

TOWN OF FOXBOROUGH
SELECTMEN'S MEETING
MINUTES
SEPTEMBER 23, 2014

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

Others Present: William G. Keegan, Jr., Town Manager
Chief Edward O'Leary
Mr. Roger Hill, DPW Director
Ms. Sharon Wason, Town Planner
Mr. Christopher Gallagher,
Mr. Randy Scollins, Finance Director
Mr. Steve Udden, 25 Carmine Avenue

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

Ms. Brue reviewed the agenda.

7:00pm – Citizen's Input – No one was in attendance

7:00pm – Chairman's Update – Ms. Brue wanted to say thank you to Michael Johns, Veterans Agent and Bob Siteman for the terrific job they did leading and organizing the POW/MIA Tribute Ceremony that was held on the Common this past Saturday. This event was well attended and they really provided a meaningful tribute to the service people who were remembered at the tribute.

Ms. Brue also wanted to remind everyone to check out tomorrow night, 8:00pm on CBS, Survivor. Watch one of our local Police Officers Val Collins and her husband Jeremy as they star on that show.

Cumberland Farms should be opening soon.

7:05pm – Action Items

Notice of Municipal Elections to the Boston Region Metropolitan Planning Organization. This was information sent in for the Selectmen.

There was legislation passed that would allow liquor stores to open at 10:00am on Sundays. Although under this law these licenses are entitled as matters of right to open at 10:00am and as such do not need the approval of the local licensing authorities, licensees must notify the local

licensing authority of change of hours. An application was submitted to the Board of a Change of Hours from Third Generation Enterprises, Inc., d/b/a Route 1 Liquor Mart.

Motion was made by Virginia Coppola to approve the Change of Hours application for Third Generation Enterprises, Inc., d/b/a Route 1 Liquor Mart. Seconded by John Gray.

Discussion

Mr. DeVellis stated that if it is a state law that changed and they are notifying us he did not think the Board should have to make an action on it.

Ms. Coppola stated that no, the Board must vote on it. The applicants just had to fill out the form for Change of Hours and the Board cannot say no.

Mr. Keegan stated that it does require a process.

Vote: 5-0-0

Motion was made by Virginia Coppola to approve the Public Event Application submitted by the Recreation Department for a Halloween Parade on October 25, 2014 2:00pm – 4:00pm. Seconded by John Gray. **Vote: 5-0-0**

7:10pm – Draft Warrant Articles

Mr. DeVellis asked for a brief discussion on the clerical end of the draft warrant articles.

Mr. DeVellis had concerns about articles being added/removed from last week's list of warrant articles and suggested a master list could be put together listing:

- The twelve (12) articles that the Board is voting on
- No Action Column or
- Withdrawn Column

Mr. DeVellis stated that they had nine (9) articles that they voted with two (2) placeholders which were for: the Public Works and Camp Lincoln Hill.

Mr. DeVellis stated that there was nothing from the Planning Board for the Building Height which is Article 8 on the original list.

Ms. Wason stated that she had submitted the article on September 3, 2014 to the office.

Ms. Brue stated that it was a good idea to keep a running tally so that the Board can keep track of the items.

Mr. DeVellis stated on a point of order the Board should reopen the warrant to vote it before Ms. Wason makes her presentation or the Board will be listening to something the town hasn't approved yet.

Ms. Brue asked for a motion to reopen the warrant.

Motion was made by John Gray for the Board of Selectmen to reopen the warrant to discuss the possible addition of one other warrant item. Seconded by David Feldman. **Vote: 5-0-0**

Ms. Brue stated that they have removed:

- The Dexter Street Article
- The Oak Street Article

A lengthy discussion ensued about the removal of items.

Mr. Keegan and Ms. Brue stated that officially certain items would come off tonight. The Board would have to discuss them but based on the discussions that they had at the last meeting where they said that there was going to be a meeting with the Conservation Commission and that Bob Boette was going to discuss the issue of the Oak Street property with the Conservation Commission we have learned since then that the Conversation Commission decided no.

