

**Foxborough Advisory Committee**

**Wednesday, March 27<sup>th</sup> 2019**

In attendance:

Sean McCarthy, Bernard Dumont, Seth Ferguson, Larry Ooi, Jennifer Frank-Bonnet, Brian Guild

**MINUTES**

**7:00PM** - Meeting called to order by Seth Ferguson.

**7:03PM – Foxborough Committee on Disability**

Officer Chuck Gallagher presented information regarding a new package of regulations which will help the police to enforce Handicap violations. Primary to this effort is raising the current fine for illegal handicapped Parking violations from \$200 to \$300. (a multitude of confiscated fraudulent and misused HCap tags were displayed). Fraud carries a separate \$500 fine. It was explained that courts aren't upholding fines due to the result can cause the suspension of the violator's driver's license. They would like for the \$300 fine to be visible on signs. Unproper use: defined as on the mirror without date facing window or laying on dash - for the legitimate user, would be a nominal \$20 fine.

Sean M – Do you track for previous tickets?

Officer G – If it is in Foxborough (in-house) we will know.

Jennifer F-B – Does the \$500 fine just go to the State?

Officer G – The State takes 50% and the Commission gets the other half.

Brian G – Have all these changes been updated in the Warrant?

Seth F – The fine increases and the new signage?

Commissioner – We have changed the wording from 'Handicapped' to 'Accessible'. This includes 'accessible areas such as crosswalk cut-outs and perimeters around van parking spaces. In 2014, the town accepted the law of excessive fines to be passed to the Commission. These funds have gone towards building accessible picnic tables, books in the library and automatic doors to the Police/Fire Station.

Sean M – Has Town Counsel had a chance to look at this proposal? Could all the lines be blue?

Officer G – Yes. I don't know.

### **7:22PM - Article #12 – Fund Stabilization**

Sean M – There are no new changes to this annual article – it’s pretty much cut and dried. I suggest we vote on it now -if the Committee wants to add more, they will need to allocate from other sources and then re-vote.

Sean M made the motion to accept Article #11

Brian G - 2nd

**Vote: 6 – 0 – 0**

### **Article #13 – Unpaid Bills**

Bernard D enlightened the board that he had spoken to Chris Laviolette and Bill Keegan. The total charge comes to \$52,056.31. This is due to a legal case involving 8 claimants in the wrongful detainment case against the Police Department. The case was not settled in the prior fiscal year and thus must be addressed through this measure. The funds will come from the approximate \$400K in Free Cash, along with expenditures for the Stabilization Fund and the difference in contract settlements.

Sean M – I want to see the actual dollar amount written into the Warrant Article.

Seth F – We could hold it a while until the actual numbers get updated. Bernard, will you go back and get those details, numbers or both?

Bernard D agreed.

### **Article #14 – Burrell School Correction**

Larry O – Last week, Bill Yukna explained how the \$64K disparity occurred during the application for funding. The town needs to make this adjustment or else the funding application process would have to re-start. This will allow the process to continue as initiated without interruption.

Sean M – The \$\$ amounts in last year’s warrant were in error – this is a correction.

### **Article #18 – Citizen Petition for Updated Orpheum Signage**

Seth F – The Orpheum Theatre group is looking to install an electronic sign which updates. The old by-law states that none can be installed on the Common. They want to bring the signage to the 21<sup>st</sup> century with an intent that is specific. Concerns about wattage/brightness have been raised. I’m comfortable with the way it is written.

Brian G – What about this phrase: ‘any entity’?

Sean M – Very specific is a problem, where it caters to one place. The Zoning Board of Appeals will oversee this.

Brian G – Is there no concern as to ‘where’ they put it?

Sean M – Any problems with light pollution after install can be enforced by the ZBA to control ‘dimming’ or light ‘throw’.

Brian G – Let’s be clear that we’re talking about ONE place.

Sean M – Legal Counsel was consulted for the restructure for a single purpose.

Seth made the motion to accept Article #18

Jennifer F-B - 2nd

**Vote: 6 – 0 – 0**

#### **Article #19 – Miscellaneous Zoning Changes**

The Committee agreed to HOLD its vote.

#### **Article #21 – Retail Zoning**

This Article is to clarify ‘mercantile retail’ into ‘retail uses’. It was asked if everything besides word changes was voted on. Planning Board did not put in big changes last year – now is the time to make these updates.

