxborough Cultural Council for the library program.

Motion to approve a Grant in the amount of \$400.00 to the Boyden Library from the Foxborough Cultural Council for the library program.

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

No further discussion

Final Resolution: Motion Carries: 4-0-0

10. Adjourn:

Motion to Adjourn the meeting at 8:20 P.M.

Motion by M. Elfman, second by D. Feldman

No further discussion

Final Resolution: Motion Carries: 4-0-0