Tuesday, March 16, 2021 Board of Selectmen Meeting Minutes Virtual Meeting 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*

*Attended remotely

1. 7:00pm - Citizen's Input - None

2. 7:05pm COVID-19 Informational update – Bill Keegan and Matthew Brennan*

BK – I will turn this over to Matt Brennan in a few minutes. I wanted to give a few highlights. We have 34 cases in town at a 2.69% positivity rate, trending down and putting us in the yellow. We've had a total a 2 deaths in Foxborough throughout Covid and no current hospitalizations. We don't have a total vaccination number for Foxborough residents but about 25% of the State has been vaccinated. Congress just passed the American Rescue Act and we are looking at what that would mean for Foxborough. Right now it seems like we could receive \$1.8 million directly and potentially another \$3.5 million through Norfolk County. There is also money going to schools from the Federal government as well. We are still looking at how we would receive money from the County. We are not sure of how the money can be used as guidelines have not been issued. We will be using this as one time money with not having recurring expenses. The federal aid will be coming in two payments.

MB – Tonight I will present my department update with what is going on in our department.

ME – While we have you here what are your thoughts on reopening the meeting room?

MB – Weshould have a written policy and I have started drafting guidelines. In office spaces and meeting facilities, we should be using 10 people per 1,000 square feet. For the Gala room that would be 12 people. We could go back to in person meeting. Zoom would have to stay as the capacity could go over the 12 people allowed. Along with that it goes over not attending if you feel sick, social distancing and wearing masks.

ME – Thank you. It was discussed if Board members weren't comfortable attending in person that they could still continue to attend via Zoom. Mike wgat are your thoughts on policy on this.

MJ – From the start, the Chair should take a look at the policy and see if it works. Another way is if you have the board or committee members there and the supporting staff. Hearing participants, media and other participants would continue to attend remotely and we strongly support not strong arming anyone into coming back in person unless they are comfortable. If one member is remote than we have to keep up with the OML guidelines and doing roll call votes. I'm sure it will be in Matt's guidelines but if someone attends a meeting and feels sick or tests positive it would need to be report and contact tracing start.

LG – We should make Cable Access aware and communicate with them.

Christina Metcalf – They are aware and able to provide support for Zoom and hybrid meetings.

LG – School Committee voted to go back to in person meetings at their last meeting and we should include them in the policy.

BK – With doing meetings hybrid and/or remotely, we can allow our department heads be able to provide updates and information without having to come in person.

3. 7:10pm Town Common Permits - Foxboro Jaycees Lynda Walsh*, Marc Rivard*, and Max Loew*

3.1 Easter Egg Hunt on the Common

LW – The Jaycees have been doing the Easter egg hunt on the Common for the last 30 years. We adjust last year but would like to have a scavenger hunt this year. There would be yard signs in certain locations and give them clues to find them and move on to the next one and then the Easter Bunny would be at the bandstand and they can receive a pre made bag of eggs with staggered arrival of kids and not 200 hundred all at once.

LG – I heard Grace Chapel was doing something on the same day. Marc Rivard, were you able to contact them and see if there is any overlap.

LW – I looked at there event and their start time is at 1pm, well after we are done.

BK – Nothing has come to our office for their event.

LG – I think it's worth looking into.

SM – I think it is a much better time to have an event with the numbers going down. When assembling the eggs, will there be safety protocols in place.

LW – We did a trial run back in the fall with Halloween. When we gathered we were spread out, there were about 10 of use and we had wrapped candy and would never use anything that was unwrapped.

Motion to approve the Public Event Permit for the Annual Jaycees Easter Egg Hunt on March 27, 2021, from 9:00am to 12:00pm in accordance with Covid outdoor event guidelines by S. McGowan, 2nd by C. Mitchell.

Roll Call Vote: Roll Call: CM - Yes, SM - Yes, ME - Yes, EO - Yes, LG - Yes. Approved 5-0.

3.2 Summer Concert Series on the Common

LW – We go three concerts last year. This year we hope to get more and will put all the Covid protocols in place and get back to as much normal as we can in town.

SM – Is outdoor singing allowed?

MB – The current guidance for outdoor events is going to less restrictive. For outdoor performances the performers have to be 25 feet away from the audience as well as performers being socially distant.

LW – We did that last year and plan to do that this year.

