

TOWN OF FOXBOROUGH
SELECTMEN'S MEETING
MINUTES
June 24, 2014

Members Present: Lorraine Brue, Chairman
John Gray, Vice Chairman
Ginny Coppola, Clerk
James DeVellis
David Feldman

Others Present: Town Manager Bill Keegan
Atty. Frank Spillane
Paul McKenna of Waxy O'Connors

The meeting was brought to order at 6:30 p.m. by Chairman Lorraine Brue.

A motion to enter into Executive Session at 6:31 p.m. and to return to regular session at the conclusion was made by Mr. Gray and seconded by Mr. DeVellis. The motion carried 5-0-0.

The Board returned to regular session at 7:00 p.m. and the meeting continued.

Ms. Brue reviewed the agenda.

Board of Selectmen Update

Mr. DeVellis spoke of the recent dedication of the turf field in Memory of Sam Burns. He wished to thank all of the public and private organizations that have been involved in the project since 2008. There was a good turnout at the dedication which was good to see and makes him very proud of the town.

Mr. Feldman stated that there was a meeting of the Town Hall Committee on June 17th where they discussed potential sites, they are now down to three locations. A weighted scale was used to rate the sites. They are hoping to get information out to the public soon in the newspaper and on their website.

Mr. Keegan noted that the committee is working well together and an objective process was used to determine potential sites. There will be an opportunity for more public input before a determination of a final site is made. They will be meeting again on July 1st at the library.

Ms. Brue stated that she and Mr. Keegan met with Dan Murphy and had a good discussion on establishing lines of communication. The Kraft Organization also let them know that they are still looking for large development options on the other side of Route 1 opposite the stadium. They should be presenting an application for a Muse Paint Bar soon and are working on another hotel project.

The Board members discussed meeting once a month with the Kraft Organization. Ms. Coppola will be available in July and Mr. Gray will take August.

Citizen's Input

Ms. Coppola spoke about the Purple Heart Day Project she has been working on with Veteran's Agent Mike Johns. The town will be joining other communities in Massachusetts in proclaiming Purple Heart Day on August 7th to recognize those who have received the award. The National Office of the Purple Heart needs to approve their request. There will be a BOS meeting on August 5th that they would like to invite local recipients of the Purple Heart to be recognized. Ms. Coppola is also working with Jack Authelet and the Foxboro Reporter on the history of the Purple Heart that will be published in August.

Action Item

The Historical Commission has received a donation of \$25 for the repair of the Civil War Statue.

A motion to accept the donation of \$25 from George W. G. Lillyman of Tulare California with gratitude was made by Ms. Coppola and seconded by Mr. Gray. The motion carried 5-0-0.

Open Meeting Law Discussion

Mr. DeVellis asked that this matter be put on the agenda to the Board could discuss the process for handling Open Meeting Law Violation complaints. The Board have received five complaints since last November and Mr. DeVellis would like to discuss how the complaints are handled and a decision is rendered. The AG regulations state that once a complaint is filed, the Board has fourteen days to acknowledge and respond to the complaint.

The roles of the Town Manager and Town Counsel need to be decided. The five complaints all went to different people in town. The Board discussed having a timeline for handling complaints.

There was a recent notification of violations for two of the five complaints.

Mr. Keegan stated that having a good process is important and he will be getting in touch with the AG's office to see if they have a recommended process. A consistent process needs to be developed. Mr. Keegan cannot interpret the law, that is Town Counsel's job but he can help to deal with the issue without getting involved in the politics.

The Board discussed having the Town Manager forward complaints to Town Counsel to advise the Board or the Town Manager could bring the matter to the next BOS meeting.

The Board has thirty days to respond to the latest notices from June 5th. OML online training needs to be completed.

Mr. Feldman acknowledges that people make mistakes and individuals should be able to own up to it, apologize and move on. It usually happens without malicious intent.

Mr. Keegan will have a draft process for the next meeting.

Finance Director Contract

The new contract for the Finance Director was reviewed in Executive Session.

A motion to approve the contract of Randy Scollins as Finance Director effective from July 6, 2014 to July 5, 2017 was made by Ms. Coppola and seconded by Mr. Gray. The motion carried 5-0-0.

