

Tuesday, February 14, 2023
Select Board Meeting Minutes
Gala Room, Town Hall
7:00 p.m.

Members Present:

Leah Gibson, Chair (LG)
Stephanie McGowan, Vice Chair (SM)
Dennis Keefe, Clerk (DK)
Seth Ferguson (SF)
Mark S. Elfman (ME)

Also Present:

William Keegan Jr. Town Manager (BK)
Christina Metcalf, Communications Specialist (CM)
Katie Lang*, Executive Assistant (KL)
*Attended remotely

1. 6:45pm Executive Session

1.1 Select Board to vote on Executive Session Minutes from 9/27/22, 1/26/23, 1/30/23, and 1/31/23

2. 7:00pm - Citizen's Input – No Input

3. 7:05pm Permanent Municipal & School Building Committee (PMSBC) - Taylor School Statement of Interest (SOI) submission 3 .1 Review and vote on the 2nd SOI for the Taylor School to the Massachusetts School Building Authority (MSBA)– Bill Yukna, School Business Administrator and PMSBC Chair

Mr. Yukna explained that this is another SOI for the Taylor School for renovations and expansion as it is 60 years old and has many issues that cannot be done individually. We weren't able to make it in for this round of MSBA funding, but believe that the Taylor would qualify for this upcoming round of funding.

Motion to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form to be submitted by April 14th 2023 for the Taylor Elementary School located at 196 South Street, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future to include the replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilating systems, to increase energy conservation and decrease energy related cost in a school facility; and replacement of or addition to obsolete building in order to provide for a full range of programs consistent with state and approved local requirements. And hereby further specifically acknowledges that by submitting this statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance of the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town to filing an application for funding with the Massachusetts School Building Authority by D. Keefe 2nd by M. Elfman. Approved, 5-0.

4. 7:10pm Axel & Byrne BBQ Public Hearing - Application for All Alcohol On Premise, Common Victualler and 7-Day Entertainment Licenses. 4.1 Select Board to review and vote on the All Alcohol On Premise License application for Axel & Byrne BBQ at 267 Patriot Place. Thomas Miller (TM), Attorney, Sean Olson (SO), Owner

TM - Attorney Miller stated his client Mr. Olson is familiar with this property and how to operate at Patriot Place. He is already approved as a manager of record at Salt and Stone. He is familiar with that Mass General Laws for the sale and service of alcohol as well rules and regulations for the ABCC and Foxborough's alcohol rules. He is going through the TIPS certification as we speak. Axel & Byrne is a food driven concept and will let Mr. Olson explain.

Mr. Olson let the Select Board know that he's had Capriotti's for 10 years and also opened Five Guys restaurant. We came to the end of a 10-year deal with Capriotti's and we wanted to rebrand. Axel & Byrne are my grandparents and this restaurant was named after them.

TM – It is a uniquely personal concept for him. It is a food focused establishment with a focus on BBQ but also offering fresh food. Part of the concept is a curated bar, with draft beer, wine and draft cocktails, not a quick service bar. The entire staff will be TIPS trained. Mr. Miller explained the overall concept of Axel & Byrne along with the successful rebranding of another restaurant and that Mr. Olson knows how to run this type of restaurant, run it well, and by an experienced operator.

Ms. Gibson stated that since he is manager of record at his other bar and the Board likes to see present owners and operators, especially for establishments with liquor. Mr. Olson explained he is able to be here full-time and get Axel & Byrne up and running as Salt and Stone is stable and set up to operate while he gets this new restaurant established. Mr. Miller will be hands on at the beginning and once a staff member emerges as someone that can run the business they will be back with a change of manager application for the Board. Mrs. McGowan commented on the passion that Mr. Olson has for this restaurant and appreciates the BBQ concept.

Ms. Gibson asked if they would be taking advantage of the DORA at Patriot Place and Mr. Olson indicated they would and ensure that people have food as well. He also said they hope to open at the end of March.

BK – We went through this with the Chief of Police and Mr. Olson to make sure there were no unanswered questions and we understood the concept.

