

Tuesday, January 17, 2023
Board of Selectmen Meeting Minutes
Gala Room, Town Hall
7:00 p.m.

Members Present: Leah Gibson, Chair
Stephanie McGowan, Vice Chair
Dennis Keefe, Clerk
Seth Ferguson
Mark S. Elfman

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

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

2. 7:05pm Select Board - Awareness of issue with private trash provider

2.1 The Board will advocate for citizens regarding the issue regarding private trash provider. No public comment regarding trash will be heard at this meeting

LG – We posted this agenda item with no public comment not because we didn't know or didn't want to hear about it, because this is not the venue to air grievances about the trash provider. The trash provider is a private contract that each person makes with the provider. We do know there are price and customer service issues. There is currently only one provider that is taking new customers. We understand that your customer questions aren't being answered as well. The Board is here to advocate for citizens and that's what we're doing for you. We're not able to force someone to come and provide trash service. We know there are issue and discussions that have happened. Bill was able to talk with Win-Waste and I spoke with Rep Barrows and Senator Feeney regarding the price of trash or recycling. It is on their radar and looks like this is coming to a head. We are advocating as much as we can. We have heard from some residents that we should get back into the trash business, that is not an easy or inexpensive business to get into.

SM – There was a survey sent out and we didn't receive a lot of complaints. The costs are rising across the board.

BK – It is a cyclical business, you have smaller business who come in a provide the service at a lower price and then eventually end up being bought out by the bigger companies.

SF – we did have an assessment last year that said pricing and service in town is competitive. I want to be careful of making sure that we continue to listen to the community. It seems like a volatile industry with companies changing hands and players moving in and out. We may need to assess this again if there are still problems.

3. 7:10pm - Introduction of New Human Resources Director Liz Buetow

LB –Thank you for inviting me to share a little bit about my background. I'm truly grateful and excited for this new role. Prior to joining the Town I had the privilege of serving as the Director of Human Resources for the Plymouth County District Attorney's office and the Disabled Persons Protection Commission for the Commonwealth. I've received a warm welcome here. I've met with department heads to discuss how I can best support them and their teams in my new role. Over the next few months my focus will be on supporting my peers and team members during the new town manager position, acclimating myself to process, policies , procedures and software for the town. Recruitment for summer hiring for the rec department and DPW and meeting with the Personnel Board. I evaluate training needs and HR process improvement and much more. I'm thankful for this opportunity to work with such wonderful and talented and dedicated individuals.

LG – We're excited to have you here and have great energy and will be a great cultural fit.

DK – In terms of your own personal philosophy in human resources, what is the most important priority that you would look at coming in?

LB – I think it's important to build credibility, trust and relationships within the town and the team. To have open communication, open door and to truly listen to the needs of the staff here is my number one priority. My philosophy is to truly listen, it's an art that is from time forgotten but extremely important in my role. I want the staff to feel heard by me in my role and to be able to apply that to the work they do.

ME – You have a great personality and a great fit for Foxborough

SF – I've gotten good feedback from the leadership team already, glad to hear that.

BK – Liz I an active listener and that is truly an art form. She brings a lot of energy and the staff reaction so far has been great so far.

4. 7:15pm Skip Jack's - Change of Manager Application

4.1 Select Board to review and vote on the Change of Manager Application for Skipjacks – Justin Hunter

LG – Can you tell us a bit about this application?

JH – I've been the bar manager and assist gen manager for the last 8 years. Our general manager left and will be transferring it over to me. Pete has trained us very well.

Motion to approve a Change of Manager for Big Tuna LLC d/b/a Skipjacks from Peter Dowd to Justin Hunter by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

5. 7:25pm Town Clerk - Public Hearing: Election Equipment and Mail In Voting Discussion and Vote

5.1 Public Hearing Select Board to discuss and vote on Mail-In Voting for Annual Town Elections

Motion to open the public hearing pursuant to MGL c. 54, Section 25B to opt out of Early Voting by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

BC – In June of last year the legislature passed a bill to make the 2022 by mail voting and early voting permanent. We had by mail voting for the Town Election during the pandemic. We are required to offer by mail voting but are able to opt out for Town Elections only. From the last 5 years, you can see in the big elections we don't get a lot mail in voting. I think the voters in Foxborough like to go to the polls. The state requires us to opt out of this. We are trying to do this early in the election cycle so Foxborough isn't listed as having mail-in voting for Town Elections. It was a simple process to check in, now the mail in process is now 15 steps. The time associated with process a by mail ballot is significant for an office of 3 people. My request is that we vote to eliminate the buy vote mail for town election.