Ms. Coppola asked if they were going to use the list from last week and go through each one and at that point we will discuss each of them.

Mr. Keegan stated that the list that was presented to the Board last week was a list of items that people had identified as possible articles. Mr. Keegan had stated that he would come back to the Board at the next meeting (which is this evening) with language for the articles and further details on the remaining items.

Mr. Keegan stated that the one article that was not on the list last week was the article that the Board just opened the warrant for.

Mr. Keegan stated that there are four articles that they will not be bringing forward to the Board as things have happened between now and the last meeting so our recommendation will be to not include them.

Ms. Brue asked for a motion to add Article 8 – Zoning – Height of a Building.

Motion was made by John Gray to include Article 8, which is an article submitted by the Planning Board to redefine the height of buildings to comply with current state law. Seconded by James DeVellis. **Vote 5-0-0**

Mr. Keegan stated that the Board has presentations this evening consisting of:

- Funding for New Police Officer – Chief O'Leary

- Funding for Town Hall – William G. Keegan, Jr.
- Amendments to Foxborough’s General By-Laws – Sign By-Law – Sharon Wason
- Petition of Additional Liquor Licenses – Chairman Lorraine Brue
- Accessory Apartments – Sharon Wason
- Overlay Districts – Sharon Wason
- Height of a Building – Sharon Wason
- DPW Administration Offices – Roger Hill

Article 1 – Funding for New Police Officer - Chief O’Leary

Chief O’Leary stated that as the Board was aware bringing about a solution for Patriot Place and bringing Splitsville into our community, part of that mitigation was to provide funding to add personnel to the Police Department.

Chief O’Leary met with Randy Scollins, Finance Director last week and they discussed what the real need is in terms of a timeline for hiring an individual. During the consultation with Mr. Scollins, Chief O’Leary came up with a number that they would need for the balance of this fiscal year and that is the money that would be transferred from an account held by the town into the police budget so they can have movement on that personnel.

Chief O’Leary stated that right now they do have one Recruit Officer that was part of the regular budget who is presently in the Training Academy.

Chief O’Leary is making arrangements for any new hires to attend a January class either in Randolph where they are going to be opening an additional basic training program or down in Plymouth at the start of 2015.

Mr. DeVellis asked if this funding was in perpetuity.

Chief O’Leary stated that the agreement that was signed is in perpetuity.

Ms. Brue asked when the start date is for the new police officer related to this budget transfer. Chief O’Leary stated probably between mid-December through mid-January so they allocated a certain number of weeks that this person might be on our payroll.

Mr. Gray asked if the monies they will be receiving for retirement pensions will stay with the town until a pension vests.

Mr. Scollins explained the assessment process to the Board.

Mr. Gray asked if there was a vesting schedule for a police officer.

Mr. Scollins stated that it is the same as the state pension system this just happens to be managed by Norfolk County and that there are about 100-105 different pension systems in the state.

Mr. Gray wanted to know how many years a police officer had to be employed before they become vested.

Mr. Scollins stated that it is a 10 year vesting which is consistent with the entire state.

Mr. Scollins further informed the Board of the funding schedule which will be shared back through the appropriate channels to the Kraft Organization as per the agreement.

Mr. DeVellis asked if this will be tracked separately every year.

Mr. Scollins stated yes, in essence it is a local receipt which is what this mitigation money is. It comes into the general treasury which means you can appropriate it at the town meeting. The funding is already here we just need to go to town meeting to appropriate it.

Article 6 – Zoning By-Law Changes – Accessory Apartments – Sharon Wason

This amends the definition of an accessory apartment. People have applied to build accessory apartments in buildings that don't exist and the previous definition only referenced the special permit accessory apartments. If someone was in an R15 district they would only need a building permit from the Building Inspector.