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

Motion to approve the All Alcohol On Premise License for Olson Restaurant Group Foxboro LLC d/b/a Axel & Byrne BBQ by D. Keefe 2nd by M. Elfman. Approved, 5-0.

4.2 Select Board to review and vote on the Common Victualler and 7-Day Entertainment

Motion to approve the Common Victualler and 7-Day Entertainment license for Olson Restaurant Group Foxboro LLC d/b/a Axel & Byrne BBQ by D. Keefe 2nd by M. Elfman. Approved, 5-0.

5. 7:20pm Foxboro Jaycees - Use of Public Way Application - Select Board to review and vote on the Use of Public Way Application for Sunday, June 25 from 10am-2pm. Amy Labrache, Foxboro Jaycees, Jay Barrows, State Rep.

Ms. Labrache stated this event is the same as last year. We will not be using the Central Street/Veteran's Parking Lot and will have the public park there instead. We are asking to use the Town Hall Parking Lot again and we will have a band this year as well. Rep. Barrows said they learned that we need places for people to park. The Uptown businesses are excited to have this event in the area as well to hopefully gain more exposure for all the business. Ms. Labrache wanted to see if there was a possibility that we could do this event again in the fall, possibly as a Trunk or Treat. Rep. Barrows said that it could be a complimentary or different type of event compared to the Halloween Parade. Ms. Gibson suggested that the Jaycees work with the Recreation and Human Services department to create a car show/trick or treating event together.

Motion to approve the Use of Public Way Application to close Central Street from Wall to South Street for the Foxboro Jaycees Car Show on Sunday, June 25 from 10:00am-2:00pm by D. Keefe 2nd by M. Elfman. Approved, 5-0.

6. 7:25pm Hockomock Area YMCA - Use of Public Way Application - Select Board to review and vote on the Use of Public Way Application for the Spier Family Kindness for Kids 5k and Fun Day Saturday, 6/3 from 7:30-10:30am – Patrick Murphy, Association Director of Community Engagement

Ms. Gibson stated that we've approved your race before but starting from the YMCA on Mechanic Street is new, which is why we have you here tonight.

Mr. Murphy explained the new route, new name for this 5k – the Spier Family Kindness for Kids 5k and Fun Day. All the activities for the day will be at the Y and on the fields.

Ms. Gibson asked for Mr. Murphy to speak about their upcoming breakfast event. Mr. Murphy spoke about the St. Patrick's Day Breakfast at Gillette to kick off. We awarded \$2.7 million in subsidies and assistance, about \$50k more than last year. WE want to rally our difference makers and have a morning of impact. The Spier Challenge will be supporting the new splash pad at the Y. They will be matching all donations up to 100,000k for the splash pad. This has been in the making for a while and hope to have it up and running

Motion to approve the Use of Public Way Application to close all of or portions of Mechanic St., Baker St., Chestnut St., Neponset Ave., Pond Ave., and Foxhill Road for the Hockomock Area YMCA Spier Family Kindness for Kids 5k and Fun Day Saturday, 6/3 from 7:30-10:30am by D. Keefe 2nd by M. Elfman. Approved, 5-0.

7. 7:30pm Finance Dept. - FY24 Budget Presentation - Finance and Town Manager to review the proposed FY24 Budget

BK – We provided 2 versions of the budget, one that was at the direction of the board to get to a 3% budget increase, we got in at 3.02%. During budget reviews, we heard from Public Safety and Public Works that they have staffing needs. These positions should be considered by the Select Board as well as Advisory Committee and the Town at the Annual Town Meeting.

Ms. Gibson stated that this is the first presentation of the proposed FY24 budget and the Select Board can discuss this further after this is presented.

Ms. Almodovar reviewed the status of the FY23 revenues and expenditures. Then gave a general overview of the proposed budget without the new positions, water fund and sewer fund. She then reviewed the FY24 proposed budget increase percentages along with the reasons for each increase. Mr. Keegan addressed the increase in the SEMRECC Assessment which increased to \$450,000 (previously \$300,000).

