

SELECTMEN'S MEETING MINUTES
July 24, 2012

Members Present: James DeVellis, Chairman
Mark Sullivan, Vice Chairman
Lorraine Brue, Clerk
Lynda Walsh
Ginny Coppola

Others Present: Kevin Paicos, Town Manager
Randy Scollins, Finance Director
Sharon Wason, Town Planner
Bill Grieder, Kevin Weinfeld and Ron Breese, Town Planning Board
Attorney Louis Cassis, Town of Foxborough
Attorney Dean Plakias, representing Christina's Functions' owner
Nicholas Panagopoulos
Roger Hill, DPW Director
W&S Commissioners – Bill Euerle, Richard Pacella, Jr.,
Mike Stanton

The Meeting was brought to order at 7:05 p.m. by James J. DeVellis, Chairman.

7:00 – Citizens Input – A. J. Dooley, Ridge Road, Dooley Services, said he had one question to ask. "If a resident does not opt out and Russel picks up trash, would the resident then be obligated to pay for the trash pickup?"

Kevin Paicos explained the process as it has been under the former trash collection vendor. He said that as of August 1, 2012, the contract for trash collection services has been awarded to Russell Disposal, Inc. and it should be a seamless transition. He pointed out that previously the Town collected the bills for services rendered; that responsibility has been transferred directly to the new vendor. A computerized list of participants has been given to Russell Disposal. He explained that if a resident chooses to no longer participate in the service, they need to contact Russell Disposal to have their name removed from the list. Randy Scollins, Finance Director, explained that up until August 1, a resident may call the Town Hall if they choose to opt out of the trash collection program; after that date, the resident must contact Russell Disposal, Inc. directly.

7:05 – Town Planning – Sharon Wason, Town Planner, and members of the Planning Board were present for discussion of 1) EPA Grant, 2) EPA Grant Acceptance, 3) Housing Production Plan and 4) Authorize Chairman to sign the South Coast Rail Application.

Sharon Wason explained that the Town of Foxborough is one of five towns chosen to receive the EPA Building Blocks for Sustainable Communities Program

Grant. Sharon explained briefly that the grant would provide free technical assistance for a parking workshop that would assess the parking issues and needs for the downtown area with the potential for additional public parking. Sharon mentioned other benefits that are expected to be the result of such a workshop including attracting economic growth for the Community, sharing what is learned, facilitate job creation and improving the overall quality of life as well as protecting the environment. Kevin Paicos spoke enthusiastically about the initiatives being put forth by the Town Planner and the Planning Board. He asked the Board to accept the grant.

Motion by Lynda Walsh to accept the Grant in the amount of \$15,025 as presented. Seconded by Lorraine Brue. **Vote: 5-0-0**

A discussion was held regarding the Municipal Affordable Housing Trust. Sharon Wason explained that such a Trust would enable the Town to accept gifts or grants for affordable and/or subsidized housing. She pointed out that this would help to establish housing throughout the Town and would be especially helpful in moving forward with Chestnut Green. She said the Trust would be governed by a Board of Trustees consisting of five members. Sharon suggested that the Chairman of the BOS be appointed to such a board. She requested that the Town Manager create such a Trust. After further discussion, it was agreed that the BOS would wait to vote on this matter until the Planning Board votes. Kevin Paicos noted that the Planning Board and Sharon Wason are doing an extraordinary job in planning for the future of the Town of Foxborough.

Motion by Lynda Walsh to authorize the Chairman of the Board of Selectmen to sign the application for Technical Assistance to advance the recommendations of the South Coast Rail Economic Development Corridor Plan as presented. . Seconded by Mark Sullivan. **Vote: 5-0-0**

Sharon Wason noted that the Planning Board will hold another Master Plan open meeting in September; she is hoping for more public input. This is scheduled for September 13, 2012.

7:15 – Public Hearing Notice – Lorraine Brue, Clerk, read the Public Hearing Notice. The purpose of this Public Hearing is to discuss an application for Transfer of License of an Annual All Alcoholic Beverages Restaurant License from MJ Holding Crop. to D&N Corp., Manager Nicholas Panagopoulos.

Attorney Dean Plakias said the dispute between the License holder and D&N Corp. has been resolved in Superior Court. The MJ Holding Corp is no longer in possession of the premises and is expected to transfer the license to D&N Corp. He pointed out that he is trying to accomplish what the Court has required and is looking for consent to the Transfer of License.

