

Tuesday, July 19, 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
Dennis Keefe

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

1. 7:00pm - Citizen's Input -Amy Labrache, Foxboro Jaycees – Letter of thanks from the Jaycee for the Jaycees car show last Sunday.

2. 7:05pm Bowditch & Dewey - Earth Removal Permit Application for 63 Elm Street

2.1 Review and vote on an Earth Removal Permit Application for Bowditch & Dewey on behalf of Massachusetts Electric Company at 63 Elm Street – Joshua Lee Smith, Bowditch & Dewey, Orlando Martinez, National Grid, Michael Lawlor, National Grid

JS – We’ve met with several departments and board and presented our plans. We have received all the necessary permits and are applying for an Earth Removal permit today. It is the rebuilding of an electric substation that has been in existence for the past 65 years. It is within the towns limited industrial zone and not within any environmentally sensitive areas. It is an expansion in the rear of the substation to accommodate new equipment to replace older equipment that has gone beyond its useful life. This includes transformers, circuit breakers and switches and dead end structures. There is line work that needs to occur as well as replacing fencing. There is also some grading work that will need to take place as well. There is a landscape plan which the ZBA and Planning Board were pleased with the addition of new plantings on Elm and Sagamore as well. This site is within the industrial zone and near the DPW. This facility has been here for decades that we are doing an aesthetic improvement and improve the electric reliability for the town.

LG – This seems straight forward and we can review the conditions if you haven’t received them. [Read the conditions to applicant]

JS – Those sound acceptable to me and it looks like with Orlando and Michael those are acceptable as well.

Joan Gallivan had a question regarding a nearby tree.

OM – That tree is not on our property so we can’t do anything. The reason that we are doing this project is that we need to set foundation for the new equipment that we are bringing in to be stable.

Motion to close the public hearing by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

Motion to approve the Bowditch & Dewey application for an Earth Removal Permit to be exercised at 63 Elm Street under the conditions set forth by the Board of Selectmen by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

3. 7:10pm Award of Excellence Presentation - Foxboro Cable Access -Board of Selectmen to present Award of Excellence to Foxboro Cable Access staff and Board of Directors for their exemplary service to the Town during the Covid-19 pandemic.
Mike Webber, Executive Director, Paul Beck, Matt Shea, Rick Plasmati.

ME – What FCA did was truly remarkable. You were able to pivot on a dime while. You were able to 94 public meetings in 2020 and 124 meetings in 2021 remotely, this only accounted for 25%. [Reading of inscription on plaque]

MW – We thank you for the recognition. The town was in a good place. With our success we had other cable access stations to share our. We do view ourselves in being partners with the town and we are proud of ourselves to be able to help the Town. This is moving municipal meetings forward technology wise. It will be interesting. Alexa a senior at Foxborough High, who had helped us out as well.

ME – We talk about Fire, Police, and DPW and Town Hall but I wanted to make sure that you were just as important a cog in the transition area during Covid.

MW – We know have an HD channel on Comcast 1072. We are also doing closed captioning on Comcast. We also have Deb Wendall indexing the meeting which can jump to a specific agenda item in a meeting.

BK – Thank you to all of you and Mike Webber never said no. Mike fought very hard for an HD channel, so congratulations on that. They cover a lot of things that other communities don't and it's a credit to their entire staff. Remote access has been granted to March 1, 2023 by the legislature. It has become so popular and a courtesy for all attending including resident, business owners and staff. This is a positive change and is being welcomed and appreciated across the state.

4. 7:15pm 2 Washington St. Proposed Warehouse - Discussion about proposed warehouse in a S1 district

4.1 Review of the proposed warehouse on 2 Washington Street, an S1 District in Foxborough – Bill Buckley, Bay Colony Group

LG – This under we 9.1.4.2 of the bylaw and is in the special zoning district which requires an informal hearing in front of the Select Board and we are able to give comments before the public hearing. That public hearing is August 11th at 7:45 at Foxborough High School. We will not be taking a vote on this as it is under the Planning Board's purview.