Mr. Keefe asked about the stipend increases. Ms. Almodovar explained that that was a negotiated increase in the last contract and contractually obligated to fund those to increases.

Ms. Gibson asked about the Community Response Social Worker position being backfilled. Ms. Almodovar explained that the funds were shifted from Fire to the Public Safety Building line.

Mr. Keefe asked why the pension assessment went down and was it attributed to mortality rate. Mr. Keegan responded that it wasn't sure but that it could be and Ms. Almodovar responded that the investments did really well also, which impacted that decrease in assessment.

Ms. Almodovar reviewed the operations budget history from the past two fiscal year, current fiscal year and proposed comparison for the upcoming fiscal year. She reviewed the proposed FY24 revenue and expenditure budget summary, without knowing the exact number for State Aid as well as getting back to the level of local receipts pre-Covid. The tax levy history and State Aid history were also discussed. While reviewing the local receipts history, the Town is remaining conservative even though for FY23 is over the PILOT program payments and will receive more with the 3 nights of Taylor Swift concerts. Mr. Keegan commented that this will be the biggest concert season this year for Gillette and will continue to contribute to the bottom line for stadium revenues. The available funds history was reviewed including overlay surplus, free cash, stabilization funds, revolving funds, and several other funds. The indirect water and sewer enterprise numbers are going up about \$20,000.

The Town Manager received 10 requests for new positions and he is recommending six of those positions. Those positions are 1 additional lieutenant and patrol officer for the Police Department, 2 additional firefighter/EMTs for the Fire Department, a Highway laborer and a Water/Sewer Coordinator position (approved prior to Covid) within the DPW. Not all of these positions would be starting in July, if approved, they would be starting in January. This would only be a \$299,222 cost plus benefits.

Mr. Ferguson asked if that was including benefits.

Mr. Samia explained that we do carry extra space in our health insurance budget to allow for those variable shifts in the health insurance for these positions along with other employee health benefit changes that occur during the year. Mr. Ferguson asked for support for the positions in line with the Financial Trend Monitoring Systems.

Ms. Gibson asked if there was the intent to review all these positions tonight as this budget presentation is different than what has been done before and want to make sure that we have the time to review and also know what Advisory Committee will be reviewing.

Mr. Samia stated that there are two budget presented, the one the Board asked for and the one with the additional positions that the Town Manager is recommending.

Mr. Elfman stated that it is a shame that the Advisory Committee is not televised as it was helpful in educating and that sentiment was echoed by Mr. Ferguson and Mrs. McGowan. Mrs. McGowan also commented that she is hearing that residents are upset about the amount that taxes are going up and is concerned with adding these positions.

Mr. Keegan commented that the last few years the budget increase has been under 3%. They've been operating with high call volumes for Police and Fire and number of incidents that DPW has to respond to that warrant the need for this additional positions.

The Select Board discussed the process between the recommendation from Advisory versus the Select Board how that will work through the budget process and the decision to support the additional positions and which budget to put forth. The Select Board will give the budget with the additional 6 positions to the Advisory Committee to review and consider.

8. 8:00pm Annual Town Meeting Warrant

8.1 Select Board to review the articles submitted for the May 8, 2023 Annual Town Meeting Warrant

Ms. Gibson stated that the warrant closes tonight and we have the table of contents to review right now to have an idea what is on the warrant besides what the Board is sponsoring. There seems to be competing priorities with the three Citizen's Petition articles, particularly around sidewalks.

Mr. Keegan has set up a meeting with the two Citizen's Petitions regarding sidewalks to discuss those with both of them. Ms. Gibson asked those Citizen's Petitions be added to the Advisory Committee schedule.

9. 8:05pm Town Manager's Update – Bill Keegan

9.1 General Update on Town Business – We will have grant news to announce soon that we didn't expect to get.

9.2 Recruitment Update: Hired - Community Response Social Worker Christina LaRose, Collections Coordinator to be announced. In Process - Assistant Treasurer/Collector, Procurement Administrator and Summer Rec positions

9.3 Town Manager Transition Plan – I spoke with John Coderre today to see when he could do some preliminary discussions. I will be doing meetings with him with department heads and community leaders for the first three days he starts and there will be a department head meeting and Select Board meeting that first week as well.