We wanted to correct the definition and make it clear that it has to be in a house which exists and it has to be in a single family detached house and not a single family attached house.

The whole question was the practice and the way the Building Inspector always interpreted the by-law is that it had to be an existing home but they never explicitly said "existing home".

Mr. Feldman asked theoretically if they could put an accessory apartment in a detached garage.

Ms. Wason stated no, not under the Foxborough by-law. It must be part of the same house and maintain the single family appearance.

Article 7 – Zoning By-Law Changes – Foxborough Center Overlay – Sharon Wason

Ms. Wason stated that when they did the downtown article last year Ms. Wason neglected to add the Foxborough Center Overlay District Map to Section 2.2 of the Zoning by-law. This lists it as a zoning district in the town and further the map that was submitted as part of the warrant didn't make it into the warrant so they are attaching it again to the Zoning by-laws.

The map is unchanged from May 23, 2013.

Article 8 – Zoning By-Law Changes – Building Height – Sharon Wason

Ms. Wason stated that Article 8 changes the definition of the height the building we presently measure from depending on whether a daylight basement counts as a full story whereas a cellar with only little basement windows doesn't count as a full story. So based on whether your

basement is a story of your home or not the height of your home was measured from the lowest floor to a point halfway between the eaves and the top of the roof. It is very contrary to how the state building code defines it.

We chose to amend it so it complies with the state building code measuring it from the mean grade along the foundation to the highest point of the building excluding chimneys and TV antennas.

From the definition of story we deleted the words “including basements” and this is to update our by-law to comply with the state building code.

Mr. DeVellis asked when you say the ground immediately adjacent to the building to get the average is that a discussion point with the Planning Board.

Ms. Wason stated they had discussed whether or not they should have diagrams in the Zoning by-law that would make it very clear that you take the mean between the high point of the foundation and the low point but the Building Inspector feels that this language the words “mean grade of the ground immediately adjacent to the building” he can interpret that and he is comfortable with it.

Sign By-Law

The Planning Board, Selectmen and Ad Com all met in early September for a presentation on the Billboard Advisory Committee’s draft by-law. The Board of Selectmen appointed the committee last July to deal with the applications for electronic billboards for variances before the Board of Appeals and we very quickly determined that the problem wasn’t as simple as deciding whether or not to have electronic billboards and adding that to the sign code.

The sign code which was moved in tact in 1995 from the Zoning by-law to the General by-laws needed substantial updating and cleaning up as well.

The Board was gracious enough to give the Sign By-Law Committee a maximum of \$20,000 from the Economic Development fund. They hired a consultant, held multiple meetings, developed a draft, went to the Advisory Committee and got a lot of great feedback.

Their one concern was they personally did not like electronic billboards. We felt the time between the Ad Com meeting and the Town Meeting we would not be able to do sufficient public outreach to see if they were in the minority or majority of folks in town so their decision was to withdraw the electronic billboard portion of the article, keep working on it and submit the remainder for the warrant.

Ms. Brue stated that the Billboard Committee met again last night to look at the final revisions and made one final significant change. We will have one more meeting to vote that as the final by-law.

Mr. Feldman asked if this by-law would change again.

Ms. Wason stated there will be additions to it, but what the Board has before them will be very close to the final version.

Ms. Brue stated that Mr. Casbarra stated that he can definitely interpret this more effectively than the current by-law.

Ms. Brue further stated last night the focus was on free-standing sign definition which was what the last significant change was about.

Mr. DeVellis stated that there was a letter from a property owner on Rt. 1 concerned about existing signs and diminishing the value of it.

Mr. DeVellis asked if town counsel has gone through this.

Ms. Wason stated that upon the advice of Mr. Casbarra they got special counsel who is in the process of completing their review. They expect to have it in the next couple of days.