BB - I'm here representing the applicant. We've had public hearings on this project. This is a 225,000 sq. ft. warehouse located on 30.5-acre parcel of land. All of the existing elements on the property will be removed. Part of this is partially in the S1 zoning district. The site will be demolished and be accessed by one driveway on the southern side. It is the new MassDOT standard design. It is 32 feet wide to allow for vehicles not to be back up on Route 1. About 20% lies in S1 the remainder in the limited industrial. We are proposing 195 parking spaces for it and 120 trailer spaces as well. There will be 38 loading docks and the parking for vehicles will be on the south and west side. We've taken input from neighbors and professional staff and laid it out the best we can make and far exceeds the standards we have to meet. We made sure we put the loading docks away from the neighborhood. All the light will be on the outside of the parking lot facing in towards the building. The landscaping plan is being revised to create a berm from 7-15 feet high and cutting the building into the grade of the building. Our landscaping will have a 6-foot tree every 6 feet which will be jolly green giant trees. A major concern is traffic on Beach Street and Meadowview Road. Beach has a partial truck restriction, we offered to prepare all the studies and documentation to petition MassDOT to be a permanent 24-hour, no truck operation. One of the major conditions we've offered is that deliveries could not be made through Beach and North unless it was a local delivery.

LG – This is for information and we have the planning board who is elected and have their expertise for this reason. We are in charge of the roads and have heard from the neighbors. There have some signs that have gone up. We share some of the same concerns as the neighbors.

DK – There we some site visits that were going to be set up, have those been set up yet?

BB – There was a member how wanted to do a site visit.

LG – Those have not been led yet but it's in the works.

SF – I'm curious about the plan for fencing?

BB – It is a combination of elements. There will be heavy greenery and a berm with trees and setbacks. The zoning does recognize that you have to be careful against residential and it has to be 20 feet and we are a minimum of 75 almost 100 feet from residential areas. We are open to questions or alternatives but we've not been asked about fencing, they wanted to see trees.

LG – It's a delicate balance between the neighbors and the S1 and L1 district. I think everyone is concerned about traffic coming through our small side street. If anyone has comments, send any comments to Christina for the Planning Board by the end of the week. There is continued public hearing and I will be watching that.

ME – Could you mention the potential truck traffic going south and the North Street light versus the Gillette turn around?

BB – We've hired a traffic engineer to do an analysis of the traffic. We anticipate those trucks making the turn at Rodman.

When you have a tenant we can instruct and control what they are doing.

SM – I've been following along and I've heard that you've been revising plans.

4.2 Note: Planning Board has a scheduled public hearing on August 11, at 7:45pm at Foxborough High School

5. 7:25pm Town Pound and Chestnut Path - Request to perform maintenance work - Review and vote on request for a group of

private citizens, led by William Lord, to perform maintenance work on the old Town Pound and on Chestnut Path with the installation of plaques at both locations upon completion of work. Any and all supplies will be funded by the private group of citizens. Bill Lord, HDC Vice Chair, Kristian Edgar, HDC Chair, Mark Ferencik, Historical Commission Chair

BL – There are two historical sites there is a parcel of land surrounded by stone that was the Town Pound. Me and a good friend of mine want to improve this area on Granite street. Between #17 and #21 Baker Street as you walk towards Chestnut Greene there is also a pedestrian path that is over grown. We are asking to clear down those properties. For the Town Pound are we would clear to the grade and the ask would be to move any organic material to the Town compost site. I've worked with the Historic Commission for a citation for a metal tablet plaque similar to those around town already. With the Chestnut Path we would clear the path and dispose of the organic material as well.

KE – It was great path to walk down as a child.

ME – I have walked that and always wondered who owned that property.

LG – It seems like a great project and love to see town committees working together.

Motion to approve the maintenance work to be performed and funded by a private group of citizens on the old Town Pound and Chestnut Path with any memorial plaques to be approved by the Historical Commission by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

5.2 Historical District Commission - Appoint new member Molly Kelleher for a term to end 5/31/25

LG – We had a member move out of state and its very specific to who is on that committee, so we are filling that spot with Molly.

MK – I was born and raised in Foxborough and live on 22 Baker street for about 8 years now. I was thrilled to get this opportunity.