MR – We have 2 months before the first show and things could change for the better.

LW – We had a good plan last year and will continue to do that for this year and we will adhere to the guidelines whatever they may be.

LG – Matt, even if you are outside, you do have to leave your mask on right now.

MB – Yes, also people can only be in groups of six and be 6 feet away from other groups. You should also provide hand sanitizer. A list of attendees would be a good idea as well for contact tracing purposes.

KL – We will put together a letter for them to follow and will have them check in with the Health Department before each performance as guideline change.

Motion to approve the Public Event Permit for the Jaycees Summer Concerts on the Common entertainment guidelines and provided the Jaycees check-in with the Health Department prior to each event to ensure compliance with guidelines as they are updated by the State by S. McGowan, 2^{nd} by C. Mitchell.

Roll Call Vote: Roll Call: CM - Yes, SM - Yes, ME - Yes, EO - Yes, LG - Yes. Approved 5-0.

4.1 – Reading of Public Hearing Notice

Stephen – This was a Courtyard now changed to a Sonesta. The employees remain the same. We won't be changing the type of services we will be offering. We'll be offering for business and virtual

KV – I worked for the Marriott for 32 years. 99% of my staff is staying on at Sonesta. I am TIPS certified as is my manager. When we reopen all my staff who will be serving will be TIPS certified. We are familiar Fox Cares we did that as Marriott and will do as Sonesta.

Motion to close the public hearing by M. Elfman, 2nd by C. Mitchell.

Roll Call Vote: Roll Call: CM - Yes, SM - Yes, ME - Yes, EO - Yes, LG - Yes. Approved 5-0.

Motion to approve the transfer of an All Alcohol License from Courtyard Management Corporation to Sonesta International Hotels Corporation doing business as Sonesta Select Boston Foxborough by S. McGowan, 2nd by C. Mitchell.

Roll Call Vote: Roll Call: CM - Yes, SM - Yes, ME - Yes, EO - Yes, LG - Yes. Approved 5-0.

4.2 Approval of Common Victualler and 7 Day Entertainment license

Motion to approve the Common Victualler and 7 Day Entertainment License for Sonesta International Hotels Corporation doing business as Sonesta Select Boston Foxborough by S. McGowan, 2nd by C. Mitchell.

Roll Call Vote: Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes. Approved 5-0.

5. 7:30pm Bass Pro Shop d/b/a Blue Lounge - Surrender of an All Alcoholic Beverage License

Katie Lang – Blue Fin Lounge inside and closed as of March 2020 and will be repurposing the space. They returned the license. It's a Patriot's Place node specific license, Brian Early is aware if anyone else wants it. We have written acknowledgement that they are surrendering and that they would have to go through the process again if they want it in the future. There is a letter to the ABCC from the Board to make them aware.

CM – Do we have any more licenses for Patriot Place?

KL – This is the only one for Patriot's Place. There is another general one for Foxborough.

BK - Katie did notify FPD about the alcohol so it would be removed.

SM – This one would be the one we took back from Mandarin Chef?

KL – We also have a beer and wine license that Asian Ginger returned last year

Motion to accept the surrender of the All Alcoholic Beverage License from Bass Pro Shop d/b/a Blue Fin Lounge by S. McGowan, 2nd by C. Mitchell.

Roll Call Vote: Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes. Approved 5-0.

6. 7:35pm Patriot Place - Diana Griffin* Approval of 7-Day Entertainment license for Patriot Place

DG – We have been doing this for about 12 years or so. We have a Covid plan and guidelines in place. We are going to have a performance tomorrow and we are encouraging reservations at nearby restaurants. We have hand-sanitizing stations. We also script the performer for reminders from the stage so people don't let their guard down. LG- Do you have staff members monitoring the performance?

DG – We always have marketing and operations team member, as well as security staff at all of our events.

BK – Do you have a list of performers and where can people see who will be performing?

DG – We'll be going live in a few weeks with a schedule and you can go to patriot-place.com for that information.

Motion to approve a 7-Day Entertainment License for NPP Development, LLC doing business as Patriot Place by S. McGowan, 2nd by C. Mitchell.

Roll Call Vote: Roll Call: CM - Yes, SM - Yes, ME - Yes, EO - Yes, LG - Yes. Approved 5-0.

