

TOWN OF FOXBOROUGH

ADVISORY COMMITTEE

MINUTES

November 15<sup>th</sup>, 2017

**Committee Members Present: Bernard Dumont, Thom Freeman, Seth Ferguson, Jennifer Frank-Bonnet, Sue Dring, Michelle Raymond, Robert Canfield, Sean McCarthy, Sharon Weiskerger, Larry Ooi, Brent Ruter.**

**Members Absent: Stephanie McGowan.**

**Others Present: Bill Keegan, Mary Beth Bernard, Randy Scollins, Lorraine Brue Virginia Coppola.**

**The meeting was brought to order at 7:09 PM by Bernard Dumont.**

**7:10 PM Advisory Committee "ADCOM" Drafted the Budget Review Calendar.** Randy provided an overview of the budget review schedule. The ADCOM firmed up dates for representatives to visit Public Safety for review. Randy stated that the entirety of the budget review will fit within the month of January to provide two months of discussion. Sue suggested moving Public Safety a week out. Michelle suggested if anyone can tackle the budget early during December (if they have the availability) should be an option. Thom volunteered to assist in liaison meetings to help newer members. Bernard suggested keeping things in the big picture and provided a method to review budgets by measuring actuals from previous years. Bernard requested that the ADCOM members send departmental interests to him as soon as possible in order to build the schedule with Randy more effectively. Randy stated that all budgetary documentation will include 4 years of history to provide context.

**7:36 PM ADCOM voted on Steelworkers Contract.** Randy provided detailed numbers for the requests for 2017 and 2018.

Bernard made a motion to recommend the article as written, seconded by Michelle.

Vote: 9/0/2

**7:39 PM Stormwater Management Bylaw Amendment discussion and vote.** Sue recommended waiting to see how the bylaw will be enforced, adding that the amendment can be included later. Thom stated that there is process to mitigate liability early and stated that this reflects work done unilaterally by the perpetrator without following proper procedure. Sean stated that the town has no liability and may be overstepping their bounds. Bill stated that the town is held accountable by State and Federal organizations, especially for issues falling under the "MS4". Sean stated that the article did not clarify qualifications of the individuals doing the evaluating. Michelle redirected the conversation towards what that the ADCOM was being asked to vote on, specifically if the town was forced to fix the problem beyond the violation and subsequent notifications. Bernard asked if there was any chance for the town to abuse this, to which Bill responded that this is a last step measure. Seth asked the ADCOM if the risk outweighed putting off the bylaw for a year, to which Bill provided a worst case scenario for the town if the bylaw was not enacted, explaining that town needs evidence to support a lien in the event one needs to be levied. Brent listed towns with similar enforcement policies including but not limited to Walpole, Canton, Nahant, Southborough and Natick. Brent asked to move the question.

Bernard made a motion to recommend the article as written, seconded by Rob.

**Vote: 5/3/2**

When all ADCOM members were present again, Brent made a motion to reconsider the vote, seconded by Larry.

**Vote: 11/0/0**

Bernard made the motion to recommend the article as written, seconded by Rob.

**Vote: 6/3/2**

**8:35 PM ADCOM voted on Public Nuisance Bylaw.** The ADCOM reviewed the new language located in the Public Nuisance Bylaw. Sharon voiced her concerns on the behalf of landowners being affected by this bylaw, Lorraine Brue had concerns regarding protections for landlords in situations before eviction is considered as a remedy with difficult tenants.

To further clarify to the general public; "The purposed bylaw may fine the landowner unless they are in the process of eviction. After a broad discussion, it became apparent that a landowner may not have the ability to remove a tenant/boarder legally unless there was 'criminal activity' involved. Therefore, the landowner could suffer the fines at no cost to the tenant/boarder and no legal way to remedy the situation the Town is looking to correct with the bylaw.

It was discussed that one possible fix to the bylaw may be to create two sections in regards to landowners: (1) A Criminal Complaint Fine and (2) A Non-Criminal Complaint in which the bylaw doesn't fine a landowner" by placing the onus of the fine on the tenant for a violation of the bylaw.

The ADCOM found a typographical error; "acting I a manner" on Page 9 of the Town Warrant. Sue was concerned with cost of the police officers added on top of the nuisance fee. ADCOM found that personal accountability on tenant was light versus that of the land owner. Randy suggested adding a provision to exclude the landowner in "repeat tenant" offenses.

**9:14 PM ADCOM voted to recommend the Public Nuisance article.**

Sue made the motion, seconded by Bernard.

**Vote: 0/11/0**

**9:15 PM ADCOM voted on the October 25<sup>th</sup> Meeting Minutes.**

Bernard made a motion to accept the minutes, seconded by Brent.

**Vote: 10/0/1**

**9:16 PM ADCOM voted on the November 1<sup>st</sup> Meeting Minutes.**

Bernard made a motion to accept the minutes, seconded by Larry.

**Vote: 11/0/0**

**9:17 PM ADCOM voted on November 8<sup>th</sup> Meeting Minutes.**

Bernard made a motion to accept the minutes, seconded by Jennifer.

**Vote: 9/0/2**

**9:30 PM Bernard motioned to adjourn, seconded by Rob**

**Vote: 11/0/0**

**Next meeting to be held and located at the McGinty Meeting Room on November 29<sup>th</sup> 2017, at 7:00 PM.**


**Minutes Taken by Matthew Mackenzie**

Minutes approved by Vote of the Advisory Committee.

Date of Meeting:

Vote:

 1/17/18  
\_\_\_\_\_  
Signature of Chairperson

 1/17/18  
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Signature of Vice Chairperson