LG – You can still vote absentee ballot? [Yes]

DK – What are the requirements for an absentee ballot?

BC – Typically its if you are away at school, vacation or sick. We don't ask detailed questions. There are still Covid and RSV going on than they can do the absentee ballot.

SF – How does that differ from early?

BC – You don't have to have a reason with the mail-in.

SM – You aren't going to turn anyone away. If things change and it needs to happens, it can be reversed.

BC – Yes, I'm aware the Board changes and if the Board wants to reverse it.

SF – Did we have any absentee ballots that were declined? [No]

LG – I'm more comfortable with just the one year.

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

Motion to opt out of Early Mail In Voting for the May 1, 2023 Annual Town Election by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

5.2 Select Board to vote on new Election Equipment for all Town Elections

BC – The second motion is regarding the voting equipment. I was able to get funding for new equipment as the current company will no longer be supporting the older equipment. We had the only two companies certified by the state to sell voting equipment. We had a team to review both company's equipment and demonstrations and received comments from the team. Four out of five members preferred the DS200 Poll Place Scanner and Tabulator and the fifth members said that it was a coin flip. I worked with the Finance department, have a signed contract by the Town Manager and the vote we have tonight will authorize that.

DK – On the merits you feel that DS200 is a superior scanner than the other Accuvote?

BC – Each was a slight upgrade. The older machines have a tiny screen. The S&S has a larger screen and are smaller and easier to store. For me it's how they work. I had a lot of discussion with users of both and there is a bit of a delay in process with the LHS product. That delay of 3 to 4 seconds a ballot can delay processing the ballots.

Motion to discontinue the use of the Accuvote OS optical scan voting tabulation equipment and approve the use of the DS200 Poll Place Scanner and Tabulator beginning with the May 1, 2023 Annual Town Election and all future elections, subject to the availability of equipment by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

5.3 Announcement of Election Nomination Papers available and process and dates leading up to Annual Town Elections

BC – Today is the first day to pull papers today. We have one position with the Board of Selectmen, Board of Assessors, School Committee, Water & Sewer Commission and Board of health. Planning Board and Boyden Library Trustees have 2 positions and a 5-year term for the Housing Authority. Papers can be pulled starting today and have to be returned by March 13th.

LG – When I ran it was a lot to process. There was another community that had an info night. We are working to have an info night in February.

CM – It will be Tuesday, February 7th at 6pm in the 1st floor conference room.

LG – If anyone has questions, that is time to ask questions in an informal setting.

BC – We are more than happy to have them come the Clerk's anytime to answer questions as well.

SM – I did pull my papers. It's an honor and privilege to serve on this board. The info night will be fabulous

LG – Our Special Town Meeting is January 30th and we encourage you to come and participate.

6. 7:40pm Capital Improvement Planning Committee Project

6.1 Select Board to review and vote on proposed use of ARPA funds for 2 CIP projects, including \$500,000 for the Walnut Street Sewer Extension and \$207,275 for Dam Reconstruction Projects as well as \$12,434 in remaining ARPA funds for an Assessor's Department Vehicle

BK – We held a brief meeting last week to go over these projects. One was an Assessor's vehicle to be able to do inspections of properties. There are two DPW projects, the Walnut Street Sewer Extension which we have been able to secure \$4 million from the State, this would give us another \$500,000 and are looking for another \$500,000. This would get us closer to where we want to be. This would be used for the sewer part and would be from the county's ARPA funds. The other cost is the West Street Dam and other projects. These will not have to go to town meeting because it is federal fund with authority from the Board to approve.

SM - That is enough for the new car?

BK – Yes that is a used vehicle.

Motion to approve use of ARPA funds for 2 CIP projects, including \$500,000 for the Walnut Street Sewer Extension and \$207,275 for Dam Reconstruction Projects as well as \$12,434 in remaining ARPA funds for an Assessor's Department Vehicle by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

7. 7:50pm Town Manager Selection

7.1 Select Board to deliberate and possibly vote on new Foxborough Town Manager

LG – We have Bernie Lynch from Community Paradigm Associates to help with this process.

