

Tuesday, June 25, 2019
Board of Selectmen's Meeting Minutes
Foxborough Town Hall
Andrew Gala Meeting Room
6:30pm

Members present: Mark Elfman, Chairmain
Leah Gibson, Vice Chair
Edward T. O'Leary, Clerk
David Feldman
Chris Mitchell

Others present: William Keegan, Jr., Town Manager
Michael Johns, Assistant Town Manager
Amanda Smith, Community Information Specialist

Minutes generated by Amanda Smith

Chairman Elfman called the meeting to order at 6:30 p.m. and announced the BOS would be entering into Executive Session, or reconvene in Open Session at approximately 7:00 p.m.

1. Executive Session

Motion to Enter Executive Session to conduct strategy sessions in preparation for negotiations with nonunion personnel, if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares, to wit: William Keegan, Town Manager and Michael Johns, Assistant Town Manager; To conduct contract negotiations with nonunion personnel, if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares, to wit: William Keegan, Town Manager and Michael Johns, Assistant Town Manager; To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares with Police Union; and to Adjourn Executive Session and Return to Open Meeting made by E. O'Leary, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 5-0-0

Roll Call: E. O'Leary – Yes; D. Feldman – Yes; M. Elfman – Yes; L. Gibson – Yes; C. Mitchell - Yes

The BOS returned to open meeting at 7:08pm and M. Elfman read the agenda into the record. M Elfman said E. O'Leary is not in attendance for open session.

2. Citizen's Input

Pat Stevens, 63 Mechanic Street, came before the BOS to state that the YMCA has started their camp and there are some counselors crossing where cars are entering and some are not using the crosswalk. P. Stevens expressed concern about the safety of the counselors and kids crossing the street not on the crosswalks.

3. Foxborough Cultural Council Appointment - Appointment of Gwendolyn Stinson to the Foxborough Cultural Council for a 3-year term expiring 6/11/2022

Jared Craig, Chairman of the Foxborough Cultural Council (FCC), and Gwendolyn Stinson came before the BOS. J. Craig introduced G. Stinson to the BOS and nominated her for appointment to the FCC. J. Craig thanked the BOS for their continued support of the FCC and expressed enjoyment serving the Town. J. Craig

said G. Stinson is new to the Town and she has been attending recent meetings with a lot of positive energy and excitement. G. Stinson said she moved to the Town in 2016 with two daughters and all are artists. G. Stinson said her family loves the Town and have always been involved in the arts; would love to be part of the FCC. L. Gibson recalled meeting her at a past event and called out her energy. L. Gibson asked if FCC would be open to organizing reappointment cycles to two times per year.

Motion to Appoint made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

4. Public Hearing - Kraft Sports and Entertainment LLC. / Rolling Stones No Filter Tour - Gillette Stadium Event Application, July 7, 2019

Motion to Open the Public Hearing made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

L. Gibson read the public hearing notice into the record.

Jess Enos of Kraft Sports and Entertainment and George Bell of the Stadium Advisory Committee (SAC) came before the BOS to apply for the Rolling Stones Tour. J. Enos said the Stadium found out a few weeks ago that the show was rescheduled for July 7th and that fans who purchased tickets for the original show date had the option to get a full refund or hold on to the ticket to attend the later date.

J. Enos said the show is now on a Sunday, lots open at 3:30, gates at 6 and show starts at 7 with an opening act. A sold out show; expecting 52,000 fans in the building with a small GA space on the floor. An expensive show and have requested the MBTA run the train for the show.

G. Bell said the SAC reviewed the event application and that both Police and Fire saw no issues. G. Bell said this would be the first major concert with Regional Dispatch open and discussed again their ability to block short cuts as been open in the past and the Stadium has done a nice job rerouting traffic. G. Bell said rideshare programs have become so popular that the Stadium is looking at other ways to handle the increased number of fans arriving and leaving via rideshare. J. Enos said for now that normal drop-off and pick-up locations will still be in operation; a change may be coming in future years.

M. Elfman said he heard Waze does not use Beech Street anymore, after the last two concerts at the Stadium; J. Enos said they were able to be proactive and followed up with residents who raised concerns in the past. G. Bell said he heard from a resident on Beach Street and he was pleased with the improvements.

No questions from the public.

Motion to Close Public Hearing made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

Motion to Approve Gillette Stadium Event Application for the Rolling Stones No Filter Tour on July 7, 2019 made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

G. Bell said Frank Barresi of the SAC will be retiring and has been on the SAC since the beginning. G. Bell said he has been an advocate for the Town and wanted to give the BOS a heads up.