Article 2 – DPW Administration Building – Roger Hill

Mr. Hill came before the Board to discuss a repeat article from 2013 that they withdrew. The reason they withdrew it was because they had three bids on a design that was done by an outside architect for a modular public works building and they came in over budget. Mr. Hill was determined to stay on budget.

Following that annual town meeting Mr. Hill got together with the three companies that had submitted unsuccessful bids and basically said what we can do to make this affordable. They pointed out a lot of things about the design that had been done that could be changed and saved quite a bit of money.

Mr. Hill went ahead and put this article in the warrant because he believed right now they can do this project well within the budget. The money already exists in the enterprise account and it is set aside for building improvements.

Mr. Gray asked what changed dimensionally.

Mr. Hill stated the building they advertised a year ago had a crawl space under it and it had a large footprint because it was all on one floor. That floor included non-personnel space (storage, IT room, etc.). During the course of testing the soil to see how deep they could go, they dug a deep test pit in the 2013 spring wet season. The water table was 9 ½' below the surface so it lends itself to a full basement rather than a crawl space.

The modular people pointed out that the design of the walls and the footings of the crawl space rendered it to be more expensive than a full basement would have been. They reduced the footprint and moved all of the non-personnel spaces to the basement and basically put the useful spaces on the floor which reduced the footprint by more than a third of what they advertised.

That reduction of the footprint is a direct benefit to the price. We think this can be built easily and well within the budget we have (including furniture, fixtures and equipment).

Mr. Gray asked if there are any bids yet.

Mr. Hill stated he has an RFQ done which he will be sending out in about a week and he expects to have bids in well before town meeting because he is only going to give them three weeks to bid it as it is a simple bid.

Mr. Gray asked if the warrant article stated “not to exceed”.

Mr. Hill stated no.

Mr. Gray asked what would happen if they came in significantly lower than the \$600,000. Mr. Hill explained that this figure is also for furniture and equipment because the warrant article gives him the flexibility.

Ms. Brue asked Mr. Scollins about the General Fund Contribution (\$213,000 over five years) and asked why he picked a five year period.

Mr. Scollins explained that this was actually a successful funding model that one of Mr. Scollins predecessors had used when the Mill Street property was acquired for \$1.5M back several years ago and the tables were a little bit reversed.

Mr. Gray asked if the salary model came in pretty close to expected square foot usage.

Mr. Hill explained how they set up the general budget for public works including salaries.

Mr. Feldman asked if he would have space for a facilities department in that building.

Mr. Hill stated no.

Mr. Keegan stated that they planned on utilizing that through the school department.

Article 3 – Town Hall Plans

Mr. Keegan stated the Town Hall Working Group began its work in May of 2014. The purpose of the working group was to look at the various options available for addressing current space and building conditions at the Foxborough Town Hall.

Over the past five months the working group has concluded that the best option is to build a new building and demolish the existing structure. The primary goal for addressing this course of action includes building on the existing town hall site in hopes that the existing town hall offices can remain open during the construction phase. The Working Group remains committed to exploring all available options to make this goal a reality.

By hiring an architect and manager for this project those that are most familiar with the logistical challenges of this project approach can then advise them on how to proceed with their next steps.

The Working Group acknowledges that there is one member of the group who does not agree with our recommendations but who prefers to renovate the existing building as opposed to building new, however, after considering all of the positive and negative aspects of building new versus renovations of the existing structure the vast majority of the members have indicated that building new would be the most predictable, efficient and best use of tax payers dollars.

As Town Manager I am truly appreciative of all the hard work and dedication that the members have demonstrated throughout the process and therefore request the Boards support including this article on the special town meeting warrant.

Right now they are in the process of identifying what the costs will be for this particular warrant article. The effort is we have already submitted an RFP. We are going out to bid right now with an RFP for an architect to identify costs and for the cost of an OPM (Overall Project Manager) and we will have those numbers to present at town meeting and we will present this information to Ad Com as well. We should have this information by the third week in October that is their goal at this point in time.