Signage – Waxy O’Connor’s

The Board met with Atty. Frank Spillane and Paul McKenna of Waxy O’Connors in regards to signage at Mechanic and Chestnut Street for Waxy O’Connor’s. They would like to have a sign on Route 95 advertising their restaurant and it would need one directional sign at Mechanic and Chestnut Street.

The sign will be 42” x 30” which is regulated by the DOT as it needs to be large enough to read.

Board members noted that there is a church a cemetery and two residences at that corner. One of the residents is not in favor of a sign there.

Atty. Spillane explained that the State Hospital Reuse plan intended the inclusion of restaurants in a location surrounded by residential. They are not anticipating a lot of increased traffic due to this sign.

Mr. Gray noted that this matter was published in the paper and he expected a neighborhood outcry but only heard from one resident.

Mr. Feldman would like to be able to support local businesses and noted that people may use other restaurants in the area due to this signage.

Ms. Coppola asked if the Planning Board concerns in regards to the fire lane at the restaurant have been addressed. Atty. Spillane stated the Mr. Grieder of the Planning Board is now satisfied. The fire lane does need to be repainted, that is the landlord’s responsibility.

Mr. DeVellis asked if the Fallen Soldier’s sign would be staying at the intersection. Atty. Spillane noted that they are not requesting any changes to existing signage there.

Mr. DeVellis also wanted to know if this would set precedence for other businesses within three miles of the highway. Atty. Spillane explained that they need to be only one turn off of the highway. The signs at the other exits off of Route 95 and 495 are full in both directions.

Ms. Brue feels it is the right thing to do for businesses in town.

Ms. Coppola noted that the restaurant does have a cost involved in getting the sign placed on the highway as well as an annual fee.

A motion to approve the trailblazer sign at Mechanic and Chestnut Streets for the benefit of Waxy O’Connor’s was made by Ms. Coppola and seconded by Mr. Gray. The motion carried 4-1-0 with Mr. DeVellis opposed.

Planned Organizational Change – Human Resources to Assistant Town Manager

Mr. Keegan stated that the current Human Resources Manager has submitted her resignation effective June 30th. Mr. Keegan would like to change this position to that of an Assistant Town Manager. This position would include Human Resources duties as well as general manager responsibilities and would be able to be an Acting Town Manager in the absence of the Town Manager. Mr. Keegan feels that this position is more important than a dedicated Human Resources position. There would be no changes to the pay classification or salary.

Mr. Keegan would have other Town Manager's and local staff participate in the hiring process in order to get a highly qualified candidate. He would then present finalists to the Board for approval.

Mr. Gray stated that the Human Resource position was created by the previous Town Manager and asked if a Warrant Article would be needed to change the position. Mr. Keegan feels it would be an organizational change only as the financing is already there.

Larry Thomas of the Advisory Board stated that Town Meeting approved a salary amount for Human Resources and is not sure that this could be transferred to a new position without going to Town Meeting.

Ms. Coppola noted that the original position had a salary amount approved at Town Meeting and then the Town Manager asked the Board to increase the salary and it did not go back to Town Meeting.

Mr. Keegan will ask Town Counsel if this could be done.

The Board is not in objection to the position just not sure of the process.

Mr. Keegan would like to begin the recruiting process by placing an ad in the Beacon, the Globe and on the ICMA website.

Mr. Feldman would like to see someone with risk management experience.

Ms. Brue has no issues with the position and thinks it will be a unique process for a high level position.

A motion to accept the Town Manager's request to reengineer the present Human Resources Director position to a new Assistant Town Manager position upon approval of Town Counsel's concurrence that the change is consistent with the authority of the Town Charter was made by Ms. Coppola and seconded by Mr. DeVellis. The motion carried 5-0-0.

Town Committee Handbook and Request Form

Mr. Keegan noted that the handbook has not been updated in a few years and is dated, but it still works.

Ms. Coppola asked that the committees comply better with the attendance requirements, if a committee member misses three meetings they can be terminated.

Ms. Brue noted that the handbook was last redone in 2009. As far as replacing committee members, the Chairman of a committee can ask for a replacement if necessary.

The Board would like to see the handbook posted online as well as agendas and minutes for Town Committees.