7. 7:40pm Annual Town Meeting, Citizen Petition Discussion – Deb Cuniff*, Heather Harding,* Jim Devellis* BK – This is a petitioned article for reimbursement taxes paid on 0 Twilight drive. This parcel was paid for but not owned by the resident paying it. We researched this and found out this parcel was not under the ownership of person being taxed on this property. The number being requested was twice what needed to be paid. The motion will be lower than what was asked and will be approximately \$2,500.

JD – I'm representing the 10 citizens that signed the petition. This happened 14 years ago with nobody still at Town Hall who originally looked into this. This started out as a small thing and it ended up on the Cuniff's tax bill. The short answer was, you do and it was more expensive to fight it. It was also told to Mrs. Cuniff's late husband who was a builder that this could affect him getting permits or put a lien on his property. Over time, it has accrued to \$2500. She can't get an abatement for the property because she doesn't own. We were advised that this was the only way to do this was at town meeting. I will be presenting to Advisroy Committee as well. The Assessor voted last week that it wasn't the Cuniff's property and never was their property. We got this article in before a holiday weekend got a print out and misread it quickly so we are asking for \$2500.

BK – We had looked into other ways to be resolved but this is the best way and because it requires payment to an individual.

SM – I'm sorry that this took so long

ME – Do we have to act?

BK – No, this is informational and making sure the Board understands the article.

JD – The Selectmen represent town government. It would be nice if the Board took a vote on this tonight.

BK – We aren't taking votes on articles tonight.

ME – We'll take all the articles at our next meeting.

JD – You should just take a vote on the article tonight.

ME – She wouldn't have to come back in two weeks when we take a vote on all the articles. What does the board think?

EO – We should take a vote on it tonight so Advisory Committiee would know we support.

Motion to support Article #27 also known as Citizen Petition regarding 0 Twilight Drive of the 2021 Annual Town meeting warrant by S. McGowan, 2nd by C. Mitchell.

Roll Call Vote: Roll Call: CM - Yes, SM - Yes, ME - Yes, EO - Yes, LG - Yes. Approved 5-0.

8. 7:45pm Dept. Head Update - Health Department

- Slide 1 5 staff members including our Public Health Nurse Tom Kenvin (not paid out of the Health Dept. budget)
- Slide 2 The current Foxborough Board of Health consists of Paul Steeves, Betsy Allo and Eric Arvedon.
- Slide 3 Code inspections and enforcements: we enforce state sanitary code and environmental protections as well.
- Slide 4 Daily operations -We've been working the schools on reopening, prom and graduation. Guidance on isolation and quarantine and the travel orders as they change and evolve.
- Slide 5 We work with the Fire dept. and Public Health Nurse to do tracing for other communicable diseases besides Covid. We do vaccinations and health clinics.

Slide 6 – Look back we were in the red for the beginning of the year and in the yellow as of 2/18/21. In February, we were average 11 cases, now we are averaging 4 cases a day and we are on the down slope of the curve and we are moving in the right direction

Slide 7 – The vaccine is being funneled through hospitals and vaccinations sites since March 1. We can get smaller number of doses to give out to the Housing Authority and their staff and work with the Fire and COA to get that done. The state is doing a homebound vaccination program that they can sign up through the COA.

Slide 8 – There is a pre-registration site now to get your vaccine when it is your turn. A timeline may be released soon for the remaining groups to be vaccinated

Slide 9 - 2.2 million vaccines have been administered in MA with half of that being fully vaccinated. We've been told we should expected a bigger supply of vaccine by April.

Slide 10 – Since I got here. I reviewed the Health Department Fee Schedule and Regulations, will be doing a Foxborough Health Assessment with students from Boston University. Provides a service for us and provides credits for students. I'm applying for a MAPC Technical assistance grant and a Public Health Excellence Grant for Shared Services and would include the towns of Easton, Mansfield, Norton, and Sharon. Put the Town in the best position possible to expand public health services. Reviewing plans and applications to be more business friendly.

LG – I really enjoyed having the BOH meetings televised and be able to know what is going on with other boards. It's great to be able to go back and watch those meetings. You and your board are doing a great job and even with delivering bad news, that your office was nice and compassionate when delivering that bad news.

SM – They keep improving the vaccination system and its great seeing the system improving.

MB – We've learned a lot in public health over the last year. We've learned lessons and try to provide better services in the future.