Mr. DeVellis asked if the proposals were due in October.

Mr. Keegan stated that the proposals are due before then but they are going to make a recommendation to the Board to hire that person obviously subject to town meeting.

Mr. Gray stated so the article itself is open-ended, there is no not to exceed number on this.

Mr. Keegan stated correct, the motion itself will be what the amount will be and they will present that to the Board at the time when they have it.

They hope to be before Ad Com next week.

Mr. Keegan stated that this is more or less an enabling article to allow us to do the appropriation. Our goal would be to ask that the money be transferred from available funds. We believe we have the money based on the recommendation of the Finance Director we have money available in our free cash.

Mr. DeVellis asked if the RFP was for an architect and OPM.

Mr. Keegan stated that there are two separate RFP's, one for the architect and one for an OPM.

Mr. DeVellis asked if they are expecting back qualifications or price.

Mr. Keegan stated both.

Mr. DeVellis asked if they will negotiate the architect under qualifications and then negotiate a price.

Mr. Keegan stated yes. They will pick the architect based on qualifications, interviews, etc., and then identify the price.

Mr. Keegan stated that Mr. Yukna has used this same process in the past and it has worked very well for him so this is one of the few times that we have enacted this type of process where we have clear numbers to present to people before town meeting. Our plan is to do the same thing for the construction costs and we will actually have those numbers before a special town meeting, hopefully by September of next year.

Our process is now to educate everyone on the process and what we have done and how we have reached the conclusions that we have.

Mr. Gray asked so you have resolved that renovation is unrealistic.

Mr. Keegan stated yes, based on a majority of our members.

Article 5 – Legislature Petition Additional Liquor Licenses

Ms. Brue stated that she had brought this as a starting point. They are at the point now where we have sewer and we have the fire station and the Keating properties being in a good position now to put them up for sale along with a couple of other properties.

Based on the feedback from the last meeting as to how they are going to figure out how many to apply for what Ms. Brue did was requested and posted a meeting for this Thursday, September 25, 2014 with the Planning Board so we can get input from the Planning Board in terms of Master Plan thoughts and any other thoughts that they have in terms of the ability to use liquor licenses in certain areas for restaurants related to continued development in the town.

After the meeting on Thursday Ms. Brue can then come back to the Board with additional information and suggestions from them and we can have a more full discussion on the topic at our next meeting and the Board can determine what numbers they want, or don't want.

Mr. Keegan stated that he has received additional information from a business owner on Rt. 1 as well and they have indicated that they have some interest in this issue so now that it is out there I think we should get as much feedback as possible.

Mr. DeVellis stated also maybe the establishments that hold liquor licenses should be there because what does that do to their expansion.

Mr. Gray stated there is a correlation between liquor licenses and development such as Foxfield Plaza, the center of town, etc.

Mr. DeVellis stated if more licenses came into town surely they would diminish the value of current owners. Our vision is to develop these commercial zones.

Mr. DeVellis stated that he is in full agreement it's just when we are looking for that special number (0, 10, 25). The establishments that have been here for a very long time will be affected because you are going to have a restaurant next to another restaurant.

Mr. Gray stated there have been restaurants in town with beer and wine licenses that are raising their hands and they are very loyal to the town so we should look at helping them out as well.

Mr. Keegan stated that from an economic standpoint having restaurants compete with each other is not a bad thing because it brings more people to the area so it becomes more of an area of attraction in many ways. Business begets business that is usually how it works.

Mr. Steven Udden, 25 Carmine Avenue came before the Board stating that his concern is excessiveness of licenses that we already have in the community. In this discussion he hasn't heard about safety concerns i.e., Russian roulette on the roads. I just ask respectfully that the Board keep in mind that the responsibility for these licenses and the safety of our community is on how many of these (if any) we request because I don't believe we need an inventory of them and I don't believe that liquor licenses are the only method that this town has to generate income.