If the Board members have any other changes to propose, please send them to Ms. Herrmann in the Selectman's office.

Town Manager Update

Mr. Keegan has reviewed his goals with the Department Heads at their recent meeting and asked for their input, this should be ready for the next meeting.

The Water and Sewer Commission approved and signed the IMA agreement with Mansfield last night.

Mr. Keegan attended a recent meeting of the Tri Town Regional Committee recently and talked about economic development with the state reps and other town managers including how to retain and attract businesses to the area. Foxboro is in a great location with a transportation network and located between the two major cities of Boston and Providence as well as being located near colleges and universities which result in a good workforce. They discussed topics such as analyzing the capacity of the school systems to see if they can be expanded, expanding housing opportunities and diversifying housing. The over 55 population usually wants housing with less maintenance and the younger workforce wants to be closer to where they work. This should be reflected in local planning and zoning.

The DPW has evaluated the streetlight request for North Street and Putnam Place, there are too many cross connections on the pole already so it would not be able to handle more weight. The option of replacing existing lights with LED lighting is being looked at, this would result in greater coverage.

A notice has been received from the MMA, there is a change being proposed through the Legislature to the Wireless Antenna process, this would make the process easier for the wireless companies to put them anywhere without local regulation. The legislation has passed the House and is going to the Senate. Mr. Keegan recommends sending an opposition letter to Senator Timilty. The Board is in agreement to that request.

Mr. Keegan will be meeting with Congressman Kennedy on July 2nd.

On a personal note, Mr. Keegan shared with the Board that his daughter Amanda who is an Associate Producer at Good Morning America recently received her first Emmy Award.

Action Items

The Police Department received a donation of \$200 from the Hockamock Kennel Club for their K9 Division.

A motion to accept the donation of \$200 from the Hockamock Kennel Club on behalf of the Police Department K9 Division was made by Ms. Coppola and seconded by Mr. Gray. The motion carried 5-0-0.

The Planning Board will be holding a hearing for a Special Permit for the Lakeview Pavilion to reconstruct and expand the building that was recently destroyed in a fire.

Vivian Pitts would like to be re-appointed to the Personnel Wage Board.

A motion to re-appoint Vivian Pitts to the Personnel Wage Board for a term expiring May 1, 2016 was made by Ms. Coppola and seconded by Mr. Gray. The motion carried 5-0-0.

Gary Whitehouse would like to be re-appointed to the Personnel Wage Board.

A motion to re-appoint Gary Whitehouse to the Personnel Wage Board for a term expiring May 1, 2016 was made by Ms. Coppola and seconded by Mr. Gray. The motion carried 4-1-0 with Mr. DeVellis opposed.

Mr. Keegan noted that he will be meeting with the Personnel Wage Board after July 1st.

John Schleyer would like to be appointed to the Permanent Municipal and School Building Committee.

A motion to appoint John Schleyer to the Permanent Municipal and School Building Committee for a term expiring May 1, 2017 was made by Ms. Coppola and seconded by Mr. Gray. The motion carried 5-0-0.

Bay Colony Productions is requesting two One Day Beer and Wine Permits on July 12, 2014 for the Talztop Orchestra and September 28, 2014 for a Bobcat Goldthwait performance. It was noted on the July 12th application that this is for a Saturday performance so the request for Sunday entertainment was in error.

A motion to approve two One Day Beer and Wine Permits for July 12, 2014 and September 28, 2014 for Bay Colony Productions was made by Ms. Coppola and seconded by Mr. Gray. The motion carried 5-0-0.

When issuing the licenses for the First and Goal events on October 5, 2014 and October 16, 2014 it was noted by the office that they were requesting until 1:30 a.m. Usually licenses are issued until 1:00 a.m. so they were sent back to the Board for clarification.

A motion to approve the One Day All Alcohol Beverage License for First and Goal on October 5, 2014 and October 16, 2014 from 5:00 p.m. to 1:00 a.m. was made by Ms. Coppola and seconded by Mr. DeVellis. The motion carried 5-0-0.

The meeting was adjourned at 8:30 p.m.

Respectfully Submitted,

Diana Gray

Virginia M. Coppola, Clerk