

Tuesday, March 1, 2022
Board of Selectmen Meeting Minutes
Gala Room, Town Hall
7:00 p.m.

Members Present: Leah Gibson, Chair
Stephanie McGowan, Vice Chair
Seth Ferguson, Clerk
Mark Elfman

Also Present:
William Keegan Jr., Town Manager
Michael Johns, Asst. Town Manager
Christina Metcalf, Communications Specialist
Katie Lang*, Executive Assistant
*Attended remotely

1. 7:00pm - Citizen's Input – No input

2. 7:05pm 1-Day Beer and Wine License Applications - Normandy Farms-Sharon Beaumont & Andrew Pyszynski

2.1 Approval of 1-Day Beer and Wine Licenses for Brewfest events on 4/9, 6/4, 6/25, 10/1 and the Food Truck Festival events on 4/23, 4/30, 5/21, 7/6, 8/10, 9/17 and 11/5 in 2022. (Updated to 22 total licenses for the day of each event and the night before)

SB – This will be the 5th year of doing the food truck festival and we usually have about 5-8 food trucks. We started Brewfest last year with 5 different breweries in the area come in to host. We carded and gave wristbands to those of age.

AP – We have 8 people certified with 12 more that will be certified as well.

SB – This will be all private event and I'm there from the start to the finish of the event.

Motion to approve eight 1-Day Beer and Wine Licenses for Normandy Farms Campground LLC d/b/a Normandy Farms Campground for Brewfest events on April 8th and 9th, June 3rd and 4th, June 24th and 25th and September 30th October 1st, 2022 by S. Ferguson 2nd by M. Elfman. Approved, 4-0.

Motion to approve fourteen 1-Day Beer and Wine Licenses for Normandy Farms Campground LLC d/b/a Normandy Farms Campground for Food Truck Festival events on April 23rd, April 30th, May 21st, July 6th, August 10th, September 17th, and November 15th, 2022 by S. Ferguson 2nd by M. Elfman. Approved, 4-0.

3. 7:15pm Public Event Application - Bailey's Team for Autism Annual Run for Autism - Sammi Robertson

3.1 Approval of a Public Event License for Bailey's Team Run for Autism, 9th Annual Run for Autism on March 27 starting at 8:30am

SR – We are hosting our 9th event, 7th in Foxborough. It is a 5k race and we are using the same route as a past run for diabetes. We are moving our starting point to be at Payson field which has been approved by Recreation. The safety plan is in the application.

LG – The Certificate of Insurance will be mailed before the event.

SM – Sammi does a great job with this event.

Motion to approve the Public Event Application for Bailey's Team for Autism 9th Annual Run for Autism on March 27 starting at 8:30am by S. Ferguson 2nd by M. Elfman. Approved, 4-0.

4. 7:25pm Change of Manager - Trader Joe's - Brian Fahey*

4.1 Approve Change of Manager for LLH, LLC d/b/a 'Traders Joes' #528 from William Walls to Brian Fahey

BF - I have been with 'Trader Joe's of the last 18 years. The last 5 years I've been I've had a liquor license in my name, never any trouble or violation. I hold my crew very accountable. I have just been transferred to Foxborough a few weeks ago.

Motion to approve a Change of Manager for LLH, LLC d/b/a Traders Joes' #528 from William Walls to Brian Fahey by S. Ferguson 2nd by M. Elfman. Approved, 4-0.

5. 7:35pm Department Update- Director of Public Health Matt Brennan gives update on Health Department
MB – Our department has stayed the same with the change of Cameron Shamey replacing John Robertson. We have a lot of yearly inspections, with 276 food establishments permitting inspections including Gillette Stadium. We did 540 Title 5 inspections.

SF – What is a Title 5 inspection?

MB – It is in regard to a home septic inspection with several steps to ensure that their plan and it is built to how it was approved. Sometimes 1 project would be 3 inspections. We aren't doing as many housing inspections or inspections of hotels and motels but hoping with the new grant we'll be able to increase those numbers.

We inspect Lawson Farms for milk pasteurization. We inspect all the food trucks that come into town for example with the Normandy Farms food truck festival. We created a Covid-19 dashboard which provided information from the Department of Public Health for residents and business to make their own Covid-19 health related decisions. The Health Department received \$5,000 from the Community Health Alliance Network for food insecurity funding and we partnered with the YMCA and used it for providing food to Foxborough Housing Authority residents.