Mr. Keegan stated to the Board that they need to close the warrant.

Ms. Brue asked for a motion to close the warrant.

Motion made by John Gray to reverse his previous motion and close the warrant at 8:10pm., on Tuesday, September 23, 2014. Seconded by Virginia Coppola. **Vote 5-0-0**

8:10pm - Release of Subdivision Funding – Sharon Wason/Chris Gallagher

Ms. Wason welcomed and introduced Chris Gallagher, Town Engineer to the Board. She gave a brief background to the Board of Chris' background.

Ms. Wason stated that last May at the annual town meeting the town had adopted a portion of the Subdivision Control Law which defaulted subdivision bonds the Planning Board has called or taken the money from. The process would be that the money would come into the town and then be re-appropriated through town meeting unless it is under \$100,000 then the Selectmen can approve it.

Ms. Wason and Mr. Gallagher came before the Board this evening for the first request to expend defaulted subdivision monies which are already in agency accounts of the town to complete the required improvements that they were pledged for.

Mr. Gallagher stated that he will go over the estimates that he has put together.

The two subdivisions are:

Fox Wood's (Carlton Lane) – This requires more substantial work that needs to be done (crack sealed, top course asphalt, damaged curbing, sidewalks, trees planted) and an engineering company will have to come in and set all the bounds that are required by the Planning Board that have been approved and are on the plan.

This will be roughly \$65,000 to complete.

Pleasant View – (Clarendon Street) - This is a shorter road and not as in bad shape. There are no sidewalks. There are only three houses in this subdivision and really all we have to do there is (crack seal, top course of asphalt, guard rail repair, detention basin repair).

At this point in time we have \$15,500 budgeted for that.

Ms. Wason stated that Mr. Gallagher was planning on making use of SERSG (Southeastern Regional Services Group).

Mr. Gallagher has already been in touch with the contractors giving them a heads up that we want to get this work done before the end of construction season. The more we can do now and get it wrapped up the better off we are come spring time when the Planning Board brings these streets to the town to have them accepted.

Ms. Brue asked what happens to the balances of these funds.

Ms. Wason stated that this is just the start, there needs to be signage, loam, grass seed, etc., but we felt the most critical was get the roads in good shape for traffic as they are only base coats, one is literally falling apart so they require a lot of attention sooner rather than later.

Mr. Gray asked what if there is unspent money.

Ms. Wason stated that it is to be returned with accrued interest to the person who posted the bond.

Further discussion ensued regarding the process of crack sealing, money, etc.

Motion made by Virginia Coppola to approve the expenditure of the escrow money held for Fox Woods and Pleasant View in order to the finish road up to town specifications. Seconded by David Feldman. **Vote 5-0-0**

Discussion

Mr. DeVellis asked so in the future they are leaving \$10,000 on the table because it is not done. Do they need to come back before the Board again.

Ms. Wason stated yes they would need to come back before the Board again.

8:20pm - RFP Town Counsel

Ms. Brue stated that everyone was provided with a copy of the document.

Ms. Coppola explained her changes/additions to the “Background on Foxborough” page.

Mr. DeVellis asked if the RFP should state the attorney should be within 50 miles of town.

A lengthy discussion ensued over the pros/cons of sending out an RFP before the three years of the letter of intent were up.

Ms. Brue asked if there were any comments on the RFP.

Mr. DeVellis stated that he wanted to know what we are going to do about the three years, are we going to stay with the three years.

Ms. Brue stated that if you look under Section 8 – Duration of Agreement shall be at the sole discretion of the Board of Selectmen but it is expected to be three years. Each firm/individual submitting a proposal is requested to detail its proposal on a one year basis.

Ms. Brue asked if there should be an insert there regarding “this will be an annual reappointment process”.

Mr. Keegan stated that it was the Board’s decision.