BK – I'm happy to step out.

LG – We issued an RFP, selected Community Paradigm Associates, we developed the community mission statement. We had an awesome screening committee who got us from 30 candidates to 4 finalists. We interviewed them all over the last week and earlier tonight. Before that Bernie has done background and education checks. The public process is to publicly deliberate as a board on who we want to appoint as the new town manager. I would like to appoint someone this evening if we are ready but do have a meeting posted for tomorrow in case we need more time to make that appointment.

BL – The four finalists are John Coderre, Town Administrator in Northborough for 15 years. Ted Langill, Chief of Staff and Director of Administration in Weymouth for seven years. Nick Riccio had been the Building Commissioner in Foxborough and was interim town manager for about a year in Mansfield and has a law degree. The fourth candidate was Chris Senior and is current the Town Manager for Cohasset for the past 8 years and has a law degree. Those 4 candidates came through the screening process and provided options that were the best fit. In terms of process, you've given a good summary of how we've gotten this far. Now you can deliberate, out in the public, I always recommend that you like about the candidates and would be the best choice for the town of Foxborough. Hopefully throughout the discussion Board will build consensus to who will be the best fit for the Town.

LG – I think we all agree that we had 4 absolutely wonderful candidates. It is a very difficult choice in front of us to determine who is the best for Foxborough.

SF – For process a 3-2 would be decisive.

LG – Yes but a unanimous would be nice.

DK – This is challenging, but we can't lose either way with any of these candidates. The Town is very stable environment. The labor management climate is very positive and want that to be maintained. The Town is in very good financial condition. It was interesting for all 4 candidates they didn't discuss OPEB funding as they aren't as good in their towns as we are. John Coderre comes from a town of similar size and characteristics. He did have at the table collective bargaining experience. I was very impressed with his accomplishments with his resumes, references and additional summary of accomplishments that were very pertinent to the job. Ted Langill gave us a list of very impressive credentials and collective bargaining experience. Coming from a large community and large resources coming from Foxborough and that has value from an experience point of view. I think he would be more of a change agent and could change the Town. The criteria I have found that is most important is fit. Nick Riccio surprised me as I didn't know him. He worked here in Foxborough and Mansfield. He had good experience and impress and how he handled himself. They weren't off the cuff. They were content rich answers. When he talked about strategic planning and he nailed it in terms of process and structure that was contemporary. I think he would be a good fit as well, engaging personality. Chris Senior would be stepping up in size from Cohasset to Foxborough. Very good background, experience, and accomplishments. I thought his collective bargaining was less than the

other candidates. You need to be a leader in that process and I didn't get that flavor from him. I'm not sure of the fit. I'm used to Bill style and used to succinct style but Chris had a lot of great stories.

ME – It is difficult to discussing in open session. Thanks to the screen committee that we have 4 great candidates and we can't go wrong. One of the things I asked the candidates was asking to maintain the leaderships. And I other words he said you don't want us to screw it up. We want a smooth transition with strong leadership. John had a strong budget background. If we are looking for a change in the budget might be the way to go. Ted had a strong background as well but seemed nervous. Nick impressed me and came across so confident and knowledgeable. He did a great job. Christopher we don't have enough time to ruminate. He was gregarious and outgoing. I think some of the questions he didn't answer directly, the strategy and stabilization.

SM – I was hoping that was someone that would rise to the top and be easy but it isn't. John is coming from a community of similar size and characteristics. He said something about his chief's and getting to spend time with them. And with bill's relationship is different. I was impressed with Ted; he's coming from a much bigger community with a bigger budget. He already has connections at the state house since he has worked there before. I didn't get that he wanted to come in a change anything. I did like that Ted saw our post and thought he could see himself here. I didn't know Nick very well, only saw him in front of advisory committee. He did answer the questions very thoughtfully and was impressed. He knows the community and would be a good fit. It's hard to look at other candidates with more experience. I'm not sure if his experience would be enough for this position. Chris was very easy to listen to with a great personality. He seems like he loves the community he is known and would love our community. He was excited about this being the next step in his career. I'm not sure I'm ready to decide tonight but I'm hoping what I hear from you all will help.