Attorney Louis Cassis, Town Counsel, said the application was filed to bring about a hearing. He said over the years the corporate members made changes through

various agreements but never got the approval of the Foxborough Board of Selectmen or the ABCC. He pointed out that every change of officers or trustees has to come back to the Board of Selectmen for a full vote and the ABCC. He said the original application was not technically correct but that a corrected application reflecting the updated corporate share ownership and the original structure of the organization. Attorney Cassis said that the Board can only look at the License and the match-up to the original structure.

A lengthy discussion ensued. Lorraine Brue asked if this is the proper application to move to transfer the license. Attorney Cassis pointed out that only if the Board approves the application and it is approved by the ABCC. He pointed out that it does not wipe out the prior problems if someone wanted to pursue the issue. Kevin Paicos noted the new application reflects a 50/50 ownership and that approval of this application as though the violations did not occur, the Town could lose credibility with the ABCC. He suggested that the BOS take this matter under advisement, give the lawyers an opportunity to get these issues straightened out and come back at the next meeting to take whatever action is appropriate. Mark Sullivan noted that the Board could decide to seize the license immediately; he said the costs for legal counsel should not be put on the backs of the Foxborough taxpayers. He felt the Board should not approve the transfer and not allow the applicant to operate until some changes are made. Lorraine Brue asked under what circumstances could this license be returned to the Town. Attorney Plakias asked what the barrier is that prevents the Board from approving the transfer at this time. He pointed out that his client had done what is required. He said Mr. Panagopoulos had paid off thousands of dollars in unpaid water bills, property taxes and meals tax. Ginney Coppola pointed out that the Town is owed nearly \$10,000 in police details. Kevin Paicos noted that the Town could not revoke license without a public hearing. Attorney Plakias asked to continue this hearing for at least a couple of days.

Motion by Lorraine Brue to continue this Public Hearing until the next scheduled meeting on August 7, 2012 at 7:20 p.m. contingent upon any complication of Town business. Seconded by Mark Sullivan.

Vote: 5-0-0

7:35 – Chairman’s Updates & Town/Kraft Committee Update – Chairman Jim DeVellis reminded citizens that at the ATM in May they voted to support Article 24 regarding parking in the Stadium area. He said there would be a report Thursday evening at 7:00 p.m. and suggested that the time has come to enforce the ideas put forth on that issue.

Regarding Use of the Foxborough Common, Jim DeVellis noted that the forms have been updated and have to be filled out and filed with the Building Dept., the Fire Dept or Town Hall.

Jim DeVellis reminded citizens that Concerts on the Common have started.

Chairman DeVellis read a letter received by the Board regarding the public performance review and salary review of Kevin Paicos, Town Manager. The letter mentioned that there were a lot of negatives and positives in those reviews and good comments from other boards and committees. The letter was from Neil Forster, 209 South Street. Mr. Forster asked that this letter be placed in the record for future reference.

Chairman DeVellis said the committee meeting with the Kraft Organization includes Lynda Walsh, Kevin Weinfeld, Bill Euerle and David Brown. Lynda Walsh reported that the committee would be making decisions about goals and objectives. She said this committee is charged with trying to mend fences and re-establish the former relationship between the Town and the Kraft Organization. She said the goal is not to go backward as that is not going to help but to move forward and keep focused on the goals for the future.

7:45 – Open Meeting Law – Remote Participation – Chairman DeVellis said the Open Meeting Law had come up a year ago to determine if a member of a Board or Committee could participate in a meeting even if that member were not actually present; whether or not a member could participate by remote communication. Ginny Coppola read her report on this issue. She said Kevin Paicos had contacted other boards and committees regarding remote participation at meetings. She pointed out that there had been only eight responses to the inquiry. She listed those departments that responded noting that only one group was interested.

A brief discussion ensued. Members of the Board had received copies of the report before the meeting. Lynda Walsh said this is something that is hard to get a handle on. She asked if there is some kind of amendment to the Open Meeting Law on this issue. She expressed some concern for disabled people. Ginny Coppola pointed out that before all this technology, most Boards and Committees had associate or alternate members to step in for a member who is unable to attend the meeting. Lorraine Brue said she would vote against this because she feels the personal interaction is necessary.

Motion by Mark Sullivan to not approve Remote Participation for members of Boards and/or Committees. Seconded by Lorraine Brue.