Mr. DeVellis asked if anyone had reached out to present counsel. Both Mr. Keegan and Mr. Gray had stated that they had.

Mr. DeVellis stated that shouldn’t the RFP state that we are looking for large firms in which Mr. Keegan stated multi-functioning.

Mr. Gray stated they are looking for breadth and depth. If the Board were to add that he feels it would limit the field but he thinks that it is a good thing to limit.

Ms. Brue asked if under “Duration and Agreement” they should let the language stand.

Mr. Keegan thought the language is reasonable language.

Ms. Coppola stated that she thought what is important is “the sole discretion of the Board of Selectmen”.

Ms. Coppola stated that she had very good reasons for deciding to go out for an RFP. When the Board had received the final documents for Splitsville, the Board had found language that they didn’t expect to be in there effecting their community policing plan and police funding for police.

Ms. Coppola stated that because both items were linked Foxborough could have lost them paying for the police officer.

Ms. Coppola further stated that she as a Selectman is looking out for the Town of Foxborough down the road.

Ms. Brue stated that each person has their own reasons and she did not want to go down this road.

Ms. Brue asked Mr. Keegan to look at the issue of the individual versus the large group. Individuals with their own affiliations to be spelled out clearly.

Mr. Keegan stated that if the Board goes out to bid with the verbiage of using larger firms that this would eliminate present counsel from consideration here. If it is the desire of the Board to look at a firm that is more diverse, that is fine you can still see those and compare to your current counsel. But if you put language in that is restrictive I wouldn't recommend that you do that.

Mr. Keegan further explained that the way that he understood this conversation was that the Board was looking to go out to RFP to evaluate what is out there. Then the Board has a decision to make at that point whether they want to retain your existing counsel or go to a new one.

Mr. Feldman stated that he thought it would be helpful to get information from other Boards as to some of the issues so when they are evaluating components that they can take those into account. We can ask specific questions.

Mr. Keegan asked if that was acceptable to the Board.

The Board said yes.

Ms. Brue asked for a motion to approve the RFP with Ms. Coppola's changes for the introductory piece.

Motion was made by John Gray to approve RFP for new Town Counsel as amended. Seconded by Virginia Coppola. **Vote: 5-0-0**

Open Meeting Law Complaint Procedure

Mr. Keegan stated that they had circulated to all of the various Boards and Committees the Open Meeting Law Complaint Procedure approved at the August 5, 2014 Board of Selectmen's meeting.

Mr. Keegan received one piece of feedback that the actual complaints have to be submitted to the Board that committed the violation; they cannot be submitted to us.

Mr. Keegan asked the Attorney General's Office their opinion of that and they decided that it probably was a concern.

Mr. Keegan went back and changed the language accordingly and resubmitted it for their consideration and they said it was fine.

Mr. DeVellis stated the Board of Selectmen start at Step 2. He feels that they should strike Step 1 altogether.

Mr. DeVellis stated the title should read "Town of Foxborough Opening Meeting Law Complaint Response Procedure".

Motion was made by John Gray to approve the amended Town of Foxborough Open Meeting Law Complaint Response Procedure and it's renumbering of the steps within. Seconded by Virginia Coppola. **Vote: 5-0-0**

8:55pm – Town Hall Update

Mr. Feldman stated that they had a follow up town hall meeting discussion that he felt was very productive. I don't think we are in full agreement with everyone on the committee but he feels they have a majority.

Mr. Feldman further stated that their biggest concern relative to the renovation is what is going to be left over in square footage and does it meet what the working group has identified as actual needs. Once you get into plan coordination and looking at ceiling heights and running sprinkler lines and eight foot ceilings you start to lose square footage.

They have sent out an RFP due in on October 10, 2014 and have had 29 respondents so far.

Mr. Feldman further stated that the interview of candidates will be from 10/20-24/14 and the committee will have a recommendation to the Board of Selectmen on or around 10/28/14.

