

Tuesday, August 20, 2019
Board of Selectmen's Meeting Minutes
Foxborough Town Hall
Andrew Gala Meeting Room
6:30pm

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

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

Others absent: Michael Johns, Assistant Town Manager

Chairman M. Elfman opened the meeting at 6:30 p.m. and announced that the BOS would be entering Executive Session.

M. Elfman reopened the open session at 7:00 p.m. and read the agenda into the record.

2. Citizen's Input

Paul Dumas, President of the Friends of Foxboro Seniors said he appreciates what the BOS do and for their personal efforts and family efforts to serve the Town. He said he has seen a lot of Department Heads leave in the past and wanted to thank Bill for all he has done for the Town in his time here and wish him well in all of his future endeavors.

3. Eagle Scout Proclamation - BOS to Present Town Proclamation to Corey Hall

Corey Hall came to the table before the BOS with his mother and father. Chairman Elfman read the Proclamation into the public record.

4. Continued Public Hearing - Municipal Conversion Permit - Applicant has requested a continuance

M. Elfman and L. Gibson recused themselves from the public hearing discussion. E. O'Leary read the letter from the applicant submitted to the BOS requesting a continuance to a future, scheduled meeting.

Motion to Continue the Public Hearing to Thursday, September 12, 2019 at 7:05 p.m. made by E. O'Leary, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 3-0-2 (2 recused)

5. Council on Aging/Human Services Advisory Executive Board - Presentation to the Board of Selectmen about the Senior Center

Millie Greene, Chairperson of the COA/HS Advisory Board and Helen Olsen, Vice Chair of the COA/HS Advisory Board, came before the BOS requesting the BOS authorize funds for the COA/HS AB to hire a consultant to perform a feasibility study for a larger Senior Center.

Marc Craig came to the table to answer questions from the BOS. M. Craig said he presented to this BOS last year around this time. C. Mitchell said M. Craig has done a phenomenal job over this past year. M. Elfman said

this is at the very early stages and suggested a sub-committee be created to discuss the ideas for the future and goals/expectations. M. Craig said the now 21-year old Senior Center was designed as a focal point and have since out grown the space and have seen program attendance double in size over the past year. M. Craig said they have become creative with their space and business hours to accommodate as many programs as possible and is in keeping with his philosophy to offer as many programs as possible. M. Elfman asked if there are possibilities for expansion in the current building and how parking would hold up; M. Craig said he is not an expert in construction but said that no matter the expansion there is not enough parking for the increased number of programs and attendance.

B. Keegan thanked Millie and the entire Advisory Board for attending the meeting tonight and thanked Marc for his excellent work in Town. B. Keegan said this subject had come up at his monthly meeting with the seniors and the first step is to garner interest in this idea and identify the need. B. Keegan said he is glad to hear the increased success at the Senior Center and expressed the need to look into a feasibility study. B. Keegan said this is a growing population in Town and aging in place is a desired option as expressed to him. B. Keegan said that a project like this would require a Town Meeting vote.

Paul Dumas said the Friends have historically been very involved in fundraising efforts and thinks everyone is on the same page here for help.

M. Elfman said the BOS will develop a sub-committee and hopefully get this on the STM warrant in the Fall to request funding.

6. Application for Change of Manager - Foxborough Regional Center for the Performing Arts d/b/a Orpheum Theater

James DeVellis, Robert Canfield, Bob Siteman and Rachel Calabrese came before the BOS to present the application for change of manager on the annual liquor license.

J. DeVellis said the previous manager of record to be listed in the license as the alcohol manager has moved out of Town and the Board of Directors voted to appoint Rob Canfield to fill the vacant manager position. J. DeVellis said this is not a traditional liquor license and said two years ago, a group of volunteers joined together to preserve the theater building and to ensure it remains a vibrant part of the Downtown area. This group of volunteers also wanted to bring back the arts to the Town. J. DeVellis said the Theater got 501c3 status as of a couple weeks ago and appointed an interim Director a couple weeks ago. J. DeVellis read aloud Ms. Emily Garvin's background in the arts.