Vote: 5-0-0

8: 00 – Town Manager Goals and Objectives – A list of prioritized Goals & Objectives was distributed for discussion. Lorraine Brue noted that those items highlighted in yellow are items for which the BOS is responsible; the one highlighted in green is a directive for the Town Manager. All others pertain to Kevin Paicos' area. Mark Sullivan commented on the responsibility of Department Heads to use employees' abilities to the best advantage for the Town. He pointed out that the DPW Director's use of the talents/knowledge of Bob Swanson is a very good example of that practice. Kevin Paicos said that he occasionally gives praise to Department Heads but not usually in public. He noted that he could not tell the BOS of this because of the way the Town

Charter is written; however, he said that can be fixed for the future. He pointed out that there are "two sides to the coin" in that Department Heads have to be held accountable for mistakes.

A general discussion ensued. Loraine Brue said she hoped that the list of goals and objectives provides a better understanding of responsibilities of Town leadership. Kevin Paicos said he hoped that the Board would agree that the items highlighted in yellow are the responsibility of the Board of Selectmen and would be willing to help in other areas if necessary. He said he has a better understanding of what the BOS wants. Jim DeVellis pointed out that the Town Manager Monthly Report had fallen behind. He asked that Kevin Paicos continue to give a monthly report and that at the end of August it would include some of the items on the list of Goals & Objectives. Kevin Paicos said he would need some help on this. He pointed out that it takes an entire day to prepare a report. Lorraine Brue suggested that another field be added to the Goals & Objective list and once a goal is done just fill that field in, such as a comment line. She suggested that this be a monthly Agenda item for brief discussions. She said it would be an opportunity for the BOS to get things done in a timely manner. It is a good way of communicating with the public about what is happening.

8:30 – DPW Re-Organization - Those present for this discussion were Roger Hill, DPW Director, W&S Commissioners Bill Euerle, Mike Stanton, Richard Pacella. Kevin Paicos said that as the Appointing Authority the Board would have to authorize two changes in the Charter. He pointed out that he is required as Town Manager to forward to the State any changes in the organization. It will have to go to Town Meeting for a vote of the people.

Motion by Mark Sullivan to move forward with the Re-organization of the DPW as presented by Roger Hill, DPW Director and the W&S Commissioners. Seconded by Lynda Walsh.

Vote: 5-0-0 (At this point Mike Stanton thanked the BOS and left the meeting.)

*DPW Organization Model Memo following these minutes.

Roger Hill said he would set up priorities for roads and he is hoping to "do something great". He pointed out that three changes in tasks have been made as a result of technology. Kevin Paicos said all have agreed by consensus to the final plan; he said what has been produced is a very strong organization. He noted that real good work is being done with real savings for the taxpayers. Lynda Walsh pointed out that it is important that the Advisory Committee see the savings made through Roger Hill's efforts.

Bill Euerle said that "right now" the W&S needs to move to a different facility. He said they would like to stay in the Town Hall, but there is not enough room for these changes and the move cannot wait for a new Town Hall.

8:45 – BOS Participation in Collective Bargaining - Lorraine Brue said she has reservations about having a Board member participate in the process. She feels it is something an HR person, Town Manager or other should handle. She said she feels that the Board should work only in a guidance role. Lorraine pointed out that it would be helpful to have in writing how things are progressing; her concern is that the Board is advised of things after the fact. Ginny Coppola said the Board's role should be advisory only. Mark Sullivan said that it would be an educational opportunity and the Board would be better able to advise the Town Manager. Kevin Picos said it would be helpful as an educational opportunity for a member of the Board to go through the whole bargaining session and to see how difficult negotiations can be. He pointed out that the Unions would have to agree as to who would be the acting representative.

ACTION:

Minutes – The Minutes of the Board of Selectmen's Meeting of June 26, June 28 and July 10, 2012 were reviewed.

Motion by Lynda Walsh to approve the Minutes of the Meeting of June 26, 2012 as amended. Seconded by Mark Sullivan. **Vote: 5-0-0**

Motion by Lynda Walsh to approve the Minutes of the Meeting of June 28, 2012 as presented. Seconded by Lorraine Brue. **Vote: 5-0-0**

Motion by Lynda Walsh to approve the Minutes of the Meeting of July 10, 2012 as presented. Seconded by Lorraine Brue. **Vote: 5-0-0**

5K Road Race – Received from Hockomock Area YMCA a request to hold a 5K Road Race, scheduled for Sunday, Sept. 23, 2012 from 9 a.m. to noon.