We had the Advanced Public Health Volunteer Corps come in and do a Health Assessment. This report determined that we could do more with preventative care and other issues. We provided at-home Covid-19 test kits for the public through the Council on Aging. Foxborough received the Public Health excellence grant last year and supports cross jurisdictional sharing of public health services between the Towns of Foxborough, Easton, Mansfield, Norton, Plainville and Sharon. This grant will allow these municipalities to meet statutory requirements, respond to public health emergencies and plan public health improvements. In order to move forward with this grant program created the partnership known as the Bristol-Norfolk Public Health partners. We asked for a Food Inspector and a shared service Housing Inspector with the grant request as well. The towns will be able to utilize up to \$300,000 a year to increase the shared services public health system, potentially until 2033.

All expense will be paid for by grant funds with the exception of unemployment insurance which will be shared by the towns participating in the grant. As the lead entity we receive 15% of the funds of the grant to administer the grant.

SM – How do the benefits paid out and which town is the benefits paid out of?

MB – We account for the salary and benefits to pay for those funds. Everything is covered but unemployment and that cost would be shared by the town. There is an indemnification agreement and a hold harmless agreement as well as a \$3 million policy.

MJ – The benefits are managed by the Town of Foxborough, the towns share everything equally.

SM – After the grant is over, towns could opt out, then there would be some type of agreement?

BK – If this didn't continue with grant funding but it could be continued without the grant by entering another IMA with interested towns, but that is something that we don't have to worry about for 10 years. This is another great example of regionalization in the area.

MB – There are other grants that can be added to this with an addendum for other grant funded positions and initiatives.

LG – It is a hard position to hire for part-time so hiring for regional positions is beneficial.

MB – Money for programs like this will be more so for collaboratives than individual towns.

BK – The Board has to vote to approve because it is an Inter-Municipal Agreement.

SF – This is incremental services to provide services we are looking to fund?

MB – This is a way to bolster and improve what we are already doing. We could also hire an administrator as well as a potential software system that all the towns could use and be able to work remote.

BK – Matt has been a great addition to the staff.

MJ – Matt did the work to find this grant and apply for it and did a tremendous job.

ME – How did you get picked?

MB – We worked well together and put together a great application. We have a great regional area that want to work together and do so very well.

5.2 Intermunicipal Agreement - BOS to discuss and vote to approve the Intermunicipal Agreement with the Towns of Easton, Foxborough, Mansfield, Norton, Plainville, and Sharon

Motion to approve the Intermunicipal Agreement with the Towns of Easton, Foxborough, Mansfield, Norton, Plainville, and Sharon by S. Ferguson 2nd by M. Elfman. Approved, 4-0.

6. 7:55pm Feedback Loop/360° Review Discussion - BOS

6.1 Board of Selectmen to discuss a potential feedback loop/360° review initiative

LG – This idea come from an idea that Seth had and if Mike could talk about the review process.

MJ – The review process we have now is that we have 6 month probationary period for new employees. All employees are reviewed starting in May. We did have a company that did do reviews but they were bought out twice over and that product. We bought an applicant tracking system and plan to purchase a new system in FY24 to stay within budget.

LG – We did have a system when we first started.

BK – We had a bargain on the previous system but not ones the ones going forward. We may be able to get the new system this year with the ARPA money.

LG – There is a self-review and supervisor review. With 360 it would be people in different departments or for employees under their supervision, people on boards and committees.

SF – I think it could be vendors and other community partners as well.

LG – I think it provides a more holistic picture and think we would have to be online as we couldn't be on paper.

MJ – We have to negotiate any changes with the unions, with the non-unions we would go to the Personnel Board. The Board could start with the Town Manager and Finance Director.

BK – I went through a 360 review with ICMA to be credentialed with them. It was helpful to me by providing insights. My only reservation is that it can be misused sometimes and can be weaponized. Generally speaking this could be very helpful.

LG – I don't know that we would use those to numerically calculate the average at the end.

SF – This is about information for me to this Board, for policy for management. As for the people providing feedback would be good to be able to provide information.

LG – It sounds like everyone is on board.

ME – I'm not familiar with 360 review, could you give me an example?

LG – In my work, you would pick 3 people, someone who works with you, under your and above you. It included feedback and targeted questions and you put all the information in the review.

SF – Similarly it's a sampling that may work in a department or group or peers.

LG – It could be another Board or committee member, department head, another person in the office, or community member.

BK – It is used to be instructive and constructive.

SM – Is it turned in to someone else and they would be able to hear a collective feedback? For example Bill would use that with the Finance Director along with his review and feedback.

MJ – I did this for Bill for ICMA, it was anonymous and I felt I was able to give feedback honestly.