LG – It's great to have new people on board and committees.

KE – I've lived on Baker Street my entire life and it's nice to have families on the street again.

Motion to appoint Molly Kelleher to the Historic District Commission for a term to end 5/31/25 by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

6. Squadron 21 – Review and vote on application for a One Day Beer and Wine License for Squadron 21 on August 13th – Emmanuel Paiva, Owner

EP – I'm the owner of Squadron 21ers, Foxborough Cornhole facility. I opened 8 weeks ago at the old Foundry Building. Cornhole is growing in the northeast and wanted to open something around here. We have tournaments, birthday parties, and charity events. I have a fundraising event on August 13th and am applying for a 24 hour liquor license. We have a possible food truck coming as well. I'll be working with Shovel Town to provide the liquor.

LG – It looks like you have bartending experience?

EP – Yes, I have 12 years of bartending experience and have Serve Safe training as well. I've also worked at Gillette as well and seen lots of IDs. ShovelTown will also have their staff who is trained to help checking IDs as well. I will be getting a stamp as well to stamp the hands of 21+ year old.

ME – Can you give me some information about your business and open times.

EP – We are open Mondays 4:00o-9:30p, Thursday is the tournament night and have 40 people, Friday 4:30pm-9:30pm. We have 8 courts and it's great for people of all ages.

BK – Where did you get the name?

ES – Originally had a Top Gun theme but my graphic designer talked me out of it and I went with the US has the 21st Squadron Elite fighter pilots, as they are the best and made a name from that.

SM – People will be coming and going all day, what is the connection with the fundraiser and the license?

ES – The proceeds will all go to charity, open a curling facility in Raynham.

Motion to approve a One Day Beer and Wine License for Squadron 21'ers Inc. on August 13th from 10:00am to 10:00pm by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

7. 7:35pm TM and BOS Goals for FY23 -Review and vote on FY23 Town Manager Goals

SF – We pulled together goals based on what has been developed over past years. Some fell off that were either complete or not as relevant anymore. We added more that were specific to where we are going as a town. We thought about goal criteria and how we can measure against set criteria.

BK – They are great, manageable and realistic and sets you up for the next manager.

DK – I'm familiar with Goal criteria and objective and can fill those in as we go forward.

SM – Thank you to Seth for taking this on.

Motion to approve the FY23 Town Manager Goals as proposed by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

8. 7:45pm Charter Discussion - Preliminary Discussion on the process to review and possibly amend the Town Charter

LG – This is a high level discussion and we should look at this. This is a 1 ½ to 3 year project and the intent of this discussion of when we want to kick this off and figure out the best timing. This would look at the time line, the committee and how we would move forward.

SF – You mentioned a committee?

LG – Some towns use a committee, so it could be more than just the BOS.

BK – The Selectmen would appoint a charter review committee and that group would put together recommendations for the Board. Then the BOS could make a recommendation for Town Meeting. This would have to be sent to the legislature as well because it is a Special Act. I spoke with Town Counsel and this is a special act that talk about the governance of the community. You could take a look at other towns and clarify languages.

LG – I think we'll have the best success and engaging the community, internally, and boards and committees.

SF – As far as the charter review committee and how we would select those folks?

BK – There are different ways to appoint committee members, including each member appoints a person and then additional members from different parts of the community.

LG – That would be step one in figuring out the committee and time line.

BK – I've seen it done both ways and can be active and or retired board members.

SF – Can we section things out or do we have to do it all at once?

BK - The most successful committees are done in chunks and can do it over several years and make recommendations and seeing how the town feels.

SF – There are a few things that I would like to address; elected versus appointed town officials. What about that role drives that need for a vote as elected?

LG – Elected positions are hard to fill as well.

SM – There was a warrant article that was tied regarding the Town Clerk position several years ago.

SF – Another thing, the Town Moderator is elected and when you elect that you are electing the Advisory Committee as well.

SM – In this process, if there were changes we wanted to make, you would have the group go over it and then have the Board would

BK – The Selectmen would take the committees report and then have the ability to proposed a warrant article with amendments. Because it is a special act, it may need town vote and then go to the legislature for final action.

