

Tuesday, April 23, 2024
Select Board Meeting Minutes
Gala Meeting Room
Town Hall, 40 South Street
7:00pm

Members Present:

Mark Elfman, Chair

Leah Gibson, Clerk

Dennis Keefe

Seth Ferguson

*Stephanie McGowan

*Attendance via Zoom

Also Present:

Paige Duncan, Town Manger

Katie Lang, Executive Assistant

All Select Board meetings are recorded and broadcast by Foxboro Cable Access on Government Channel 22/38 and at FCATv.org/live

1. 7:00pm - Citizen's Input

Diana Griffin, 2 Joseph Road – Thank you for your service, Leah Gibson!

2. 7:05pm - Change of Manager Application for Big Night Ventures Foxboro LLC dba The Scorpion Bar & Mexican Cantina at 253 Patriot Place.

Review & Vote on the Change of Manager Application for Big Night Ventures Foxboro LLC dba The Scorpion Bar & Mexican Cantina at 253 Patriot Place from Michael Lisitza to Kelsea Coulter.

Kelsea Coulter, General Manager, Frank Pontoriero– Vice President of Operations for Big Night. General Manager for over 10 years. Been with Big Night as a GM for the last three years, crowd control certified and TIPS certified. Kelsea has been one of the best GMs that Big Night has ever worked with, expect great things.

Motion to approve the Change of Manager Application for Big Night Ventures LLC dba The Scorpion Bar & Mexican Cantina at 253 Patriot Place from Michael Lisitza to Kelsea Coulter, by L. Gibson, 2nd by S. Ferguson.

Approved. Roll Call. Dennis – Yes. Leah – Yes. Seth – Yes. Steph – Yes.

3. 7:15pm - Foxborough Affordable Housing Trust

Discuss & Vote on use of Affordable Housing Trust funds for payment of \$12,500.00 to MassDevelopment as repayment for Phase II of the Walnut Affordable Housing pre-work.

Discuss & Vote on use of Affordable Housing Trust funds of \$70,000.00 to be committed to Phase II of the Walnut Street Housing Project.

Foxborough Affordable Housing Trust fund was originally funded when State Hospital was being redeveloped. There were supposed to be affordable units there but then the 2008 recession hit. Developer, Doug King and the Planning Board were trying to salvage the project so they worked together to create an affordable housing trust in lieu of the affordable units, bought down these units. In 2015, the trust was just sitting there, \$320,000.00 too much to do nothing, but too little to do anything. Walnut Street Project came along. With MassDevelopment doing some project work in two phases. One stipulation is if you sell the property within X

amount of time, we would owe the money back. We have already paid off our debt for phase one and looking to use the balance of the fund and pay \$12,500 because we have the 50% discount. Committee met on April 2nd, first vote was to take remaining balance and pay down the balance and then take the remaining balance towards the Phase II. There might be interest so I can't say it will be zero. They did vote but we need the Select Board to ratify.

Motion to approve a payment of \$12,500.00 to MassDevelopment as repayment for Phase II of the Walnut Affordable Housing pre-work, by L. Gibson, 2nd by S. Ferguson.

Approved. Roll Call. Dennis – Yes. Leah – Yes. Seth – Yes. Steph – Yes.

Motion to approve \$70,000.00 of the Affordable Housing Trust fund to be committed to Phase II of the Walnut Street Housing Project, by L. Gibson, 2nd by S. Ferguson.

Approved. Roll Call. Dennis – Yes. Leah – Yes. Seth – Yes. Steph – Yes.

4. 7:20pm - New Street "Eisenhauer Lane" – Ridge Road Subdivision

Discuss & Vote on new street, "Eisenhauer Lane" in the Ridge Road Subdivision.

We work off an approved street listing but its running low. This was also a street that wanted to honor this name so as the road wardens, this needs to be approved by the Board. Michael is our Plumbing Inspector as well as his son is a plumber. This is under review right now and the Planning Board would need to approve after this.

On behalf of my client, FED CAP, Inc., I request that the Foxborough Select Board name a new roadway to be constructed on Ridge Road after Thomas Eisenhauer, who for 28 years was the Foxborough Health Agent and Foxborough Plumbing Inspector. Mr. Eisenhauer moved to Foxborough in 1969 and established his business, T. J. Eisenhauer Plumbing, and raised his three children; Jeff, Michael & Jennifer. He was the Foxborough Board of Health Agent from 1976 to 1988 and was also the Foxborough Plumbing Inspector from 1976 to his retirement in 2004. His son Michael, a Foxborough resident, took over that position in 2004 after his retirement and holds it to this day. His grandson Michael, Jr. is also a plumber and a Foxborough resident.