9. 8:05pm Municipal Vulnerability Preparedness Grant Program Presentation and Listening Session presented by DPW Director Chris Gallagher*, Bill Guenther* and Arnold Robinson* from Fuss & O'Neill (F&O)

CG – Foxborough received a grant from the MVP Preparedness Planning Grant of \$17k we have Bill, Arnold, and Lance on as well.

Bill – This grant was fully funded through the State of MA it will certify Foxborough as an MVP which opens up more grant opportunity and gives preference points for other grant programs by being and MVP community. F&O is a leading MVP consultant for Massachusetts communities over 30 communities and is the facilitator for the planning phase. You get our professional experience and our experience working with other communities. MVP Project Team - Bill Senior Environmental Scientist and Project Manager. Arnold is Regional Director of Planning.

MVP Planning Grants - The planning grant has 6 parts in Phase 1 of the planning grant then leads to Phase 2 MVP Action Grant. Planning grants range from \$15,000-\$100,000 for Phase 1. Foxborough received \$17,000 for Phase 1. Phase 2 grant amounts range from \$25,000 – \$2 million with 25% (non-state) match required. Most communities grant requests are in the range of \$100,000 - \$400,000.

MVP Core values slide – Furthering a Community Identified Priority Action to address climate change impacts. Utilizing best available Climate Projections and Data fro a proactive solution. Employing Nature-Based Solutions. Meaningfully engaging and addressing threats faced by Environmental Justice Communities and Climate Vuneralble Populations. Conducting robust Community Engagement. Achieving Broad and Multiple Community Benefits. Committing to Monitoring project success and Maintaining the project into the future. Utilizing Regional Solutions toward regional benefit. Pursuing Innovative, Transferrable approaches.

Core Team Participants – Our Core Team consisted of Foxborough staff including DPW Director, Town Engineer, Assistant Town Manager, Assistant Fire Chief, Planning Director, Conservation Agent, Water Superintendent and Building Inspector. CRB workshop participants included Historical Commission, Kraft Group, Neponset River Watershed Association, National Grid, MassDOT, etc. During the workshop we talked about what is important to them how they interact with climate change and their own resilience and how that might benefit Foxborough going forward. They talked about climate change and resilence. We have an average temp of 50 degrees Farenheit

depending on which watershed you are in and it could increase from 3-5 degrees. How does Foxborough prepare for those changes in temperature?

Climate Change Impacts – Looking at how climate change with temperature and precipitation impacts Economy, Agriculture, Health, Infrastructre and Environment. Also looking at our Top Priority Hazards which are flooding, winter storms (snow/wind), wind events, extreme weather. We worked at the CRB workshops to identify the strengths and vunerablity to each one of the top priority hazards and then identify action items on how the town would like to address them and assign prioritization to those action items.

Effects of Hazards - We looked at this through 3 lenses: Infrastructure, Society and Environment All the information goes into a matrix that identifies the top priority hazards through the 3 different lenses Highest Priority Action Items – Dams, Stormwater Infrastructure, Housing Authority electrical infrastructure upgrades, water supply resilience, assess opportunities to infiltrate stormwater around drinking water wells around Neponset Reservoir.

These aren't all the actions. There is more information available on the department page and our project website.

CM – Where are we in this process? When do we go to the end of this planning and go to project?

BG – We can go into project since this is the last step in the planning. The next round of Action grants have not been announced yet but will be eligible when the grant round opens up.

Thanks to Chris, Lance, Bill and Mike for attending all the sessions.

10. 8:35 Revised Temporary Outdoor Dining Regulations - Planning Director Paige Duncan*

PD – Last year this Board was very nimble it reacting to Covid recovery efforts and adopting temporary outdoor dining regulations. We had 18 restaurants take advantage of that. We were able to extend it into the cold weather. Now we are offering it again and proposing to amend last year;s regulations. We will be providing a renewal process. There will be a modification is in Section I and applications would be reviewed in-house and providing comments. Once going through the renewal application, Bill Keegan will issue a permit and will go along with their license. Also looking to modify #19 and #20 which were strict. Reading of 19 and 20. Last year things were really strict. I'm suggesting we remove because not because there was no risk but by striking those we allow the current conditions of the state prevail. We are trying to make room for fun within the confines of the current regulations. We could let Matt and the BOH prevail.