5. Public Hearing - New England Authentic Eats, LLC d/b/a Papa Gino's, 211 North Street - Applications for On Premise Annual Wine and Malt Restaurant License, Common Victualler License, 7-Day Entertainment License and Automatic Amusement License

Motion to Open the Public Hearing made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

L. Gibson read the public hearing notice into the record.

Joann Northop, manager at 211 North Street, came before the BOS because they are seeking an alcohol license with a few automatic amusement games. L. Gibson clarified this is a new license as there is new ownership of the company. C. Mitchell asked if the Town has available licenses; B. Keegan said the Town has two that are being requested at the meeting tonight. M. Elfman asked about alcohol education; J. Northrup said all have been trained.

No questions from the public.

Motion to Close Public Hearing made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

Motion to Approve New England Authentic Eats, LLC. d/b/a Papa Gino's at 211 North Street Applications for On Premise Annual Wine and Malt Restaurant License, Common Victualler License, 7-Day Entertainment License and Automatic Amusement License made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

6. Public Hearing - New England Authentic Eats, LLC d/b/a Papa Gino's, 8 Commercial Street - Applications for On Premise Annual Wine and Malt Restaurant License, Common Victualler License, 7-Day Entertainment License and Automatic Amusement License

Motion to Open the Public Hearing made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

L. Gibson read the public hearing notice into the record.

Mr. Duane Dunn came before the BOS as the manager of the 8 Commercial Street location to request the alcohol license. L. Gibson asked if this would be the last beer and wine license available; B. Keegan confirmed. M. Elfman asked if he and his staff have completed the required training; Mr. Dunn said yes.

No questions from the public.

Motion to Close Public Hearing made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

Motion to Approve New England Authentic Eats, LLC. d/b/a Papa Gino's at 8 Commercial Street Applications for On Premise Annual Wine and Malt Restaurant License, Common Victualler License, 7-Day Entertainment License and Automatic Amusement License made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

7. Stakes are High event on the Town Common - Discussion

Kris Perry Long and Lynda Walsh came before the BOS to discuss this event proposed on the Common. K. Long said she is hoping to set up over 7800 flags on the Common on 8/24 to be taken down on 9/1 that will conclude with a speaker event. The flags would be in different colors to call attention to different years. This has never been done before. August is International Overdose Awareness month and usually people have visual during the month of August. K. Long said they propose to use small landscaper flags for the visual impact. K. Long said she has wanted to do this for a long time and has teamed up with the Jaycees to put on this event; wants to bring to light this growing issue.

M. Elfman asked for clarification of location for flags; L. Walsh said the flags will be near the bandstand and not interfere with the Farmers Market and the Concerts on the Common will be done on August 15th. L. Walsh said the flags will not go beyond the flag pole. K. Long said they intended to do larger flags but the high cost made them decide to put that money toward treatment options and use smaller flags. D. Feldman said 7800 flags of any size will have a great impact. K. Long said they will use periodic lawn signs to show sponsorship and will show the numbers of lives lost per year, as well as where the numbers come from using the Medical Examiner facts.

K. Long said they would like to invite some foundations to the September 1st close of the event that provide resources to those seeking treatment or help. M. Elfman said it will be a great event; L. Walsh said it is an event that will grow over the years and spread.

L. Gibson asked about sponsorship signs on the Common; L. Walsh said the sponsors will probably not go on the lawn signs given the decision to now use the smaller flags. K. Long said they have a website that they can use to show sponsors instead of on the lawn signs.

Motion to Approve Event made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

8. FY19 Reserve Fund Transfers - BOS to Review and Discuss FY19 Reserve Fund and Town Manager Transfers

B. Keegan said there are two types of fund transfers and will be meeting with the Advisory Committee tomorrow night at their meeting. B. Keegan said the Town is requesting to transfer \$184,000 within the various departments and the funds are available to transfer due to vacancies and other factors, in addition to budget management. B. Keegan said the overall cost impact is $\frac{1}{4}$ of 1% of the overall Town budget. The increase in transfers this year include shortfalls in the finance department and paying for temporary positions.

B. Keegan said the Reserve Fund transfer is primarily for the legal budget and was anticipated in the months prior. B. Keegan said the Town is requesting to transfer the same amount as last year, \$75,000, and should account for all remaining FY19 bills. M. Elfman asked if B. Keegan already gave AdCom a heads up; B. Keegan said he did that last week. C. Mitchell asked if B. Keegan presented the higher Town Manager transfer number

to AdCom last week; B. Keegan said yes. D. Feldman asked where the money not transferred goes; B. Keegan said it goes to free cash.

9. Parking Lot Agreement with Schneider Electric - BOS to Discuss and Vote to Approve Agreement

B. Keegan presented the agreement for use of parking spaces at Schneider Electric and stated it has been reviewed by counsel and finalized for the BOS to approve and sign. D. Feldman asked if the Town has an estimated cost for maintaining these spaces; B. Keegan said he can get that number but it would largely be maintenance and snow removal. L. Gibson asked about the site plan and barriers; B. Keegan said a barrier will be built to keep people from entering their property with a sign for no overnight parking.