Motion by Lynda Walsh to approve the request to hold a 5K Road Race as submitted by the Hockomock Area YMCA. Seconded by Lorraine Brue. **Vote: 5-0-0**

Appointment of Election Workers – Received a list of Election Workers to be appointed for a 1-year term expiring on Aug. 30, 2013.

Motion by Lorraine Brue to approve the list of Election Workers for a 1-year term as presented. Seconded by Mark Sullivan. **Vote: 5-0-0**

State Primary Election Warrant – Received for approval the Warrant for the State Primary Election to be held on Thursday, September 6, 2012.

Motion by Mark Sullivan to approve the Warrant for the State Primary Election as submitted. Seconded by Lorraine Brue. **Vote: 5-0-0**

Town Counsel Appointment – Chairman DeVellis read a letter pertaining to the appointment of Gelerman and Cabral LLC outlining details of the agreement. A brief

discussion was held. Jim DeVellis suggested that the Board make a policy of putting legal services out to bid every three or four years.

Motion by Lynda Walsh to approve the firm of Geleman and Cabral, LLC as Town Counsel for a three year period commencing August 1, 2012. Seconded by Mark Sullivan. **Vote: 5-0-0**

Motion by Mark Sullivan to adjourn. Seconded by Lorraine Brue.
Vote: 5:0-0 Meeting adjourned at 9:30 p.m.

Lorraine Brue, Clerk



Department of Public Works
TOWN OF FOXBOROUGH
40 SOUTH STREET
MASSACHUSETTS 02035

Memorandum

TO: Kevin Paicos, Town Manager
FROM: Roger Hill, DPW Director
SUBJECT: DPW Organization Model
DATE: July 2, 2012

At their regular meeting on Monday, June 25, 2012, the Water and Sewer Commission voted unanimously to support the enclosed DPW table of organization developed by me as one of my 2012 Goal & Objectives. I have looked over the prior discussions that took place in 2010 and 2011. It is my position that while some savings will occur due to combining positional responsibilities within the administrative area and joint use of personnel within the Divisions, the significant future savings will accrue from modernization, planning and better use of personnel and equipment.

The initial steps for the DPW formation took place before I was hired, and consisted of reduction of staff in the Water & Sewer Division administration. When I started work, it was quickly apparent to me that the workload in that Division needed a minimum staffing of two and one half full time clerical/administrative people. I arranged to "borrow" the half time position two days per week from Highway, Tree and Park. While this has provided some assistance to the W&S Admin, it is apparent that this strategy will be much more effective if the entire DPW Administration can be housed together. This will enable full cross training for all administrative positions and minimize overtime.

Another immediate recognition of strong potential savings was initiated by moving Bob Swanson to a position of full time Town Engineer. This has already resulted in significant savings via the reconstruction of a portion of North Street using the remaining PWED grant monies left over from the Payson Road project, and utilizing SERSG bids and Town forces for virtually all the work. With Bob's help, we were able to bring this in within a slim budget and met the June deadline. Our final cost will be around \$ 235,000, compared to a contractor bid price in excess of \$ 350,000. Bob was also instrumental in developing the RFPs for the Landfill solar array, the Trash Contract and taking the responsibility for implementing MIAA Rewards, which produced almost \$50,000 in rebates for 2012.

This new plan will establish a modest engineering group with the immediate responsibility for providing engineering and technical services to the DPW. The initial

aim is to add a technician with both CADD and GIS capabilities, and part time summer help. This group will manage the implementation and development of the Town GIS, which initially is the current Pavement Management Plan, and will add Water & Sewer, Assessors, Planning, Conservation and other Town Departments as it develops. The group also has the future capability to handle all Planning Board and Conservation Commission Inspections if required.

There is no doubt that due to current and future DEP reporting requirements, the Water Operations Manager job is a full time plus position. This reorganization transfers the sewer management to the Director and the Town Engineer. Sewer currently is a major time consumer, but once we develop answers to the IMA, it will require less intense involvement, especially as our capacity issues become resolved.

The new Water Operations Manager has very substantial experience with Supervisory Control And Data Acquisition (SCADA), which will enable us to operate the water system (and in the future the sewer lift stations) from remote laptops instead of our current operation that requires personnel to operate all our wells, plants and lift stations manually. In addition, with the new electronic reading system for water meters (and in the future, sewer meters), after installing three antennae at selected locations and adding new software, the entire meter reading process, reading, bill computation, billing and collection will become fully automated. Meter reading will no longer require significant manpower.

