

Tuesday, December 15, 2020
Board of Selectmen Meeting Minutes
Foxborough Town Hall
Andrew Gala, Jr. Meeting Room
7:00 p.m.

Members Present: Mark Elfman, Chair
Ed O’Leary, Vice Chair
Stephanie McGowan, Clerk
Leah Gibson*
Chris Mitchell

Also Present:
William Keegan Jr., Town Manager
Mike Johns, Assistant Town Manager
Christina Metcalf, Community Info. Specialist
**Participated remotely*

1. 7:00pm - Citizen's Input – No input.

2. 7:05pm COVID-19 Informational update

BK – Numbers have stabilized and we have 91 cases as of today. We don’t have any hospitalizations right now. We are at 3.72% positive rate which leaves us in the Yellow category. The good news with vaccinations, the state received its first doses yesterday, with 300,000 doses available before end of calendar year. We don’t have specific information regarding Foxborough at this time. We get daily updates and will give out the information once we receive that information. It will be health care workers, elderly over 65 years old and then federal and municipal workers. There are new vaccines are coming out also with Moderna. We are in Phase 3-Step 1 on an operating basis. This is concerning with businesses and restaurants. The emphasis from the Governor is spending Christmas safely.

EO – In Boston, gyms are shut down. With gyms in our town should the BOH do an inspection and report back?

BK – We have had a complaint and did do inspections. They are compliant. The YMCA has a good operation.

ME – Does it affect Town Hall?

BK – We cannot increase our meeting room size.

MJ – The capacity is larger than what we can fit with social distancing.

SM – Does that affect workers coming into the building?

BK – No, we have the same size staff in the building. We did have a Covid contact and had the FFD test everyone in the building.

3. 7:10pm Schneider Electric - Presentation of Gift for Foxborough Common from Steven Sacco of Schneider Electric will formally present the Board of Selectmen with a gift of \$150,000 for electrical upgrades for Foxborough Common

SS – No matter what you call us we have supported the Town for 100 years and have had our employees participate. Pre-covid we provided a grant for Foxborough High School Seniors as well as \$150,000 to support the Foxborough Common electric upgrades. It’s our way of saying thanks for the partnership. Our motto at Schneider is, Life is on and we hope that through this lighting project the community will also will have Life is on.

BK – We are looking at the construction aspect of that this week. We are looking to get the underground conduit this year and have come up with a couple ideas for light design and met with historical to get their approval. Facilities and DPW are doing a great job coordination and then we will bring in electrical crew to install the system. See video. Reading of letter sent to Town from Schneider.

Motion to accept the \$150,000 donation from Schneider Electric for Foxborough Town Common electrical and structural upgrades by S. McGowan 2nd by C. Mitchell.

Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes.

4. 7:15pm Town Manager - Introduction of Barry Ringler, New Building Commissioner

BK - Pleased to introduce Barry Ringler. Barry has been a building official for almost 20 years in the town of Brookline. We are very glad that he is hear and glad that he is able to be here and he lives in Walpole which is great news.

BR – Thank you for this great opportunity to be the Building Commissioner of Foxborough. We have 2 kids and dog. Glad to be here and look forward to this opportunity. Thank you for the opportunity to building commissioner.

BK - His knowledge of building code and zoning is as good as anyone I've seen in this business.

5. 7:20pm Red Robin - Application for Change of Manager for Red Robin from Ashley Wyatt to John Massaro

JM – My name is John Massaro, I have been at Red Robin Foxborough location for 4 months been with Red Robin for 8 years. Love being in this part of the country and want to make it for good.

ME – Have you been a manger before?

JM – I have been one in Chino, California, was the General Manager at the South Shore but they closed because of Covid, they put me in Foxborough. They brought me in to make it better and run like a Red Robin.

CM – Is 40 hours a week typical for a manager?

JM – It's more like 50-60 hours.