Motion to Approve Agreement made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

The BOS and the Town Administration thanked Schneider Electric for this agreement.

10. Re-Appoint Interim Finance Director/Town Accountant - Town Manager Recommendation for BOS to Re-Appoint Christine Dupras as Interim Finance Director/Town Accountant

B. Keegan said he recommends the BOS reappoint Christine until July 8th, her last day as she has accepted a new position in another community. B. Keegan said the Town is making progress is filling the Finance Director position and aiming for a candidate in place by the end of July. B. Keegan said the Town has posted the position for Christine's position already. L. Gibson said having both positions posted could be great because a candidate that may not be right for the Finance Director position may be better suited to fill the Director of Accounting position (formerly known as the Assistant Town Accountant) D. Feldman asked if Munis is widely used; M. Johns said it is one of the two most used programs in the municipal setting. B. Keegan said the position name was changed to Director of Accounting as suggested by Todd Hassett and Bill Yukna who are on the hiring committee for the Finance Director.

Motion to Re-Appoint Christine Dupras as Interim Finance Director/Town Accountant until July 8, 2019 made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

11. Town Manager Evaluation - BOS to Discuss Summary of Results from Town Manager Evaluation

C. Mitchell said he met with M. Johns months ago to discuss process and if there are better and discussed this was the process as based on best practice. C. Mitchell said all reviews were sealed and opened together in his office when compiling the review summary. C. Mitchell said he agreed with the BOS in the past that a public dialog is valuable and that the comments in the summary concluded are not edited or trimmed. M. Johns said the summary includes full quotations from each member of the BOS at the time that completed an evaluation. M. Johns said almost all of the BOS have met with B. Keegan to review their evaluation with him and if anyone hasn't yet done so he is open to that.

D. Feldman said doing an evaluation requires complete honesty and constructive comments and sitting down with the individual under review and not doing so is doing everyone a disservice. D. Feldman said the comments are the most important part of the evaluation and leaving it blank or not standing by it is useless. D. Feldman said he hopes that Department Heads take the comment sections seriously with their direct reports because they have tremendous value and weight for improvement and to track progress. M. Johns said the Town

Manager has pushed for comments over the years and it has been carried through the years that the comments are an important tool that must be filled out.

C. Mitchell said the theme shared by most is that this was a challenging year as indicated in the summary. C. Mitchell highlighted some accomplishments from the past year including the following:

- Successfully appointed new Fire Chief and Assistant Town Manager from internal candidates;
- Successfully negotiate labor contracts with three different bargaining units;
- Presented a balanced budget while still leaving room to replenish free cash and stabilization;
- Representing Foxborough as Chairman of the SEMRECC Board of Directors
- Led the efforts to successfully regionalize dispatch with Foxborough, Norton, Easton and Mansfield
- Ensured completion of the RFP selection process for the former Fire Station/Funeral Home property
- Continued to look for ways to save the residents of Foxborough money and most people don't see that;
- Led the Town and avoided litigation during a very complex HR issue; and
- Continued smart, economic growth by partnering with community and businesses.

L. Gibson said she expected an average score to be on the evaluation; M. Johns said the average was 3.16. L. Gibson said the average should be included on the summary; M. Johns agreed. L. Gibson said there is room for improvement on the evaluation form and process and said she thinks the average value should be included to provide context. D. Feldman said that is why having the sit down and going over the comments are most productive. D. Feldman said the summary is for the public record and the most important part of the evaluation is sitting down with the Town Manager and including all written comments. L. Gibson suggested the Town look at the process as a whole for the future. M. Johns said the areas of improvement in the summary are taken verbatim from the evaluations.

C. Mitchell said when he met with B. Keegan he only discussed where he thinks he could improve; provided constructive feedback and did not sit there and just give him compliments. L. Gibson reiterated that she thinks a section should be added to future summaries that is about areas of improvement, specifically.

C. Mitchell asked if the Town is looking for a new software platform to handle performance evaluations and applications; M. Johns said the Town is looking at existing systems for potential leverage to fit these needs. M. Johns said the Town is being strategic and are looking to understand more about the extensions of the already existing programs in use. C. Mitchell said an average score of 3.16 is a favorable review and per the Town Manager's contract, the Town is legally obligated to compensate him for it.

M. Elfman thanked C. Mitchell for taking charge of this process as he was the Chairman of the previous year. B. Keegan thanked everyone for their feedback and his goal is always to try and improve no matter how many years he is on the job. L. Gibson said no one could say he had an unsatisfactory year.

12. Selectmen's Update

L. Gibson sent out a thank you to all of the great teachers in the Foxborough School system and to all who help their kids throughout the school year.