BK – The feedback I got from that told me what I was doing well at, what I could improve with and things that I needed to fix.

ME – Is this for upper/middle management?

LG – This would be a longer term plan.

BK – We could introduce it voluntarily.

SF – Is there anyone besides yourself [Bill] and Mike and the Finance Director that we could implement this with?

BK – We could have others like police and fire chiefs.

LG – I did one this year and it was great to be able to talk about with the other person and it was helpful for me and for them. Keep us posted on where we land with the software. We could do this informally as well.

7. 8:05pm Assistant Town Manager's Update

7.1 Update on Recruitments and new hires – The new library director will be Elizabeth "Libby" O'Neill who is currently the Norfolk Library Director, previously the Marion Library Director and a Department Head at the Boston Public Library. Kathy Bell-Harney is the Interim Director and has been doing a great job. We'll have her in sometime in April or May to introduce her to the Board.

8. 8:15pm Town Manager's Update

8.1 Update on American Rescue Plan Act Funds – The Capital Improvement Planning Committee will be meeting this week. My suggestion would be to use town ARPA funds for CIP projects this year. We are still working with the legislature for how we will be able to spend our federal ARPA money. We have made the case to the U.S. Treasury that this is a unique case and the congressman and senator's offices have been extremely helpful in making our case to the Treasury. It is a slow, methodical process to work with the federal government but hoping for an answer by the end of this month. We don't have to spend the federal funds until 2024 which is nice as we can spend it when we want and just have to make a request and this does not require Town Meeting action.

We are looking at fixing the town pool as well as replacing the chillers at the middle school. There are several pieces of DPW equipment to replace as well.

LG – Just want to make sure to talk about adding the Skate Park on the schedule of CIP projects as well.

SF – If there is work that needs to be done in the next few years, how do we address projects that we need to get?

BK – We had a meeting in December talking about the big projects that we need to do and the Taylor School would be 5-6 years out. We spoke about the Community Center project and we should take some interest in. This project would be a debt exclusion and could do it after another project comes off that was also a debt inclusion and wouldn't impact the tax base.

8.2 Use of Town Property Permits -On the Common - Library Summer Programs

June 18 - Father's Day Animal Adventures Show at 10:30am

July 9 - Tromp through the Swamp with Tom Sieling Show at 10:00am

July 21 - Annual Teddy Bear Picnic - 10:00am

July 25 - Learn Ukulele Program - 2:00pm

July 28 - Children's Entertainer Philip Alexander performs at 10:00am

August 6 - Jenny the Juggler's Fabulous Variety Show at 10:00am

9. 8:25pm - Selectmen's Update

9.1 New Business – CIP Committee meeting is 8:30am this Saturday in the Gala Room and available to watch on Foxboro Cable Access.

9.2 Old Business - Presentation on Financial Trend Monitoring System and GFOA award from Town Administrator John Coderre will be June 7

9.3 Old Business - Annual Town Meeting Warrant Articles Presentation Discussion

LG – What do you want for presentations for Annual Town Meeting Warrant? I will be discussing the change of the Board and the Solicitors/Canvassers articles to Advisory Committee with Bill. Do we want to have one night where we discuss all the articles? Planning is still discussing the Marijuana article. Do we want the Citizen's petition coming in or just want Advisory Committee?

SM – Is Advisory Committee continue to televise their meetings?

BK – They have not indicated that change as of now, not sure if that will change.

ME – I'm okay with viewing them but if they aren't televised then I would want them to come in.

LG – The Planning ones we leave to the Planning Board and leave them to their public hearings and their meetings are televised.

SM – I think we should have the Citizen's petitions come in to give the public two chances to come in and present.

LG – I don't want to take a stance on Planning Board or Water Department articles.

ME – I like to take a stance on Board sponsored ones as well as the Citizen Petition articles.

SM – Frank [Spillane] disagreed with that.

BK – Frank has said in the past that the Board should vote on all, but that's up to you.

SM – I just don't like that we seem to be picking and choosing.

LG – I see the Planning or W&S Board as making their own articles and didn't want to step on their toes.

SM – I want to be consistent, we voted all of them last year.

LG – After discussing, I believe we have a consensus that we want to do.

ME – In the spring, we clarify in the fall that this is what we like to see, approve ours and citizen's petitions

SM – I wasn't sure that we were being consistent.

LG – As chair, I want to make I've got input and want to do what the entire Board wants. We've done BOS and Citizen Petitions and we've taken all these discussions and made a decision about a consistent about an approach and are following that approach.

SM - I'd like to be able to have the Citizen Petition sponsors come in because it's difficult for me to catch up with all the meetings.