SF – I appreciate all the candidates the bring unique skill set. If we talk about what the Town and Board wanted was the town manager experience was important to people because this was a unique and challenge job, then it's John and Chris. They both have been doing it well in their current roles. I think I would take a different approach. As far as the other skills and sill set that are important. John has risen to the top for me with experience, skill set and strong match for the town. He was the most poised and polished in answering questions. They were clear and concise, thoughtfully and strong and relevant examples. If this works out here, then he'll be here for the long haul. He did advocate for himself. My only reservation with John is that we have a strong town manager, he could have challenges acclimating to our culture.

LG – I agree with all the points that have been made. I agree that John could do a great job. They are all really interested in applying for this specific position. Cultural fit is what I'm looking at. We've said in interviews have really great department heads. There are always changes and tweaks that can happen. I wrote down trust, transparency, data driven. I really liked his question at the end, what are our priorities. I thought that to be. My only worry is that you can be too data driven and can lead to analysis paralysis and could he give that level of control up. Moving on to Ted, I liked he said the position statement was written for him. He's coming from a different local government might be challenge. I like the state connections and negotiation background he had. He's worked on really big projects.

SM – Ted said he's not afraid to say no. He also said the employees are the heart of the organization.

LG – Nick was here during the beginning of my term and didn't really know him. He surprised med and did really well. I did talk to a number of people in town and is a really well liked guy. I like that he has a law degree and doing the town charter and his law degree would be helpful. He said something that related to that in his interview. He felt like a really great cultural fit. On paper hasn't been a town manager before. Chris has a law degree. He seemed like he did a lot of research on the community and felt like he had already been here. It seems like he hasn't worked on capital projects. I loved what he said about performance evaluations and that he's going off the beaten path of the municipal world.

ME – Although Nick might have the long term town manager position he does have working in the community with senior staff already. I don't think we should hold it against him.

LG – When he did go into Mansfield, it was not an easy job to go into. It struck me as being longer than a typical interim town manager.

ME – Having law degree is huge. And someone said that a law degree would be a plus going in the direction we want to go in with the Town Charter.

SM – Nick did a bang up job, but he has jumped around a bit when you look at his resume.

LG – He was in Mansfield for 12 years with the other job in Foxborough.

DK – I don't think Ted would come in here like a bull in a china shop. If you are a change agent. Is that mindset going to rock the boat more than we want? Someone was worried about John being too strong. This is strong board and no one will roll over this board.

SM – The town manager works for the Select Board and we work for the residents. Did you feel like it would be strong with the days to day?

LG – Chris said that you can be as data driven as you want but that the day can go out of control and you'd have to be flexible.

SF – I've already made it clear who my top candidate is.[John]

DK – I think John meets the current needs of the Town better than the other candidates.

SF – Least risk in terms of learning the job. I have the least reservations about John.

ME – I think he would do a fine job but I think John would be too much for the town. He's a great candidate but he might be over analytical and not be the right fit for moving the town forward. My vote would be for Nick. It would be a smoother transition and work best with the management staff. He's good a manager. I think with the town needs, Nick is a smoother transition.

SF – I think there is a lot more risk with someone without the experience and someone who was here and left doesn't make me feel great. I think Nick's experience is different than what we are looking for with what we are trying to implement. I'm sure he could learn it but I'd rather someone ability to do it now and hit the ground running. To Dennis' point about John being to strong, we have a strong board and management team and that has been communicated to him. I think John's looking for a new challenge and we are lucky to get someone of that caliber to step into the role.

LG – For me John and Nick have risen to the top and can hit the ground running in different ways. Nick would have to get up to speed on some of the strengths that John has, but culturally Nick will hit the ground running.

ME – John is strong with the budget but Nick is strong with the law degree and the charter. Marie has a good understanding of the finances and we wouldn't lose anything with the budget process.

LG – I have full faith in Marie and George with the budget process. Some of the items that Nick said along with the closing went right along with those lines, looking to be a support and change agent.

SF – I think that the Board will have more input than the town manager. He has a proven track record of success with development in town. I think he's the total package.