J. DeVellis thanked the Board of Directors for all of their continued hard work. J. DeVellis said the theater now has employees who are supported by a large of volunteers. R. Calabrese said the new Interim Director shadowed the Director of the Stadium Theater in Woonsocket and has a tremendous amount of experience.

R. Canfield said he has had an alcohol promotion business for the past couple of years and has enabled him to do promotions or educations for companies that hire him. R. Canfield said he has done private parties in the past and has been the in-house expert on the alcohol being served. R. Canfield said the theater has always been an important part of their lives since moving to Town in 1995. R. Canfield said he was previously certified in off-premise liquor services and went through the certification for on premise liquor services and said he was excited to help the theater through this time of transition. R. Canfield said he and the theater have discussed being very conservative in how the rules and regulations regarding alcohol are interpreted.

Motion to Approve Foxborough Regional Center for the Performing Arts d/b/a Orpheum Theater Application for Change of Manager from Teresa Devlin to Robert Canfield made by E. O'Leary, motion made second by D. Feldman

No further discussion

7. Discussion re: Grade Crossings in Town - Discussion regarding grade crossings and "Quiet Zones" along railways in Town

Todd Hassett and Don DiMauro came before the BOS to discuss the recent changes in rail activity in the County Street neighborhood area. T. Hassett read aloud the following information regarding the past two years of rail activity in the area:

- Summer 2017 Construction - reconstruction
- CSX Freight – primary hours 12:00-5:00am (must yield to Commuter Schedules (Mansfield, Gillette)
- Cars expanded from typical 20-25 up to 80-100
- Excessive idling, whistles, coupling, disruption
- Blocking grade crossings, particularly Spring St
- Mechanical problems, car fires, derailment
- Summer 2018 Construction – side rail on County (expanding the Mansfield Train Yard into Foxboro)
- Storage of cars behind homes – County/Belcher
- Sundays & Holidays – early morning trains

T. Hassett said there have been three community meetings to gather input and have they have participated in small, working group meetings and noted an improvement in behavior. T. Hassett said train cars have been parked behind the homes in this neighborhood and noted that of the eight grade crossings in Town, three have been reconstructed. T. Hassett said they are concerned about blocking roads at grade crossings and about what is being carried through Town. T. Hassett said CSX has been open with them when asked about future service and have said they are interested in using these rail lines more for freight transport.

T. Hassett offered the suggestion of installing gates at the grade crossings and other infrastructure to ensure safety in place of the using the train horn; use the horn only in emergency situations. T. Hassett said this is done in over 20 other eastern Massachusetts communities as asked the BOS to consider the installation of gates in place of the horn. Representative Jay Barrows came to the table to discuss the rail expansion and the partnership between MassDOT and CSX for freight service. Rep. Barrows said the quiet zone would have to be supported by the Town and then presented to the necessary agencies to discuss execution. C. Mitchell asked who would paid for the quiet zone construction; Rep. Barrows said the program is federally-managed so any funding provided would be determined by the federal agency. B. Keegan thanked T. Hassett and D. DiMauro for their diligence on this effort and expressed liability concerns for becoming a quiet zone. B. Keegan suggested creating a sub-group with representation from the BOS, Town Administration, state and federal agencies, as well as neighborhood representatives to go through this process.

8. Police Chief Recruitment and Recommendation - Town Manager presentation about the Police Chief recruitment and recommendation

B. Keegan summarized the process for Police Chief recruitment and recommendation:

Developed by the Town Manager, Assistant Town Manager and Police Chief in consultation with the Board of Selectmen and then reviewed with each candidate, the process to select the next Police Chief spanned approximately 4 months, beginning with initial discussion and design of the process in April 2019. Two candidates submitted their credentials for consideration- Lt. Richard Noonan and Lt. Michael Grace.

Identified as a necessary and important first step in the process, a panel of experts were assembled to interview each candidate and to garner recommendations based on the future of policing in the profession. The Future of Policing Panel included nationally-recognized experts on the issues of opioid addiction, gender equality,

biased-based policing, hate crime and extremism and mental illness. The panel convened on July 26, 2019 and met with each candidate individually.

A Police Chief Assessment Center was conducted next on July 31, 2019 at the Foxborough Town Hall. The Assessment Center panel was assembled and was facilitated by the outside consulting firm, MMA Consulting. MMA Consulting is regarded by many communities around the Commonwealth as one of the top firms for conducting Assessment Centers. The panel consisted of a third-party facilitator and three retired Police Chiefs who evaluated each candidate on multiple police management-related topics.

Another integral part of the process was the use of a Community Representative Panel. A total of 13 individuals participated as representatives from Foxborough to interview each candidate. The Community Panel consisted of the School Superintendent, the Chair of the School Committee, the Chair of the Board of Selectmen, the Town Manager, the Assistant Town Manager/Human Resources Director, a member of the local clergy, the Executive Director of the YMCA, the Fire Chief, a member from the Stadium Advisory Committee, a member from the Foxborough Common Business Collaborative, the Director of the Council on Aging/Human Services and a representative from the Kraft Group. A representative from Schneider Electric was also invited to participate but was unable to attend. B. Keegan's statement to be read at August 20, 2019 BOS meeting due to various scheduling conflicts. The Community Panel met with each candidate at Foxborough Town Hall on Tuesday, August 13, 2019. The Board will recall that a similar panel was assembled during the last Police Chief Selection Process when Chief Baker was selected.

Upon completion of all of the selection process steps, I was presented with the findings for each candidate. In keeping with standard protocol, I then conducted a final, one-on-one interview with each candidate. The Assistant Town Manager/Human Resources Director observed and participated in this final interview.

In the end, the candidate who attained the highest result from this process is Lt. Michael A. Grace.

After reaching this conclusion, I met again with each candidate, individually, to announce the result. The candidates were afforded an opportunity to review the results with the Assistant Town Manager/Human Resources Director.

At this time, I would like to present to the Board the next Chief of the Foxborough Police Department, Michael A. Grace.

As a final step in the process following tonight's meeting with the Board, it would be my intention to sit with Mike and negotiate a contract with him and present it to the Board for your review and consideration at an upcoming meeting. Currently, Chief Baker is retiring in the first week of October. His plan is to spend the remainder of his time here in Foxborough preparing and assisting Mike to take over as Police Chief following his departure.

B. Keegan said he is very grateful to both candidates who did an outstanding job throughout this process and both performed extremely well during this process. B. Keegan said the level at which both candidates excel is a testament to both Chief Baker and former Chief O'Leary who hired them.

M. Grace thanked the BOS, Town Administration, Chief Baker and his family and expressed tremendous thanks to his colleagues and his friend and academy-made, Lt. Richard Noonan. M. Grace thanked former Chief O'Leary for hiring him and showing him the importance of teamwork. M. Grace said he sits here because of his team members in the Foxborough Police Department and the Town of Foxborough is very lucky. M. Grace said he looks forward to leading this team for many years into the future.

The BOS congratulated Lt. Michael A. Grace on this promotion and thanked Lt. Noonan for his hard work and continued service.

9. Selectmen's Update

L. Gibson thanked the Recreation Department for another successful summer program this year. L. Gibson said her kids and other kids had a great summer and thanked the staff for another great summer.

M. Elfman announced that the Norfolk County Registry of Deeds will be holding office hours on September 12, 2019 from 10:00 a.m. to 12:00 p.m. in the Andrew Gala, Jr. Meeting room to answer any and all questions. No appointment is needed.

M. Elfman said he and the rest of the BOS received a letter from Melissa Foster about a plastic bag ban and spoke with B. Keegan about this topic. B. Keegan suggested inviting in a member from the Mansfield BOS who serves on the Keep Massachusetts Beautiful group to attend a future meeting to discuss plastic bag bans.

10. Town Manager's Update

B. Keegan said he received the updated statistics from Regional Dispatch from Director, Robert Verdone. R. Verdone said SEMRECC opened July 1, 2019 for Mansfield/Foxborough and also opened the ability to take 911 calls from cell phones located in the area.

E. O'Leary asked how many people are still calling the 543-1212 numbers; R. Verdone said very few due to their increased campaign and have developed a system to handle calls that still come in. B. Keegan said he received these statistics from R. Verdone this evening and felt it necessary to update the BOS and the public tonight on the status of operations since the changeover to Regional Dispatch on July 1st. L. Gibson asked if staffing changes need to be made long-term to address the increased call volume than previously anticipated; R. Verdone said the discrepancy was difficult to predict given the inclusion of cell phone calls and are regularly discussing with staff about current operations and where any changes should be made, as needed. R. Verdone said his staff is phenomenal. Resident Mr. Bob Murphy asked how many 911 calls are actually 911 calls; R. Verdone said about 30% of calls to the Regional Dispatch center are determined to be non-emergencies.

B. Keegan said the Town received notification from the National ISO Agency that Foxborough ratings have increased over 10% in commercial and residential inspections since 2011 based on their findings.

B. Keegan asked the BOS to considered closing the Special Town Meeting Warrant at their first meeting in September. M. Elfman asked if a placeholder could be placed on the STM Warrant for the COA/HS.

Motion to close the Special Town Meeting Warrant on September 10, 2019 made by E. O'Leary, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 5-0-0

11. Action Items

11.01 BOS - Reappointment of (42) Election Workers for a 1-year term expiring 8/30/20

Motion to Reappoint (42) Election Workers for a 1-year term expiring 8/30/20 made by D. Feldman, motion made second by C. Mitchell

No further discussion

Final Resolution: Motion Carries 4-0-1 (E. O'Leary recused himself)

11.02 Saga Steakhouse- Approval of early liquor license extension request of 11:00 a.m. for New England Patriots Sunday home games on 9/22/19, 10/27/19, 11/24/19, 12/8/19, 12/22/19 and 12/29/19

Motion to Approve Saga Steakhouse Early Liquor License Extension Request of 11:00 a.m. for New England Patriots Sunday home games on 9/22/19, 10/27/19, 11/24/19, 12/8/19, 12/22/19 and 12/29/19 made by E. O’Leary, motion made second by D. Feldman

Discussion: L. Gibson clarified for the record that the letter requests all home games, except for two games; M. Elfman said the two missing games are night games.

Final Resolution: Motion Carries 5-0-0

11.03 Block Party Application - 122 East Street on Saturday, August 24, 2019 from 2:00 p.m. to 10:00 p.m. (music to end by 8:00 p.m.)

Motion to Approve Block Party Application for 122 East Street on Saturday, August 24, 2019 made by E. O’Leary, motion made second by D. Feldman

Discussion: E. O’Leary asked about parking on East Street and if it would be blocked. A. Smith said the applicant does not anticipate parking any cars on East Street and will utilize public parking lots to shuttle guests back and forth; prevent disruption of neighbors and the area. C. Mitchell asked if the BOS could condition the

Final Resolution: Motion Carries 5-0-0

11.04 Veterans - Acceptance of Gift Donation of \$20.00 to Veterans Services from Lorraine Hocking to the General Gift Fund in Memory of Ted Ellis

Motion to Accept Gift Donation of \$20.00 to Veterans Services from Lorraine Hocking to the General Gift Fund in Memory of Ted Ellis made by E. O’Leary, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 5-0-0

11.05 Veterans - Acceptance of Gift Donation of \$185.00 to the Veteran Services Department from Peter Betro, Jr., Richard & Norma Leemon and Brian & Muriel Newton in Memory of Ted Ellis

11.06 Veterans - Acceptance of Gift Donation of \$50.00 to the Veteran Services Department from Mr. and Mrs. Breslin in Memory of Ted Ellis made by E. O’Leary, motion made second by D. Feldman

11.07 Approve 7/15/19 Meeting Minutes

Motion to Approve 7/15/19 Meeting Minutes made by E. O’Leary, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 5-0-0

12. Adjourn

Motion to Adjourn at 8:38 p.m. made by E. O’Leary, motion made second by D. Feldman

No further discussion

Final Resolution: Motion Carries 5-0-0