LG – You should get connected with Fox Cares, get connected with Tom Perruna at Tavalinos

JM – Will do, thank you.

Motion to approve the Change of Manager for Red Robin International, Inc. d/b/a Red Robin Gourmet Burgers + Spirits from Ashley Wyatt to John Massaro by S. McGowan 2nd by C. Mitchell.

Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes.

6. 7:30pm Fire Department - Inter Municipal Agreement with Town of Norfolk - Discussion and possible vote to accept the Inter-Municipal Agreement with Town of Norfolk

MK – Piggy-backing on the success we had with SEMRECC and that inter municipal agreement, I was talking to other colleagues in fire departments and they were having a hard time finding qualified people to work on that fire apparatus because it is a specialty. We had spoke with the Highway department about a joint position a few years ago that didn't end up getting funded. I found a firefighter/paramedic and certified diesel mechanic. He's a unicorn. He works a regular shift with me and works on the apparatus when not on a call. He would work overtime if there are major repairs or overhauls for equipment. In Norfolk, they don't have anyone, they are waiting and going to dealerships and paying a premium. They have 2 Class A engines and needs it back as soon as possible when it goes out of service and can wait weeks for a repair. We discussed this with the Chief in Norfolk, spoke with the attorneys for both towns, limited/no liability and Norfolk Selectmen have voted on it. We are here tonight to approve this, it would put money in coffers, toward our mechanic budget. The towns and mechanic get money in their pocket.

CM – Right now is this individual a firefighter/paramedic or mechanic?

MK – He is both. We have two mechanics. Owen is licensed for heavy equipment mechanic and specialized in fire apparatuses and is fully certified. The other gentlemen that works on the F550 chassis, ambulances and staff vehicles.

CM – If the mechanic is working overtime that would be billed to Norfolk? Where would that money go?

MK – Yes, billed to Norfolk and payment from Norfolk would go to an apparatus revolving fund and/or general fund.

BK – Preferred course of action to put in the revolving fund according to George Samia.

MK – This keeps him under our roof and in our firehouse.

CM – What about the liability issue?

MK – Town Counsel, Pat Costello assures that we are indemnified and covered.

BK – I spoke with MIIA and they view this same.

SM – Which revolving fund are we talking about?

BK – The Fire Apparatus revolving fund. This is self-paying for our repairs so it will require less from the town tax payer funds.

LG – If this doesn't work out either town the agreement can be canceled with 10 day's notice.

Motion to approve the Inter-Municipal Agreement with the Town of Norfolk by S. McGowan 2nd by C. Mitchell.

Discussion: CM – How would you handle other towns who want to have this agreement with Foxborough?

MK – We would come back and figure out the best way to do this. We are competitive and cost around 25% less than a commercial shop.

MK - We have an apprentice as well who has 3 certifications towards Master Level mechanics and learning from one of the best in the industry.

Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes.

7:45pm Dept. Head Update - Bill Keegan - Town Manager to give status update on goals set on June 30, 2020

BK – Review status of the following goals:

Goal I. Protect and Enhance the Financial Health of the Town

A. Continue working with the Finance Team and department heads to ensure the approved budget is correctly appropriated, the use of funds is spent consistent with the identified intent and is used efficiently and responsibly.

B. Alternative or supplemental funding sources are sought whenever possible through grants, endowments or gifts to enhance the delivery of Town services.

C. Promote fiscal discipline in all departments by annually seeking new areas to save or to expand service delivery in every department; without incurring additional funding from the Town.

D. Keep the Board of Selectmen informed of any anticipated changes to appropriations.

E. Work strategically with policy makers to plan for any long term capital needs and building improvements as identified.

F. Using modern transparency tools, work with the Advisory Committee, the Finance Director and the Director of Accounting to prepare budgets, expenditures and account for the financial needs of the Town; all while presenting a balanced budget to the Annual Town Meeting.