DK – I want to say that the budget is great and he could improve it. Being metric driven is a great thing to do. I'm very impressed with Nick. I'm not coming at this in any way of who is the least risky but who is the best candidate out of the group.

SF – I understand your point on risk. Its low risk for an established candidate versus significantly more risk for somebody who's doing this job for the first time.

LG – Its two different foundations for Nick and John.

SM – I like Ted but he's not risen to the top for anyone else. I like Nick and everything he said but his experience concerns me.

SF – I'd like to make a decision.

LG – I think this is a great discussion and would have the same challenge today and tomorrow. Should we do a straw poll?

ME – Nick, DK – John, LG – Nick, SF – John,

SM – I'm struggling with Nick's experience, but I love his fit here.

ME – It's not that he knows people he's worked with all the players.

SF – I don't see as much value and that as others.

ME – My concern with John is too strong a personality.

SF - That risk is low on my list.

SM – I would go with John.

Motion to appoint John Coderre as the Town Manager, subject to a negotiated contract and to appoint the Select Board Chair and Town Labor Counsel to begin negotiations with the selected Town Manager by D. Keefe, 2nd by S. Ferguson.

LG – This was a really tough decision, for absolutely excellent candidates. I'm sure people will have something to say.

Approved, 5-0.

LG – We will begin negotiations. Thank you Bernie for your partnerships in the process. It's been a great process and I can't recommend you highly enough.

BL – It's a great screen committee, the staff and Christina has been particularly helpful. I've known Bill for decades and he has been an outstand manger in the commonwealth. Those in the profession will certainly miss his voice. It's been a pleasure working with the Board and Bill.

LG – Thank you to the other 3 candidates for their time as wells.

8. 8:20pm Town Manager's Update

8.1 Official Retirement Notification – I present to you my official letter of retirement.

BK – John is ready for a change and ready for that position in a long time. The finance team we have now is tremendous in Marie and George. We have a great system in place, inward and outward. Hopefully it will be an easy marriage as with John as it goes forward.

8.2 Massachusetts Municipal Association Annual Meeting January 19-21 – That will be the culmination of a lot of things. Thursday is the MIIA Board meeting. It's a great event to meet with other colleagues around the state. The new Governor and Lieutenant Governor will be there. Foxborough will be recognized in the opening session for the Kenneth Pickard Innovation Award.

8.3 Special Town Meeting Warrant Review and Senior Q&A, in the Town Hall Gala Room at 12:30pm on Wednesday, January 25 and will be an opportunity to for people to ask questions. Special Town meeting will be January 30th at 7:30pm at Foxborough High School.

8.4 General update on Town Business, Operations, retirements, new hires and recruitment – Our Assistant Treasurer/Collector will be leaving for Needham and will be filling her role. We are in the process of selecting our Collections Coordinator. We are doing interviews for the Community Resource Social worker are happening this week. We have two new firefighters to replace the retirement of Kristen Nagobads and John Couroupacis.

9. 8:30pm - Selectmen's Update

9.1 New Business - Southeastern Regional School District Representative opportunity now available with the resignation of the previous representative.

9.2 New Business - Stakeholders to the Central Street Veteran's Parking Lot - January 23 at 7pm. We'll talk about parking and dumpsters.

SM – I spoke with George at South Street about the 10 minute parking spot signs?

LG – Yes, they are being ordered. If you are an Uptown business please come to this meeting.

9.3 Old Business - Special Town Meeting Reminder - January 30, Foxborough High School Auditorium, 7:30pm. Bill's STM review will be televised.

SM – Is it a best practice to list ourselves as Select Board?

LG – We've talked about using it informally.

CM – I followed Leah's lead for the informality. Everything will be Board of Selectmen until the official change is made.

SF – Can we add sidewalks and pavement plan for a future agenda?

BK – That is state highway and we brought it to the state's attention. We also have some ideas about how to get more bang for our buck

10. Action Items

10.1 BOS - Approval of BOS Minutes from 12/6/22

Motion to approve the Select Board minutes from December 6, 2022 by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

10.2 Recreation - Accept \$310 donation for Christmas Activities from Foxboro Animal Hospital

Motion to accept a \$310 donation for Christmas Activities from Foxboro Animal Hospital by D. Keefe, 2nd by M. Elfman. Approved, 5-0.

11. Adjourn – 9:10pm

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