DK – I've been through a by-laws review and its daunting. I love the idea of looking at other communities' best practices and going from there to identify the scope.

LG – Given the change of leadership, it's not fair to start this in the middle of a change of leadership. We want this person to be part of that process.

BK – There are probably a dozen areas that I've had questions about during my time here.

LG – If you could put those questions down for historical knowledge.

BK – I hope to be able to point out things that need work from my perspective and time here.

ME – There were a couple of issues early on when I was chair. And it will be important for you Bill to leave us lessons learned and hanging questions.

9. 8:10pm Assistant Town Manager's Update

9.1 Remote Meetings Legislation Update

9.2 New Hires -Curtis Hazeldine -Water Tech II, Jennifer Keaveney - Library Page, Thomas McCormack - Laborer/Driver, Joseph Wakefield- Laborer/Driver, Erin Dunford Part-Time Library Assistant, Olivia Alves-Part-Time Collections Coordinator

10. 8:20pm Town Manager's Update

10.1 Town Manager Search Consultant RFQ info and discussion of the Board forming a Selection Committee. There are 4 companies that have the RFQ right now and is due by the end of the month. The Board should also start discussing how and who you would recommend to serve on the committee and recommend 5-7 people on the committee.

LG – I hope the search consultant to help us on this and wouldn't want to start the search before having them help us.

BK – You just want to be careful with timing.

LG – I'm thinking someone from the BOS, Dept. head in town, like DPW/Planning, a school committee representative, former AdComm members and some member at large.

SM – Maybe a former Selectmen, like Jim DeVellis, who has worked with Bill before.

LG – There are things to think about like diversity.

BK – That could be a question to ask when you interview

LG – We are getting together on August 23rd for a special meeting to interview these consultants.

ME – We are getting together an adhoc committee of town's people to whittle it down to 3 or 4 candidates to then come to us?

LG – Yes, usually two to three candidates.

SM – Will the consultant provide the criteria or do we provide our input.

LG – We will be involved with the consultant fully and the consultant will present their process.

BK – You will give them direction and they will give you direction. The key thing is that they will outline the process and tell you what has worked well in other towns.

LG – I've spoken with Brookline chair and how they are doing their search. I've spoken with a consulting group as well to see how they do it.

10.2 Lt. Governor visit for FORWARD Act – The Lt. Governor visited 2 weeks ago for the FORWARD Act which includes \$4.95 million for the Walnut Street sewer and stop light. The Lt. Governor was impressed by how far along we are in the process and believes we are shovel ready and that bodes well for us. It's a good bill and that could bode well for that to be passed. We sent a letter with support from the Select Board Chair Leah, Housing Authority Chair Greg Spier, Planning Board Chair Kevin Weinfeld, both of our legislators. If it doesn't make it through on this legislation that we could get funding through another option.

Tomorrow begins a heat wave of 90+ degree weather in Massachusetts. We are opening the pool, Tuesday – Thursday after 3pm Friday – Sunday 11am – 6pm. We do have cooling centers at the Council on Aging and Boyden library and the McGinty room on Saturday. During the past week that SEMRECC was awarded an ICMA Community Safety and Health award. This will be recognized at the annual conference in Ohio in September, this is national acknowledgement.

I've approved Use of Town property to use the Common and near Boyden Library.

11. 8:30pm - Selectmen's Update

11.1 New Business - Teddy Bear Picnic, 7/21, 10:00am; National Night Out, August 2, 6-8pm

11.2 Old Business - Ribbon Cuttings for the Sweetness & Honey Bakery and the Town Pool in June.

LG – Thank you to Stephanie for filling in at these events on my behalf.

SM – In this heat wave please check on your elderly and please do not leave your dogs in cars during this heat wave.

12. Action Items

LG – The reason you are seeing one-day beer and wine licenses is because they have done them before whereas Squadron 21 was their first time which is why we had them on the agenda tonight and come in.