Goal II. Protect and Enhance Communication and Engagement

A. Maintain an open and productive working atmosphere with all members of the Board of Selectmen and any elected or appointed boards and committees. Increase the sharing of information and cross-board collaboration/meetings whenever necessary.

B. With the rollout of the new Town website, develop a communications strategy plan to promote awareness with residents regarding changes to policies, initiatives and actions of town government. Make access to information more accessible and available by utilizing the Town's website and other media platforms. Hold departments accountable for consistent, timely and accurate communication. Create innovative venues for open communication and preparedness for Town Meetings.

C. Create a plan for department heads to meet with the Board of Selectmen no less than annually to discuss relevant issues and any anticipated strategic actions involving their departments.

D. Establish a clear and concise line of communication between the Board of Selectmen/Town Manager's office and their various appointed Boards and Committees. Identify appropriate liaisons for each Town Board and Committee (elected or appointed) to assure that all meeting notices and minutes have been properly filed with the Town Clerk and posted on the Town's web site.

E. Make a concerted effort to communicate with schools, community clubs and organizations to encourage communication between the town and its stakeholders.

F. Challenge each department to present one or more ways to positively enhance customer service with Town residents and/or businesses.

Goal III. Protect and Enhance Business and Economic Development

A. Increase dialogue with business owners and committees in an effort to have a more responsive and business friendly community, with added emphasis on the Uptown Area of Foxborough.

- B. Work with town businesses to improve their opportunity for successful operations within the community, focusing on specific issues like parking, ease of access, encouraging high traffic areas, etc.
- C. Encourage and support efforts to adhere to the Town's current Master Plan. Support and encourage the Planning Board to further improve the Town's Master Plan as part of its scheduled update.
- D. Collaborate with MBTA, CSX, Mass Coastal Railway and State/Federal officials to help develop a comprehensive rail plan that is consistent with the quality of life requirements and needs of its residents.

Goal IV. Protect and Enhance Town Operations

- A. Develop a T.R.U.C.K. binder/business continuity plan for all Town Depts. including the Town Manager's Office.
- B. Continue to maintain positive communication between Town and School officials with a focus on succession planning for the approaching retirement of the Town Manager and School Business Administrator.
- C. Develop standard operating procedures for key elements required for Town Meetings. Work with key officials to agree on steps that can be consistently be applied and lead to a successful meeting.
- D. Continue to provide leadership to ensure the Town's successful transition toward Regional Dispatch.
- E. Support the collective efforts to create and implement a successful Housing Production Plan.
- F. Continue to evaluate Town Operations by identifying and correcting areas that are structurally deficient and can be improved by applying appropriate corrections and technology as needed.
- G. Refresh the Town Policy Manual and ensure that all town employees, boards and committees under control of the Town Manager are compliant with its requirements.
- H. Ensure that all new processes and strategic improvements that are within the realm of responsibility of the Town Manager are successfully implemented; within the agreed upon timeframe.
- I. Set the example to lead with a culture of transparency, quality customer service, consistent follow-up and follow through.

Overall 85% of goals are in process or completed/on-going (ex. Budget process is on schedule and will continue and be complete at Town Meeting). The remaining 4 goals are in the planning and implementation process and 3 out of the 4 goals should be implemented and in process by April 2021.

[BK to the BOS] I need your input to know where I need to readjust and move forward. One goal that we haven't talked about is Covid and how we've managed these goals through the last nine months of Covid.

CM – Do you anticipate meeting all your goals?

BK – I believe we'll make progress on virtually everything. I don't know we'll fully complete as some are on-going and continually look at.

LG – It's clear that you have spent a lot of time reviewing goals and etc. We should tie this in to the end of the year evaluation. As we go into the new year. It is clear that you are on track.

ME – Great update and helps to go back and center you on your goals.

BK – We have great staff here and makes my job a whole lot easier, everyone “Does Their Job”.

ME - Thanks for reminding us to do this.