The OPM is on a parallel path with that. The interview for the OPM will be from 10/27-31/14 with the recommendation to the Board by 11/11/14.

They will have a dollar amount to bring to Town Meeting.

Mr. Keegan stated that they are in the process of trying to do a public information campaign to the extent that if the Board is consistent with that effort that is certainly helpful. Mr. Keegan knows that this Board is unanimous in their support of this effort.

Unfortunately there have been a number of editorials circulated which have tried to derail people on this process. Mr. Keegan has actually had a conversation with people right off the cuff today. After he explained to them the information is not the full picture as to what you are supposed to be seeing it caused them to pause so that's what we want to do. We want to present residents with the full picture of what we have been doing.

A lengthy discussion ensued as to the building having no historic value.

Mr. Keegan is going to be doing a TV show on 10/10/14 about that. He is going to be speaking to several groups about the project.

Mr. DeVellis stated that Mr. Keegan had stated earlier that the vast majority of the Building Committee voted for this, is it really just one person.

Mr. Keegan stated yes, just one person.

We have taken pride in everything else that we have done this is the one piece that is remaining that needs to get done and I think that is the focal point.

Further discussion ensued as to presently there is no space in the present town hall to meet with clients except in the hallway.

Mr. Feldman stated that the committee thinks by building new you will get long term value for the dollars versus renovation or gut rehab where if you don't go all the way you are doing the town a disservice.

Ms. Coppola stated one of the fears that people had that if we tore down the town hall and rebuild it that it wasn't going to be similar to what we have now.

Mr. Keegan stated that there are a lot of people in the community that are very conservative and he recognizes that and they really respect that and they are the ones that want to make sure that we are spending their dollars wisely. That is exactly what they are trying to do here, is to spend the money wisely.

On top of that we have a plan to maintain it also.

Mr. Gray stated that wasn't something that existed in the town before. That is a key selling point.

Mr. Feldman stated that the other thing is the dollars are going to be clearly defined to the voters before they vote. It is not going to be open-ended, it is not going to be a budget number it will be an actual number.

Mr. DeVellis stated that if we had done this three years ago, the bids that are coming in now are a lot higher than they were three years ago. Luckily the interest rates have not gone up but every contractor that is out there is busy right now.

Mr. Keegan stated that a very important piece of information for the public to know is that every quarter that we miss by not doing this project is about a \$60,000 bump in the cost.

9:10pm - Town Manager Update

Mr. Keegan stated that he was at the ICMA Conference in Charlotte, North Carolina for five days and it was a great meeting. He was able to talk to a number of his colleagues throughout the country on a number of our projects and saw some great sessions on dealing with difficult issues such as the one we are dealing with. Mr. Keegan feels he has picked up a couple of strategies that he will be able to use.

Mr. Keegan received a lot of compliments on his new assistant. A lot of the Massachusetts people congratulated me on that selection so that was good news to hear that.

Mr. Keegan has been working on goals and objectives with all the department heads. I have been grouping people together in nodules of focus groups. I have a cultural and recreation group, I have had a health and human services group. I have had a public works group, a finance group, an education group as well as a public safety group.

We are bringing everyone together in those discussions and setting goals that way there is a cross pollination of ideas. Today was very interesting to watch how people that talk to each other all the time but they don't really think about themselves and how they can feed off each other and how they can make their programs more successful and reaching out to the community and making use of what they currently offer.

Mr. Keegan wanted to make the Board aware that at the next meeting he will be bringing them an agreement on the TSU's which are the ATV's vehicles that were donated to us by the Kraft Group for use at the stadium and for use in the community.

Mr. Keegan has an update from Attorney John Davis on the recent insurance case so he will be here to update the Board in Executive Session on that.

Motion made by John Gray to adjourn at 9:15pm. Seconded by Virginia Coppola. **Vote: 5-0-0**

Respectfully Submitted,

Debra A. Jarvis