12.1 Rodman Ride for Kids - Approve Use of Public Way and One Day Beer and Wine License for September 24th

Motion to approve the application for Use of Public Way and One Day Beer and Wine License for September 24th for the Rodman Ride for Kids by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

12.2 Sharon Triathlon - Approve Public Event Application for the Sharon Triathlon on August 14

Motion to approve the Public Event Application for the Sharon Triathlon on August 14 from 8:00am - 10:00am by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

12.3 Achilito's Taqueria - Application for One Day Beer and Wine License for July 21st, 11am-10pm

Motion to approve a One Day Beer and Wine License for July 21st, 11am-10pm for Sol Taquerias d/b/a Achilito's Taqueria by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

12.4 Mass Electric/Verizon New England - Petition for Joint or Identical Pole Locations at North High Street, Pole 5-84

Motion to approve the Petition for Joint or Identical Pole Locations by the Massachusetts Electric Company and Verizon New England, Inc. for National Grid to install new joint owned guy stub pole 5-84 across from pole 5 to replace tree guy on North High Street by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

12.5 NPS, LLC - Annual License Additional Events - NFL Patriots Data Sheet

Motion to approve the additional events for the 2022 New England Patriots including pre-season, regular season, and potential playoff games at Gillette Stadium to the NPS, LLC Annual Entertainment License by D. Keefe, 2nd by M. Elfman.

LG – There are comments from Police, Fire and DPW, did we get anything from SAC?

KL – Because it's a data sheet they don't meet or make comments.

Approved, 5-0.

12.6 Lowrider Depot - Approve Use of Public Way Application for Lowrider Depot Dog Days Car Meet on August 13th from 1-5pm at 10 Annette Road

Motion to approve a Use of Public Way Application for the Lowrider Depot Dog Days Car Meet on August 13th from 1-5pm at 10 Annette Road by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

12.7 Wormtown Brewery LLC - Extended Hours Request to begin serving at 10:00am on 9/25, 10/9, 11/6, 11/20, 1/1/23

Motion to approve the extended hours request for Wormtown Brewery LLC to begin serving at 10:00am on September 25th, October 10th, November 6th and 20th, and January 1st, 2023 by D. Keefe, 2nd by M. Elfman.

LG – These are all 1:00pm home games and I did okay having the 2023 game to approve as well.

Approved, 5-0.

12.8 Town Clerk - Authorize 1 Police Officer for FY23 Elections; 9/6 for State Primary, 11/8 for State Election and 5/1/23 for Annual Town Election

Motion to authorize one Police Officer to be present for FY23 Elections; September 6th for State Primary, November 8th for State Election and May 1st, 2023 for Annual Town Election with additional officers available to the Town Clerk upon request to the Police Chief by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

12.9 Town Clerk - Re/appoint Election workers from 9/1/22 - 8/31/23

Motion to appoint Town Election Workers for a 1-year term, September 1st, 2022 through August 31st, 2023 by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

12.10 COA - Appoint Nancy Bach to the Council on Aging & Human Services Advisory Board for a term to end 5/31/23

Motion to appoint Nancy Bach to the Council on Aging & Human Services Advisory Board for a term to end 5/31/23 by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

12.11 COA - Accept Donation of \$500 from the Brooks Family in honor of Ralph and Amelia Brooks to COA Gift Fund

Motion to accept a donation of \$500 from the Brooks Family in honor of Ralph and Amelia Brooks to COA Gift Fund by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

12.12 Boyden Library - Accept Donation of \$250 from Lisa Jolicoer on behalf of the Jaycees for Easton Children's Museum Passes

Motion to accept a donation of \$250 from Lisa Jolicoer on behalf of the Jaycees for Easton Children's Museum Passes by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

12.13 BOS - Approve additional FY22 Capital Improvement Planning Committee Requests from 6/7/22 CIP meeting

Motion to approve the Capital Improvement Planning Committee requests as proposed from the June 7th CIP meeting by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

12.14 BOS - Approval of BOS Minutes from 5/24/22 meeting

Motion to approve the May 24th, 2022 Board of Selectmen Meeting Minutes by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

13. Adjourn – 9:00pm

Motion to adjourn by D. Keefe, 2nd by M. Elfman. Approved, 5-0.