MJ – It has been a while that Bill has been asking for it and this has been very helpful to get the policy direction and what the Board wants for the Town and for bill and that filters down to the departments. To answer Leah's question and this does lend itself to very to a measureable to with the Town wanted and want the department heads are delivering.

LG – If someone could send me the form again and pull things from each.

BK – I would appreciate it, as the old tool isn't great.

LG – Should be going to all departments as well, they should have goals and be evaluated on that as well.

MJ – As complex and difficult as this one is, it would have to be a contractual agreement for the evaluation. The work that our DPW and Chiefs do far exceeds the tool that we used to measure them with.

SM – What do you mean by contractual, the tool or the evaluation?

BK – The agreement to be evaluated and then the tool itself. It's time to evaluate the tool and get it more in line with what we are doing.

SM –The responsibility for communication is on us as well.

MJ – This was the Library Union had a new tool and had to bring trust and came out with an awesome instrument. They saw it as a weapon to deter financially. After trust was gained and it was used as a tool for professional development.

8. 8:10pm Assistant Town Manager's Update

- Search for Director of Public Health is ongoing. We've had people apply for our Director of Public Health have a lot of qualification but not all the right ones for this position.
- We found a new Equipment mechanic who is our unicorn, he has 3 of the 7 qualifications and he will be starting after the new year.
- Collections Coordinator in Finance is open as well a Permit Coordinator position.
- I wanted to acknowledge SEMRECC and the Fire Department for the extraordinary efforts they made as I had to make a personal call for an emergency situation with my mother. I'm proud to serve with these amazing professionals.

9. 8:20pm Town Manager's Update

- Received an 85.00 donation to the Fire House from Gerrad Bliss
- In the budget process, Clear Gov is making the process easier and clearer.
- Participated in Open Meeting Law training with several staff members
- Last meeting for the year. January 5th is the next meeting. Closing early on Christmas Eve and closed on Christmas and New Year's Day.
- The CARES Act funds were finalized and all of the available money was spent.
- Thursday of this week looks like a significant snow storm.
- Bancroft Fire Station case has been resolved. We will be looking at the next steps for construction and could be there as early as next year.

10. 8:30pm - Selectmen's Update -New Business –

SM – After last meeting I called up the AG's office and looked into if we were in violation of Open Meeting Law and we aren't and I wanted to say it at this meeting. I also want to thank Christina for helping out Lindsey Morris with an interview for a college class.

ME – Happy Hanukkah and Merry Christmas.

Old Business - ShopLocal Winners LG – The billboard. 7 prizes given, 4 donated by Patriot Place, 2 by Foxborough Common Business Collaborative and 1 by Orpheum. It was great and wanted to shop and dine and play locally.

December 18th is the final date to give feedback for the Housing Production Plan.

11. Action Items

11.1 Motion to approve the 2021 Liquor, Common Victualler, Entertainment and Auto License Renewals by S. McGowan 2nd by C. Mitchell.

Discussion: LG – Can you update the Spreadsheet to the manager of Red Robin?

Katie Lang – That doesn't happen until after this is approved. Their Change of Manager needs to be reviewed and approved by the ABCC, which can take up to six weeks, after it is approved I will send them notification and print out an updated license.

CM – Katie can you go over acronyms? What does RS mean? Do Veterans club get a discount

KL - Explained acronyms (ABCC acronyms, RS is restaurant, PK is package store, HT is hotel, CL is club and VC is veterans club) and yes, the Veterans club does get a discount as well.

CM – Can you separate them out for next year? (Liquor licenses)

BK – This is the one of the most organized that this has ever been.

LG – Do we need to discuss Olive and Mint?

KL - We separated out Olive and Mint and worked with Finance to make sure every ones is paid up.

LG – This was an issue last year, any 2019 fees?

BK – Any outstanding balances have to be resolved this year. I worked with Paula because by state statute she is the only one can authorize a payment plan. They made a payment today. If they don't meeting the minimum payment requires I notified them that they will be called in front of the board to determine if they will keep their licenses. We've taken a strong approach so they can make that payment. I'm happy to take further direction from the board.

Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes.

- Motion to approve the Annual All Alcoholic Beverages, Common Victualler and Entertainment License for Nirvi Inc. doing business as Olive & Mint on the condition that all taxes and outstanding payments due to the Town are made by December 31, 2020, at 12:30pm or that an agreed upon payment plan has been established with the Town's Revenue Officer by December 31, 2020 at 12:30pm by S. McGowan 2nd by C. Mitchell.

Discussion:

BK – When we found there was an outstanding bill for the town, they were called in. We discussed that this was the 2nd year that this has happened. We understand that it has been difficult with covid but because that has happened before covid that we encourage them to pursue other options to make payments. They need to meet the minimum requirement by December 31st. I would hold them accountable and if they don't make the minimum payment and if they don't continue with payments to call them in.

SM – What taxes are we talking about?

BK – It is just water and property taxes, and that is your jurisdiction.

ME – If we approve this, can we get a month update and what is the process if they fall behind? How can we be proactive?

BK – Yes, we can do that. If they fall behind you would call them in front of the Board if I report they have fallen behind. We put the payment plan in place as well as call them in front of the Board in January.

ME - Let's bring them in the new year and let them know if they don't get it paid then they will be back in and have their license potentially revoked.

CM – We should not make this a practice.

Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes.

11.2 Verizon New England - Petition for Conduit Location at East Belcher & Spring Brook

Motion to approve the Petition for Conduit Location by Verizon New England to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface for East Belcher Road and Spring Brook Road to provide for the distribution of intelligence and telecommunications by S. McGowan 2nd by C. Mitchell.

Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes.

11.3 Motion to approve extended liquor license hours for Davio's Northern Italian Steakhouse at Patriot Place for all Sundays in 2021 for brunch alcohol service to begin at 10:00 am by S. McGowan 2nd by C. Mitchell.

Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes.

11.4 Motion to approve extended liquor license hours for Wormtown Brewery at Patriot Place for Sunday, January 3, 2021 for brunch alcohol service to begin at 10:00 am by S. McGowan 2nd by C. Mitchell.

Discussion – CM -Does Wormtown actually sell food?

BK – It's a farmers pouring licenses, they have it set up that can be ordered.

LG – They also have a menu, along with being able to order from other restaurants

SM – Are they doing it every Sunday?

Christina Metcalf – No, these were carried over from requests from 2020 that the Board didn't want to approve without approving their 2021 licenses first.

Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes.

11.5 Motion to approve extended liquor license hours for Renaissance Hotel at Patriot Place for Sunday, January 3, 2021 for brunch alcohol service to begin at 10:00 am by S. McGowan 2nd by C. Mitchell.

Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes.

11.6 Motion to approve extended liquor license hours for Lake View Pavilion for all Saturdays in 2021 for brunch alcohol service to begin at 11:00 am by S. McGowan 2nd by C. Mitchell.

Discussion – SM – Are they doing any business right now?

KL – We make sure that their requests are correct and we do encourage them when they do ask to ask in bulk instead of one at a time. We had a few that didn't want to have their extended hours they requested for the games now so we will notify Foxborough PD and have them make sure that they are not operating if they don't have the extended hours approval.

Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes.

11.7 Motion to approve the August 4, 2020 Minutes by S. McGowan 2nd by C. Mitchell.

Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes.

Motion to approve the September 1, 2020 Minutes by S. McGowan 2nd by C. Mitchell.

Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes.

Motion to approve the September 15, 2020 Minutes by S. McGowan 2nd by C. Mitchell.

Discussion: CM – will abstain I was not here.

Roll Call: CM – Abstained, SM – Yes, ME – Yes, EO – Yes, LG – Yes.

12. Adjourn

Motion to adjourn by S. McGowan 2nd by C. Mitchell.

Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes.