

TOWN OF FOXBOROUGH
SELECTMEN'S MEETING
MINUTES
OCTOBER 14, 2014

Members Present: Lorraine A. Brue, Chairman
Virginia M. Coppola, Clerk
James J. DeVellis
David S. Feldman

Others Present: William G. Keegan, Jr., Town Manager
Ms. Mary Beth Bernard, Assistant Town Manager
Mr. William Yukna, Business Administrator - Schools

John Gray was not present for this meeting.

The meeting was brought to order at 7:00pm by Chairman Lorraine Brue.

Ms. Brue reviewed the agenda.

7:00pm – Citizens Input – No one was present.

7:05pm – Selectmen's Update – Ms. Brue informed everyone that there will be a special Memorial Service for the Firefighters Sunday, October 19, 2014 at St. Mary's at 11:00am followed by an awards ceremony at the McGinty Room at 12:15pm.

Action Items

Motion was made by Virginia Coppola to approve the Block Party application for Antonio Ciolfi of 35 Villa Drive on October 25, 2014 at 11:00am. Seconded by James DeVellis. **Vote 4-0-0**

Motion was made by Virginia Coppola to approve the acceptance of a donation of \$200 to the Animal Control Officer for a fund used by the Animal Control Officer by donors who wish to remain anonymous. Seconded by James DeVellis. **Vote 4-0-0**

Motion was made by Virginia Coppola to approve the application by Gary Carlson to be appointed Constable for the term ending October 14, 2017. Seconded by James DeVellis. **Vote 4-0-0**

Motion was made by Virginia Coppola to approve the Change of Hours application for Xpress Mini Mart at 126 Main Street. Seconded by James DeVellis. **Vote 4-0-0**

Discussion – Mr. DeVellis wanted to make sure that this was not one of the establishments that are going to appear before them.

Ms. Coppola stated no.

Information Items

Ms. Brue stated that there were three items in their information packets from the Foxborough Planning Board:

1. Temporary Parking Lot located at 119 Washington Street (Lot A)
2. Temporary Parking Lot located along Washington Street (Lot B)
3. Request for Site Plan Review for Route 140 Connector

Mr. DeVellis stated that all three of these are out of the Board's jurisdiction and are for informational purposes only.

Ms. Brue stated yes.

Mr. Keegan stated that these just include the conditions under which these were approved so that the Board is aware of them. These are public information so if anyone wants a copy of them they are available.

7:10pm – Signing Special Town Meeting Warrant

Ms. Brue stated that they have the full warrant in front of them and asked Mr. Keegan if they should go through the packet and take actual votes on this or wait until the next meeting when everyone is there.

Mr. Keegan stated that the Board is not expected to do anything with this tonight other than to sign the warrant so we can get it posted.

The positions on each of the warrant articles will be done at the next meeting.

Mr. Keegan stated that they have had it reviewed by Town Counsel and the one thing that they are discovering in dealing with the Sign By-Law is now that the new General Code is in place it changed all the numbers.

This was done following the action to post the warrant so there will be technical changes in terms of actual numbers but there are no substantive changes (no content changes).

Mr. Keegan's perspective is that if the General Code had changed after town meeting there would still be the same issue so we can go forward and approve or deny this at town meeting. We will have to see what Town Counsel says on how to handle this.

Ms. Brue asked to make sure that the Advisory Committee gets a copy of this for their meeting tomorrow night.

Mr. DeVellis stated that the largest article is the Sign By-Law. This has been before the Advisory Committee several times and asked if they are close to making a recommendation.

Mr. DeVellis asked if they have the copy from Town Counsel.

Mr. Keegan stated that they just received the copy from Town Counsel today. The technical content of the by-law itself has already been reviewed by Special Counsel so they have that information. Town Counsel is making sure that nothing is a problem in terms of legislative or a procedural issue.

There are two types of reviews. The content version has already been before Ad Com.

Ms. Brue gave them a copy of the last version with the notes on it but because of an illness they couldn't get them an updated typed copy. This will be the first time they are actually seeing the cleaned up version, they received the red-lined version last week and a couple of additional handwritten notes on it.

Mr. DeVellis asked if they are expecting Special Counsel or Town Counsel to be at the next meeting.

Mr. Keegan stated they weren't planning on doing that but if the Board would like to do that we can.

Mr. Keegan stated that they can have the Sign By-Law Review Committee come in for that meeting and Mr. Feldman and Mr. Keegan will be there for the article concerning Town Hall. Mr. Scollins will be there for the money concerning Article 1. They will try to have Ms. Wason there for the Planning Board articles, if not they will get the Chairman.

Mr. Keegan wanted to note that the office made a list of articles that we know of for the next Annual Town Meeting in May.

Mr. Keegan wants to keep this in discussion so if there are any further articles that the Board knows of that they want to talk about for meetings coming up we should get them in line now.

The following items were requested to be added to the list:

1. Sign By-Law should be closed with the Digital Billboard discussion.
2. Personnel Wage By-Law (Mr. Keegan stated they have an update for the Board tonight.)
3. Planning Board articles that get deferred year after year.

Mr. Keegan stated that we will update the list with these three additions and if there is anything else the Board can think of at the next meeting just bring it up and we will add it to the list.

Motion made by Virginia Coppola to approve the warrant for the Special Town Meeting on November 17, 2014. Seconded by James DeVellis. **Vote: 4-0-0**

Ms. Bernard stated that it has been a great experience so far working for Foxborough. She gave the Board an update on her first week (Collective Bargaining, meetings with both Chiefs on different issues, Personnel By-Law questions, etc.).

Ms. Bernard stated that Randy Scollins and Bill Keegan have been a great resource and she is planning to get around to each department head and each building and meeting with people.

The pace has been hectic and exciting. It is a wonderful community filled with hard working people who do a lot with very little. She is very impressed.

Mr. Keegan stated that they are looking at reactivating the Personnel Wage Board so they are trying to set up a meeting with that group and get them engaged on the Personnel By-Law Review. I see them as a resource. I know their role has technically changed with respect to how the charter was written.

The issue is getting someone to react to some of our ideas. We want to reactivate that group sooner rather than later. Ms. Bernard stated that they have a tentative meeting schedule for next week.

Ms. Brue asked how many employees fall into that category.

Ms. Bernard stated less than twenty (20).

Mr. Keegan stated that it is still good to have that discussion because they are still actively meeting with the Steel Workers Union and we don't know where this is going to go at this point and how many more meetings we will need to get that first contract in place.

Mr. DeVellis asked Ms. Bernard if it were possible to define a percentage of what she is doing with Human Resources issues and opportunities versus Assistant Town Manager.

Ms. Bernard stated having only been here for a week that it is probably 50/50 right now. Because there was no Human Resources Director in place some things have become decentralized so things that would normally sit in a Human Resources function are now sitting in the Treasurer's Office, Accounting Office, Selectmen's Office and even DPW.

Ms. Bernard is going around looking at those Human Resource things seeing how they are being done right now and what things she can absorb. I think it will continue to be a 50/50 split. A lot of it is being available and being present for people and I think that has been welcomed just in the last week.

Mr. Keegan stated what is important to him is that he has tried to pull Ms. Bernard into everything they are working on including the Town Hall Working Group discussions because if he is not available then she can be available.

I am also being respectful of the fact that she has some really intense issues to deal with regarding Human Resource since this has been on the back burner for a while.

Fortunately Mr. Keegan also has a Human Resources background so they can bounce ideas off of each other.

We are going to meet on some stadium issues this week and they are going to meet with Mr. Kraft and Jonathan this week.

Ms. Coppola stated that she understood Mr. Keegan would be a speaker on October 25, 2014 at the Selectmen's Conference.

Mr. Keegan stated yes, he has been asked to speak at the Mass Selectmen's Association meeting at the Tri County School in Franklin. He will be speaking about different charter issues.

7:30pm – Town Hall Working Group

Mr. Feldman wanted to pass along condolences to Jack Schleyler on the passing of his wife Antoinette. Jack is a member of the Town Hall Working Group and has offered plenty of insight from his architectural background on a lot of the issues that we are covered.

The Group has wrapped up a lot of their meetings at this point. They anticipate the short list of architects by the end of this week. Interviews are scheduled for October 24, 2014.

The Group is hoping to have a presentation on October 30, 2014. They are going to put in an ad in the Reporter over the next couple of Thursdays to advertise and get it on the website and really try to get the public involved.