LG – The Advisory Committee I having trouble scheduling them, let's hope it's at the beginning of the schedule as go from there. I would prefer to not be redundant if we can.

ME – As a former Advisory Committee, can a citizen ask a question during an Advisory Committee meeting?

SF – Yes, at the discretion of the Advisory Committee Chair.

9.4 Old Business - Post Advisory Committee Presentation budget discussion

LG – You had some questions about the budget after the Advisory Committee meetings.

SM – I had a question about fuel being all under one instead of individual lines, except for Snow & Ice and Water. I don't see Water. Where do we stand with the part time Young Adult Librarian position as we said no new positions?

LG – The Library Trustees discussed that at Advisory Committee as well as the trustees meeting.

SM – Will you be having a discussion about Free Cash with Advisory Committee?

BK – Yes, but we haven't set the date yet.

LG – Do you have dates for Senior Center discussion and Cable Access information?

SM – What about salaries for unsettled contracts?

BK – We have put separate money in the salary reserve line like we did last year.

SM – If we are not seeing a percentage number next to a position we can assume that person is at the top level and have to wait until the contract settled for the COLAs. Why are we reorganizing?

BK – Yes, and this holds true for anyone getting an increase because of their new position. These individual department to one division head. These departments don't report to us on a regular basis. By putting Conservation and Building under Planning will allow better communication. It's a cleaner organization doing it this way and it's more functional this way. The cost is incremental and well worth the investment, with the talented people heading up these divisions.

SM – I'm always trying to be aware and not add positions

BK – The net impact would be virtually nothing. We've had people coming in new and replacing people who have left at a lower number.

SM – That lower finds its way up in time. Maybe it would have been better to have it happen with a new Town Manager coming in.

BK – It's important to understand that, irrespective of that thought, I've given you a lean budget and it's not going to change.

SM - Do those have to wait until the contracts come in?

BK – Yes, they are union positions and its negotiated impact.

MJ – Several years ago we had a separate highway and water department. We would pave roads and then tear them up a couple years later because those departments weren't talking. That doesn't happen anymore with our DPW director and having the Water department and town engineer reporting to them and working together to plan paving and water main work strategically.

SM – We are on the low end of free cash but on the high end of tax rates. I was surprised that we have 8 towns around us that have more free cash than us.

BK – In terms of free cash, we were more impacted because of the stadium with meals and hotel/motel tax.

SM – I feel we shouldn't be going much over the guaranteed monies. No one could have seen Covid coming but we shouldn't be counting on monies that are not a given.

BK – It's not an excuse but reality. It was difficult for us to maintain services and everyone wants us to maintain services as if we did have the same. There is a plan to restore free cash as revenues come back and as the stadium has more events and continued games. We had to dip into our reserves for a year. We aren't going to use much free cash for capital instead it will be ARPA funds.

ME – I think the plan of Bill and Finance is to be able to save Free Cash. We had 4 million that we saved from good years at the stadium and it went to the Burrell School. The plan is to recharge free cash and use ARPA money.

BK – There are more soccer games and the first concert of the season is coming up in May which will help this financial year. If we took the position to cut services during a pandemic, when citizens needed them the most that would have been bad. Until we rebuild our position I'm not going to give

10. Action Items

10.1 BOS - Approval of BOS Minutes from 2/1/22 meeting

Motion to approve the February 1, 2022 Board of Selectmen Meeting Minutes by S. Ferguson 2nd by M. Elfman. Approved, 4-0.

10.2 Design Review Board - Appointment of Maria Schuster to the Design Review Board for a term to end 5/31/22

Motion to appoint Maria Schuster to the Design Review Board for a term to end 5/31/22 by S. Ferguson 2nd by M. Elfman.

Discussion: We are still looking for another member to fill a seat on the board and they need to be a local business or property owner.

Approved, 4-0.

10.3 Police Department - Accept donation from Schneider Electric Company of 2 metal coat racks, 1 metal binder rack w/dividers, 1 office chair, 1 plastic cart, and 1 white board

Motion accept donation from Schneider Electric Company of 2 metal coat racks, 1 metal binder rack w/dividers, 1 office chair, 1 plastic cart, and 1 white board to the Foxborough Police Department by S. Ferguson 2nd by M. Elfman.

Discussion: BK – We will be going over to Schneider as they have other office equipment that Departments will be going over to see if there will be other items that departments can use.

Approved, 4-0.

11. Adjourn - 8:52pm

Motion to adjourn by S. Ferguson 2nd by M. Elfman. Approved, 4-0.