Neil Kaiser, 11 Ridge Road, Veteran. Think about Veterans that have given their lives as a possible street name. A street corner plaque is just not enough. Gerald Metcalf, Arthur Brown, Gerald Kingsman, Joseph Cook, Mark Grigby, etc. They should be recognized.

Can work with the new Veteran Service's Officer on names. We will connect everyone to work on this list.

HOLD. No action taken by the Select Board.

5. 7:25pm - Boards & Committees Review

Discuss upcoming Boards & Committee Re-Appointments & overall process.

Annual Process. Reappointment inquiry letter has been sent out as of today. Those 128 spots or the 100 individuals will have till May 1st to get the letter back to the Town Manager's Office. Those seats that remain open will be advertised May 8th and then all reappointments or new appointments will be done May 21st. After that, appointment letters will be set out. Stressing the importance of being sworn in in a timely manner. We re did our Request for Committee appointment form which has a few more questions and a general overview of the process.

Need to make sure the Board is not just rubber stamping the reappointments. Board wants to make sure that we are reviewing each appointment.

6. 7:35pm - Town Manager's Update

Around Town Updates: Election – Annual Town Elections, Monday May 6th 7:00 a.m. - 8:00 p.m. (Ahern Middle School Debt Exclusions - Brief overview of Debt Exclusion vs. override/mention info on website

Town Meeting – Info website available. Warrant Review just occurred. Check it out on FCA if you missed it. Available on demand. I search Foxborough FCA YouTube. Open house: May 1st 4-7 pm to allow residents to stop by and have questions answered by subject matter experts. Cable shows. Advisory committee recommendations on website under AdCom and under the Town Meeting graphic on front page. MBTA communities – postcards sent. Paid for by planning grant from state.

Walnut Street project – site clearing has begun. Infrastructure work will begin soon. Reminder 200 all affordable senior apartments. Two Traffic signals.

Human Resources Updates: New Veterans' Services Officer Michelle Hamilton started yesterday. She'll likely come to next meeting for introductions.

Current Open Positions – interviewing, Assistant Treasurer/Collector, Director of Land Use and Economic Development

Community Health Nurse - The Community Health Nurse position is a grant funded position that works on behalf of the Towns of Easton, Foxborough, Mansfield, Norton, Plainville, and Sharon. This position is based on the availability of Public Health Excellence Grant funds provided through the Department of Public Health.

Water Tech

Communications Updates: Maura has been hard at work on information for Town election and meeting. Front page of website has links to a Resident Guide to May 2024 Town Election & Town Meeting. Also working on website improvements. A big project.

Great job to Paige & Maura on the website and just the overall amount of information on everything town election and town meeting.

7. 7:40pm - Select Board Update

New Business - Foxborough Clean Up Day is May 11th. Letter of support for 76 Main Street possible Community Center from the Recreation Board, COA/Human Services Board, Friends of Foxboro Seniors & Veteran Service's Advisory Committee. MBTA Communities Post Card.

Miami Messi Game is this weekend. April 27th.

Members of the Community have reached out about conservation land down Lakeview that needs updated signage and path is impassable. Limited resources at this time to provide the necessary maintenance at this time but we are thinking of opportunities to the extent we can. There are challenges but a work in progress.

Cultural Council meeting and Foxborough Common Business Collaborative on murals. First mural will be down on the baseball trailer at the Booth Field.

Clean Up Foxborough Event – Can go Uptown or by the Schools but you can also do your neighborhood. AJ can send out someone to get the pick-up bags. Just let him know. Very successful event. Can write in the area you would like on the sign up.

8. 7:45pm - Parking Review

Discuss & Vote on Commercial Parking Per Spot Fee for License Renewals for July 1, 2024.

Never want to raise a few without rationale. This fee has not gone up in about 15 years. Evaluation of what the right amount is from a few Town departments. If you take the \$7 and adjust for inflation using the consumer price index, which is the same one we use for the stadium ticket fees, you would get \$10.03 per spot just on inflation alone (43% inflation rate). Assessor reached out to the tax attorney to see how Boston handles parking lots around Fenway. They apply the income approach. They provide the city with the income they receive from these lots. If you capitalize the income, it increases the value of that property. 105 Washington Street, valued a \$2,322,100 which is a tax bill of \$41,774 if you used the income approach, it would be a property value of \$14,210,000 which would produce a tax bill of \$255,638.

Second strategy. Osman provided a recommendation of a tier pricing, closer to stadium would have a higher permit fee but further away would be less. Closer/premium at \$20 per space, \$15 and \$10 as you get further away.

Would suggest a simple approach and there is enough justification for the \$3 increase across the board.

We have reviewed the building fees last year. We were undervalued against surrounding communities. That research was a bit easier. This is a bit difficult as there really is no one else around – no other venue to compare to. Best approach is to using the consumer price index. Now is the time, we have the justification.