This system modernization will enable us to make significant alterations to the way we use the W&S personnel. As an example, we have 22 miles of asbestos cement pipe that needs to be abandoned and replaced. Water pipe installation is quite simple. Projects can be quickly and easily designed in-house by Engineering. It would require contracting for an excavator and operator (SERSG), with Town forces supplying the necessary labor, supervision and other equipment. Using this same process in Easton and Sharon, we saved hundreds of thousands of dollars replacing old mains, and we can do the same in Foxborough.

Institution of planned improvement programs such as that demonstrated by the Pavement Management System will provide much needed direction to systematic maintenance of all our facilities. The same technology can be applied to sidewalks, handicapped ramps, signage, water, sewer and street trees. These can be added to our new program as time and budget permits. These measures not only provide significant future maintenance savings, they provide management continuity. Changes in management personnel will not present the significant learning periods currently required for new management replacement personnel, since the electronic management system determines the major annual work priorities and costs.

TOWN OF FOXBOROUGH
 DEPARTMENT OF PUBLIC WORKS
 2013 TABLE OF ORGANIZATION

DIRECTOR
 ROGER A. HILL, P.E., P.L.S.

WATER & SEWER
 ROBERT WORTHLEY
 OPERATIONS MANAGER

EQUIPMENT MAINT.
 GLENN STRONG
 ASST. OPS MGR. EQUIP. MAINT.
 STEVEN LAURSEN
 ADAM ROUTHILLE

HIGHWAYS
 PETER SOLBO
 ASST. OPS MANAGER HIGHWAY
 RICHARD CHANDLER JR
 FREDERICK SHANNON JR
 ANTHONY DEFAZIO
 EQUIPMENT OPERATOR
 RAYMOND DONGOS
 STEVEN J LAURSEN
 STEVEN PENNEY
 PART TIME LABORER

TREES & PARKS
 DAVID LALIBERTE
 ASST. OPS MGR. TREE & PARK
 JAMES CAFFIN
 HEAVY EQUIPMENT OPERATOR
 LINWOOD COLPRIT
 DANIEL HORNE
 MICHAEL SMITH
 ROBERT KERR
 LABORER
 CONNOR FOLEY

WATER & SEWER
 ARTHUR REYNOLDS
 ASST. OPS MANAGER W & S
 PHILIP LODER
 RICHARD WRIGHT
 THOMAS WEIR
 WATER TECH IV
 DAVID LITTLEFIELD
 JOSEPH BORDIERI
 TODD WALKER
 TIMOTHY DANIELS
 MICHAEL DOOLAN
 STEVEN SLOAN
 TIMOTHY GAULIN
 RYAN MCKEON

ENGINEERING & GIS
 ROBERT SWANSON, P.E.
 TOWN ENGINEER
 SURVEY & GIS TECHNICIAN
 PART TIME SUMMER HELP
 PART TIME SUMMER HELP

PUBLIC WORKS
 ADMINISTRATION
 DEPT. COORD. HWY. T&P, EQ. MAINT.
 DEPT. COORD. WATER & SEWER
 PRINCIPAL ACCT. CLERK
 PRINCIPAL ACCT. CLERK

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 EQUIPMENT MECHANIC
 EQUIPMENT MECHANIC

HIGHWAYS
 PETER SOLBO
 ASST. OPS MANAGER HIGHWAY
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 EQUIPMENT OPERATOR
 EQUIPMENT OPERATOR
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 T&P WORKING SUPERVISOR
 HEAVY EQUIPMENT OPERATOR
 EQUIPMENT OPERATOR
 EQUIPMENT OPERATOR
 LABORER
 LABORER
 PART TIME LABORER

WATER & SEWER
 ARTHUR REYNOLDS
 ASST. OPS MANAGER W & S
 WATER SUPERVISOR
 WATER TECH IV
 WATER TECH IV
 WATER TECH IV
 WATER TECH III
 WATER TECH II
 WATER TECH II
 SUMMER HELP WATER TECH
 SUMMER HELP

ENGINEERING & GIS
 ROBERT SWANSON, P.E.
 TOWN ENGINEER
 SURVEY & GIS TECHNICIAN
 PART TIME SUMMER HELP
 PART TIME SUMMER HELP

PUBLIC WORKS
 ADMINISTRATION
 DEPT. COORD. HWY, T&P, EQ. MAINT.
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