Mr. Ferguson thanked Mr. Keegan for reaching out about the issue of a business owner on Morse Street had with National Grid. Ms. Gibson also asked about the parking lot light and National Grid.

Mr. Keegan also approved 3 events on the Common; the Jaycees Easter Egg Hunt on April 1, Jaycees Craft Vendor Fair on May 20, and the Boyden Library Bollywood Fitness class on May 22.

10. 8:15pm - Selectmen's Update

10.1 New Business - Marilyn Rodman Letter of Support for Mass Cultural Council Facilities Fund Grant – Christina drafted a letter to the Mass Cultural Council to support a grant that the MRPAC was applying for to improve their facility

10.2 New Business - Advisory Committee Schedule will be posted

10.3 Old Business - Central Street/Veterans Parking Lot Notice to remove signs for individual businesses reserved parking spaces and 10-minute parking signs installed. Ms. Gibson reviewed the meetings that have been held and the talks about the parking, dumpsters and deliveries. We sent out letters to those business to let them know the results of that meeting.

11. Action Items

11.1 Normandy Farms Campground - Approve 4 One-Day Beer and Wine Licenses for 4/15, 6/3, 6/24 and 9/30/23

Motion to approve 4 Two-Day Beer and Wine Licenses for Normandy Farms Camp Ground from 12:00-4:00pm on April 14 & 15, June 2 & 3, and June 23 & 24 and September 29 & 30, 2023 by D. Keefe 2nd by M. Elfman.

Discussion – Ms. Gibson noted that the motion needed to be updated to 4 - Two Day licenses and update the dates. Mr. Ferguson asked if Normandy Farms had done this before with no issue, Ms. Gibson responded in the affirmative.

Approved, 5-0.

11.2 CrossFit Torque - Approve Use of Public Way for CrossFit Road Race on 6/11 from 8-9:15am

Motion to approve the Use of Public Way Application to close Main Street Ext. for the CrossFit Torque CrossFit Road Race on Sunday, June 25 from 10:00am - 2:00pm by D. Keefe 2nd by M. Elfman.

Discussion – Ms. Gibson noted that the motion needs to be changed from East Street to Main Street Extension.

Approved, 5-0.

11.3 Foxborough Youth Baseball & Softball - Approve Use of Public Way for Opening Day Parade on April 15, 10-11am

Motion to approve the Use of Public Way application to close all of or portions of Bird St., School St. (around the Common) and South Street to Booth Baseball Field for Foxborough Youth Baseball and Softball Opening Day Parade on April 15, from 10:00-11:00am by D. Keefe 2nd by M. Elfman.
Approved, 5-0.

11.4 Bailey's Team for Autism - Approve Use of Public Way Application for 4/16, 8:30-11:00am

Motion to approve the Use of Public Way Application to close all of or portions of Payson Road, Chestnut St., Mechanic St., Railroad Ave., Bird St., and Baker Street for Baileys Team for Autism Run for Autism 5k on April 16, from 8:30-11:00am by D. Keefe 2nd by M. Elfman. Approved, 5-0.

11.5 Council on Aging/Human Services - Accept \$380 from Friends of Foxborough Seniors for Tai Chi classes at the Senior Center

Motion to approve a \$380 donation from the Friends of Foxborough Seniors for Tai Chi classes at the Senior Center by D. Keefe 2nd by M. Elfman. Approved, 5-0.

11.6 Select Board - Approval of Meeting Minutes from 1/31/23

Motion to approve the Board of Selectmen meeting minutes from January 31, 2023 by D. Keefe 2nd by M. Elfman. Approved, 5-0.

11.7 Select Board - Appointment of member to subcommittee to appoint representative to Southeastern Regional School District Representative

Motion to appoint Dennis Keefe to the subcommittee to appoint representative to Southeastern Regional School District Representative by L. Gibson 2nd by S. McGowan. Approved, 5-0.

12. Adjourn – 8:58pm

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