Don't want the fee to be for profit. Just want to fee to cover the cost. Simple baseline is what is the cost of time it takes Katie to send out but it's much more than that, police, inspections, etc. Ostman strategy shows the overview. Not proposing to follow that but outlines the work involved. Police and Fire are paid by Kraft. Private lots are not assessed Police and Fire fees.

Can we show that it costs more now? Want to only raise it for the real cost. Not to make money.

With the \$10 the Town would be breaking even. Right now, we are losing money. Regulations say we should be looking at this on a yearly basis. We have to carry special training and equipment that falls on the community. Not sure if we would need it if we didn't have a Stadium. There is an entirely different operation aside from just the details that are already paid. Costs have gone up on the Town side. We are looking to break even and not make money.

Lot owners are not required to provide income statements to see how much they are making. That would be taxed. That would make for property values to increase. If provided net income, tax bill would go up significantly, would be more than the \$3 per space.

Motion to amend the annual per spot fee for commercial parking to \$10 per spot for renewals for July 1, 2024. by L. Gibson, 2nd by S. Ferguson.

Mike Stanton, Rt1 Business Owner. Advise is to put the breaks on this increase. Chair of the Water & Sewer Commission that sets rates yearly. Board should be ready to defend this increase. Use an outside firm to help set this rate.

That cost of an outside firm would need to be incorporated into the annual per spot fee.

Approved. Roll Call. Dennis – Yes. Leah – Yes. Mark – Yes. Seth – Yes. Steph – No. 4-1

Discuss & Vote on Parking Rules & Regulation for 15-17 Market Street Parking Lot.

Needs clean up. No overnight parking. Added time for parking midnight to 6am. Timeline on clean up? Hold up on the electrical panel. June is the hope for renting and clean up around then. Town will mitigate that street to start immediate.

Motion to approve the Parking Rules & Regulation for 15-17 Market Street Parking Lot., by L. Gibson, 2nd by S. Ferguson.

Approved. Roll Call. Dennis – Yes. Leah – Yes. Mark – Yes. Seth – Yes. Steph – Yes.

9. Action Items

Boyden Library Donation - Accept a donation for the Boyden Library from Foxboro Cable Access for 2024 JFK Museum Membership Passes in the amount of \$250.00.

Motion to accept a donation for the Boyden Library from Foxboro Cable Access for 2024 JFK Museum Membership Passes in the amount of \$250.00., by L. Gibson, 2nd by S. Ferguson.

Approved. Roll Call. Dennis – Yes. Leah – Yes. Mark – Yes. Seth – Yes. Steph – Yes.

Select Board - Approval of Minutes from April 9th 2024 meeting.

Motion to approve Select Board Minutes from April 9th 2024 meeting., by L. Gibson, 2nd by S. Ferguson.

Approved. Roll Call. Dennis – Yes. Leah – Yes. Mark – Yes. Seth – Yes. Steph – Abstain. 4-0

10. Executive Session

Move to enter into executive session to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel regarding the contract for Fire Chief, Michael Kelleher.

Approve Executive Session Meeting Minutes from April 9th 2024. (pursuant to G.L. c. 30A Section 22.)

Motion to enter into executive session., by L. Gibson, 2nd S. Ferguson.

Approved. Roll Call. Dennis – Yes. Leah – Yes. Mark – Yes. Seth – Yes. Steph – Yes.

11. Fire Chief Contract

Vote on the Fire Chief contract for Michael Kelleher.

Instrumental on his involvement with the Town, SEMRECC, and nationwide. Built a world class team dealing with the hospital crisis. High praise. “Whicked Smart.” Much gratitude for all you do for the Town.

Motion to approve the Fire Chief contract for Michael P. Kelleher, by L. Gibson, 2nd S. Ferguson.

Approved. Roll Call. Dennis – Yes. Leah – Yes. Mark – Yes. Seth – Yes. Steph – Yes.

12. Adjourn

Thank you Leah Gibson!

Adjournment

Motion to adjourn by L. Gibson, 2nd by D. Keefe.

Approved.

Agenda documents:

4.23.24 Rte 1 parking pricing

23-0138 Correspondence 20240418 (1)

76 Main Street Support _ Friends of COA

2024 April 18 VSAC Meeting letter in support of purchase 76 Main Street

040924 Minutes

042324_Scorpion Bar_Change of Manager Application

AHT 4.9.24

Commercial Procedure and Regulations_FINAL061219

Donations_Library 042324

Event parking calculation - supporting document #1

Foxborough Parking Permit Pricing Strategy 040524

Housing Trust Regulations approved (1)

Letter of Full Support of 76 Main St

Marie Email

Parking

Recreation Motion to Support Multi Generational Community Center (1)

15-17 Market St 4.23.24