Seth made the motion to accept Article #21

Sean M - 2nd

**Vote: 6 – 0 – 0**

#### **Article #22 – Building Codes (As built)**

Larry O explained how the nature of this Article is to ensure that structures are built as ‘planned’, with professional engineer and Town Planner inspection. By adding this subsection to the Building Code, this will protect the Town.

Sean M – This is a good idea, though I could see overreach by the Building Commissioner.

Seth F – Are you comfortable with it as written?

Sean M – This is recording actually what is expected – ‘what they did’ not ‘what they designed’.

Larry O made the motion to accept Article #22

Brian G - 2nd

**Vote: 6 – 0 – 0**

### **Article #25 – Amending the Sewer Service Map**

Brian G explained that capacity and access are non-issues for the town. The capacity is to produce up to 200K gallons/day more than the town needs. There is no forcing of homeowners to tie into the Sewer system.

Brian G made the motion to accept Article #25

Jennifer F-B - 2nd

**Vote: 6 – 0 – 0**

### **Article #26 – Modified Aquifer Protection Map (Zoning)**

This Article proposed by the Water Dept affects only 6-12 parcels. One citizen has challenged it. This is meant to modify a mistake in the by-law for 'replacing map' instead of 'updating map'.

Jennifer F-B stated that there have been no noticeable negative impacts of parcels moving from Zone3 to Zone2.

Seth made the motion to accept Article #26

Bernard D - 2nd

**Vote: 6 – 0 – 0**

### **Article #24 – Water System Improvements**

The Committee agreed to HOLD its vote.

### **8:00PM - Open Discussion**

Sean M proceeded to inform the ADOMM that he had met with Aaron , Director of the IT Department. He claims to have multiple 'irons in the fire'. They are installing a \$150K camera system in the Fire/Police Station (which has no hybrid re-use). The Public Safety building must be compliant to Homeland Security standards (meaning the town must go through an 'authorized vendor' bid list). Why they do it is that they can get items 30-40% less than towns that do not use the program. All projects are in-house IT – no corporate software/hardware. They supply the Public Safety facility, schools, Town Hall -they use no outside contractors. The department spends \$20-30K/yr on subcontracting.

Brian G – Is the equipment regularly refreshed?

Sean M – The units have shorter lifespans and include more service and licensing agreements. They are trying to avoid those 2-3-year lifespans. They have been given a shopping cart for updates: they are constantly prioritizing bundling – they want to stay away from proprietary contracts.

Seth F – Do you still have concerns?

Sean M – Aaron answered rather transparently and then some. My concern is that what IT does is not 'auditable'. There is always a list of updates and upgrades with no exact dollar amount for replacement or replenishment. I feel he is definitely qualified and in researching the department, I believe it adds value. As for Central Dispatch: it should lower maintenance, won't require new equipment and generate less overtime. Will it free up actual dollars? No, not that he's aware of.

Brian G – I don't believe in the \$100K savings when dealing with the State.

#### **Article #27 - Retail Tobacco Stores**

The Committee agreed to HOLD this Article until updated language is applied to the Warrant and for Michelle R input from her research.

**8:15PM** - Seth F asked if there was any other business to address.

Bernard D – Regarding Article #13, I sent an e-mail and copied Seth F and Bill k for greater clarity.

Sean M – I contacted Chris Laviolette to provide the funding schedule for the 2 MA liabilities: OPEB and Pension. 2010 had a balance due of \$70M (unfunded). As of last year, there has been a 62% reduction down to \$37M liability with assets of \$10M – thus a deficit of \$27M Last FY annual contribution was \$964K. By 2030, the asset balance should be @ \$30M and in 2038, the funding for both should only be \$2.8M with OPEB caught up. There is a projected 7%/yr return in the schedule.

**8:30PM**

Jennifer F-B – made the motion for Adjournment

Larry O - 2nd

**Vote: 6 – 0 – 0**

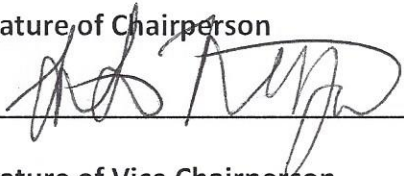
Minutes approved by Vote of the Advisory Committee.

Date of Meeting: 20 March 2019

Vote:

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Signature of Chairperson



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Signature of Vice Chairperson