Mr. Keegan has been hitting the cable television airways and have some more scheduled.

They hope to have everything presented to Ad Com for their vote by November 5, 2014.

Mr. Yukna and Mr. Keegan met today with the subgroup to evaluate the different proposals that were submitted. We actually had six (6) proposals that were submitted for the architects. We had over forty (40) that had taken papers out and then was reduced down to thirteen (13) that showed interest.

We have narrowed the six (6) down to four (4) that we want to interview and we are shooting for October 20, 2014 for the interviews. We want to get all of the interviews done in one day.

Mr. Keegan, Mr. Yukna and Ken Elovitz taped a show last Friday to talk about the project and to present information about all of the things that we have discussed and the process up to now to provide information to the public. We talked about that we are building a new building and why. There is another television taping that will be done on Monday with Bob Hickey and Ms. Bernard will also be on that show. We will talk about the Town Hall project and other things as well.

The public hearing piece is a good thing to do. We talked about this internally at the meeting and we can really air out what concerns the people have about the project.

Mr. Keegan stated that they have been doing further analysis of the building itself because they know that it will be still a 2-3 year project before approval and the construction phase but there are interim things that we need to do to the building because the building is sustaining some significant issues that need to be addressed now. The roof and the gutter system are actually in disrepair. This needs to be addressed now because irrespective of what happens it will at least be 2 ½ years to get into a new building if we stay on schedule.

We are moving ahead trying to replace the roof and gutter system that's why Mr. Keegan asked Mr. Yukna to come this evening to talk about this. They don't want people to be surprised if they see them repairing the building because they still have to live in that building for at least a couple of years.

Mr. Yukna stated that unfortunately the roof already has two layers of roofing on it. We were hoping that it only had one and then we could just go over it and it would be cheaper.

Most of the issues are coming from the valleys where the copper basically is faced on each side by the shingles. The chimney has two issues, it doesn't have the proper build in the back of it so the water is actually hitting the chimney, coming down and creating issues around it.

There is about a half dozen other areas of vents for plumbing or air, all of them have now deteriorated to the point where they are leaking. We looked at trying to do a patch and save type of thing but again when you are dealing with two layers of roofing what you will probably end up doing is disturbing a third area.

We brought in a number of contractors to view the roof with us and gave them the basic concept of what we wanted to do. We received back three (3) proposals on doing it and they range from \$31,000 to \$44,000 for the roof and gutters combined.

In our best case if the town supports what we are talking about we are going to be there for three (3) years. If you look at it from a cost maintenance point of view you are talking about \$9,000 to \$10,000 per year to survive this proposition.

This probably should have been done a few years ago but the funding was put in last year's budget to do it this year so we do have a \$30,000 sitting in a maintenance budget line under the town hall.

My suggestion is that we just go ahead and get this done. We have a good bid on it and we can move forward.

Mr. Keegan stated that when Bill spoke to him today he said let's put this out there. We are not trying to hide this. We want everyone to know that this is work that has to be done to keep the building functional.

Ms. Brue stated that she was appreciative of them bringing this forward and wanted to know if this is a line item in the budget.

Mr. Keegan stated that this money is already budgeted and available now.

Ms. Brue asked if they were looking for a consensus from the Board to support this.

Mr. Keegan stated that this is more informational as it is a decision that he has to make but he didn't want anyone to think that they were hiding it.

Mr. DeVellis stated that this same topic came up about three years ago at the CIP meeting and it was our former Town Manager, Kevin Paicos who proposed fixing the roof. The CIP asked why would we do this if we are going to get a town hall next year. Two years later we are still dealing with it and bottom line, it is a maintenance issue.

Mr. Yukna stated that if they had done it 3-4 years ago no one would have thought twice about it but I don't want anyone to think that we are enhancing the value of the building and this is another reason why we should consider renovation of the building. This is strictly to get us through.

Mr. DeVellis stated that a lot of people might say we have a DPW that has people why don't they do it. It's a specialized field, they are not roofers and they have a full schedule and we are not going to have them get up on roofs for something that they normally don't do.

Mr. Keegan stated that you also wouldn't have a warranty if you did that.

Mr. Yukna stated that to do a project of this scope and scale you use specialists because they won't get hurt doing it, they have their own insurance and they can do it much faster.