M. Elfman said MassDEP has responded to the Town stating they approved the PSS of Schneider Electric but identified that there is public interest in this matter and MassDEP said they are going to keep this on their radar. M. Elfman said the Town has sent this letter to Town Counsel for review and possible next steps.

M. Elfman asked the Town Manager about the Town's Financial Audit; B. Keegan said he recommended to the BOS that the auditor attend a future joint meeting with the BOS and the AdCom to review the audit and

the financial position of the Town. M. Elfman asked when that would occur; B. Keegan said sooner rather than later and to consider a joint meeting with the AdCom. M. Elfman suggested having this on the agenda within the next two meetings.

13. Town Manager's Update

B. Keegan said he and M. Johns attended the commencement ceremony for those who graduated from the Suffolk University Certificate Program in Local Government Leadership and Management. The Town hosted the program here at Town Hall. B. Keegan said there were three employees who graduated and were pleased to be there for Aaron Hyre, Veronica Harvey and Christina Metcalf. B. Keegan offered congratulations to all three of them and would like to bring them before the BOS for congratulations. B. Keegan said M. Johns also completed the program; M. Johns said it is a great program and echoed B. Keegan's message of congratulations; very proud of them!

B. Keegan said the Town hosted a Civic Engagement Focus group last Thursday that was attended by a diverse group of residents who had completed the housing survey put out in April. B. Keegan said it was a great event and there will be future events in the summer and fall. This a program that is led by the residents of Foxborough; the Town is there to help facilitate their plan and vision. M. Johns said this focus group and civic engagement design can be applied to any issue in the future that is identified by the residents as being of great importance. M. Johns said if you get a Town survey, we ask that you consider filling it out and returning it as we use that information for future participation.

M. Elfman said the speaker at the Economic Development breakfast spoke in great length about housing issues across the State; B. Keegan added that is the goal of the Town that the residents need to be part of the discussion as they live here and are invested in the community.

B. Keegan said the Town is getting good feedback about the website and that we are going to have a demonstration and presentation for the BOS at the July 9th meeting. All are encouraged to provide input and changes to the website.

14. Assistant Town Manager's Update

M. Johns said the Town has posted a job opening in the Assessor's Office as the Office Coordinator. M. Johns said this job position was reviewed and restructured to included shared duties throughout the Finance Department to help the team.

15. Action Items

15.01 BOS Approve Reappointment of Boards and Committee Members with terms to expire 6/30/2020 and 7/1/2022

Motion to Reappoint made by L. Gibson, motion made second by D. Feldman

Discussion: L. Gibson suggested revisiting the composition of the EDC, numbers of members and if representation of other businesses in Town should be considered. C. Mitchell said these are 1-year terms so it can be looked at and the terms could be staggered. L. Gibson also said some members may not be residents of Town. D. Feldman said when the EDC was created it was discussed to have representative from the two largest businesses in Town. L. Gibson suggested more definition and broadening the makeup of the EDC. M. Elfman suggested approve the reappointments and use the coming months to present changes.

Final Resolution: Motion Carries 4-0-0

15.02 Public Event Application - Wampanoag Road Runners 25th Annual Old Fashioned 10 Mile & 5K Road Races on 2/16/20 (snow date 3/8/20) to start at 10:00 a.m.

Motion to Approve made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

15.03 Foxboro Realty Associates - Approval of (2) 1-Day Wine & Malt Beverage Liquor License Applications for July 20 & 21, 2019 for the Mad Decent Music Festival

Motion to Approve made by L. Gibson, motion made second by D. Feldman

Discussion: M. Elfman asked for clarification of the applicant; B. Keegan said it is a division of the Kraft Group.

Final Resolution: Motion Carries 4-0-0

15.04 Historical Commission - Acceptance of Gift Donation of \$625.00 to the Foxborough Historical Commission from Cherie Goodwin - Proceeds of Founders Day Quilt for cemetery restoration

Motion to Approve made by L. Gibson, motion made second by D. Feldman

Discussion: M. Elfman said it was a beautiful quilt.

Final Resolution: Motion Carries 4-0-0

15.05 Recreation - Acceptance of Gift Donation of \$200.00 to Foxborough Recreation from the Court Queen of Peace/Catholic Daughters of America for Booth Summer Program Scholarships

Motion to Accept made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

15.06 Recreation - Acceptance of Gift Donation of \$2,400.00 to the Recreation Department from Igo Cares to pay for 5 children to attend the 2019 Booth Summer Program

Motion to Accept made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

15.07 BOS Approve minutes from 5/28/19 and 5/29/19

Motion to Approve 5/28/19 made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0

Motion to Approve 5/29/19 made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 3-0-1

16. Adjourn

Motion to Adjourn at 8:36pm made by L. Gibson, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 4-0-0