A project like this should be done in a week or week and a half. They will be doing it in stages.

The low bidder was as low as he was because he gave credit for the reclamation of the copper gutters which the other two bidders didn't.

7:40pm – Town Manager Update

Mr. Keegan stated that the hearing dates have been set for the alcohol violation hearings. These are:

November 12, 2014

November 19, 2014

December 8, 2014

We are reaching out to the Personnel Wage Board to set up meetings with them.

There was a road race that was held this past weekend up at the stadium and I know there were concerns that were expressed to some of the Board members about the noise level. Mr. Keegan reached out to representatives at the stadium today and asked them about that. They made further inquiries and apologized for some of those early announcements that were being made. That was not supposed to happen that way.

They have reevaluated that event and if they have that same event next year they will have it later in the morning (closer to 11:00am). There won't be an issue like this again.

Once they reported it to us, I reported it the Police Department, the Police Department looked into it and asked them to tone it down which they did that morning.

Ms. Coppola stated that one thing that had gotten back to her was that people called the police department to complain and they were told to call the town hall. There is no one in town hall at 7:30am on a Sunday morning.

Mr. Keegan stated that he called the Chief directly and the Chief alerted the detail to speak to the people. Mr. Keegan will address that as well.

Last week Mr. Keegan was asked to attend a meeting at the MBTA with DOT officials relative to a proposed action that the MBTA is looking to acquire the CSX line in Foxborough which is the train line that runs parallel to the stadium in the back.

The MBTA would acquire that line which would then allow for passenger service to begin in that area.

Mr. Keegan wanted to be clear about the fact that the proposal as he understands it is to create a passenger service that would terminate essentially at the existing station that is at the stadium. There will be additional parking for riders who would like to utilize that service and that service will go into Boston from that location and return from Boston to that location at the end of the day.

Mr. Keegan believes there will be eight (8) different trips that would go during the week.

This is the first time that this has been presented to Mr. Keegan so what he asked is that the DOT and MBTA officials come out and make a presentation to the Board so that they are aware of that and then you can initiate the public process which would be appropriate for this type of thing to be heard.

Mr. Keegan actually got in contact with David Mohler which is the Chief Transportation Planner for the state who will come out either October 21, 2014 or October 28, 2014. He is not sure if he is able to make October 21, 2014 but will let him know tomorrow.

Mr. Keegan thinks that it is important for the Board to hear the full proposal from Mr. Mohler. Mr. Mohler also serves as Chairman of the MPO which is responsible for a lot of different issues, particularly roads and the funding for road projects.

Ms. Coppola asked if the Town of Walpole has been informed of this.

Mr. Keegan stated he doesn't know if they have been officially notified by the state but he did receive a phone call from them this past week so they are aware of it now.

They are looking to create a small depot right in the stadium (old Spooky World) as well that would house those units overnight.

Ms. Coppola stated that this was brought up a few years ago and when they explained the terminus then the trains because they are diesel run all night.

Mr. Keegan stated that this is not the idea of this proposal because he asked that question and the answer was no.

There are a number of questions that will arise out of that discussion but the proposal right now is not to have the overnight running of the trains and they won't be the same locomotives that you typically see that are being utilized on the Sharon or Mansfield lines.

Ms. Brue stated that it will be important for every member of the Board to be present during this presentation and make sure the room is set up.

Ms. Brue also wanted Mr. Keegan to make a Public Records request for any minutes related to this topic regarding meetings that have been held at the DOT or MBTA offices and any documentation related to financing of this also.

Mr. Feldman asked if this is part of the South Coast Rail project or is it just an offshoot of that.

Mr. Keegan stated he didn't believe it had anything to do with the South Coast Rail.

Mr. Keegan believes that the state is trying to acquire more of these freight lines for passenger service because passenger service is becoming a greater issue for the state to deal with. Rather than building new highways or roads this would be the alternative route of going to major transportation.

Ms. Brue stated that as long as they have a good public process it will be important to have feedback where there is such a significant impact on the town.

Motion was made by James DeVellis to Adjourn at 8:00pm. Seconded by Virginia Coppola.
Vote 4-0-0

Respectfully Submitted,

Debra A. Jarvis

Virginia M. Coppola, Clerk