CM – Has Health seen this?

PG – They have, but not the version where I struck out #19 and #20.

CM – I would like him to see it and get his opinion.

PD – He did see #20. I don't want to leave these regulation in limbo because we are trying to get this going in the next few weeks.

LG – Trying to get this to not be bottlenecked and let them follow what is allowed at the State level.

PD – All of this is regulated if we say it or not. We are fully protected if we do this.

CM – If the State of Local emergency ends does this end?

PD – Yes, it would end and they couldn't extend their occupancy, this is to make up for the loss for not indoors.

LG – We should looking at some of the longer term regulations and making something permanent.

BK – I think we want to promote things in the Uptown as much as possible.

PD – Some restaurants are looking to make outdoor dining more permanent. The State is encouraging a lot of outdoor dining and activities.

Motion to approve the revised Temporary Outdoor Dining Regulations as proposed pending Health Department approval by S. McGowan, 2nd by C. Mitchell.

Roll Call Vote: Roll Call: CM - Yes, SM - Yes, ME - Yes, EO - Yes, LG - Yes. Approved 5-0.

11. 8:45pm CIP Budget Review - Town Manager

BK – Presenting the CIP budget.

We pushed some items to the fall and were waiting to see what we would get for federal aid. We'll be better at knowing our free cash position after the close out of this fiscal year.

We went through the list of requests, totaling \$5 million and approved around \$652,230 from Free Cash, \$235,000 from Ambulance and \$623,656 from our Chapter 90 for a total request of \$1,510,886 in CIP requests. We are supporting the projects including software and equipment that is old and in disrepair and need upgrades or replacing. We deferred other CIP requests for consideration in the fall and others for another fiscal year. We also have a 5-year CIP budget plan.

SM – Larry Ooi asked with the Fire Department, we are adding a new ambulance along with a replacement one? BK – Yes, one is a replacement and one is new. This an expansion of service, with the additional staff member it

will pay for itself. With Norwood Hosptial shut down we have to go to Boston instead which puts more miles on our vehicle and takes extra time to get back.

SM – Last year we had the discussion for the ambulance as well. It seems like this ambulance should be used for town resident transport and not Brigham and Womens. They should use a private ambulance company for that. If our residents are paying for the ambulance but it's not being used for that, I don't support adding an ambulance. It is different this year with Norwood Hospital being closed. If we are doing this for a money maker we shouldn't be doing that.

BK – We did have a this conversation last year. It does make money and does go towards the fund that would pay for this new equipment. This year and the next two or three years we will not have Norwood hospital.

SM – It still seems like as a tax payer, I pay for the public safety and then have to pay an ambulance fee when calling them.

BK – Chief Kelleher is the best person to talk to respond to this question.

LG – On the lease to own, with the street sweeper, this does lock into CIP for the next 4 years.

BK – The challenge is that we need this street sweeper for Stormwater management. We didn't want to spend a \$250,000 out of the gate and this allows us to pay overtime.

LG – I thought we approved 4 School busses and moved one to the fall.

BK – We approved all 4 busses, but will only pay for 3 of them right now.

SM – Bill Yukna said he could use recovery money?

BK – Bill Y. said he would try and finance it at the end of the year with his available funds at the end of the year and if not he would go to the fall town meeting and as for the funding then.

SM – I would like to get more clarity from Chief Kelleher about the ambulance.

EO – Going through the process, the money is less than prior years and we should move on it.

Motion to approve the FY22 CIP budget as proposed by the CIP Committee by S. McGowan, 2nd by C. Mitchell.

Roll Call Vote: Roll Call: CM - Yes, SM - No, ME - Yes, EO - Yes, LG - Yes. Approved 4-1.

12. 9:05pm Assistant Town Manager's Update

- We continue to take part in succession planning for all town positions.

- We continue to identify and improve our critical points of failure.
- Team building in an on-going fashion has been important and find it important that we work well as a team to provide services.
- Department head coaching and mentoring with new and existing department heads.
- Continually focusing on customer service
- Collective Bargaining is on-going
- Applicant tracking software will launch April 9th
- LG Are evaluations apart of this software?
- MJ No, this software needs to be budgeted.
- LG Is the form for Bill's review ready?
- MJ Should we share it with the Board?
- LG- We should if it's ready. We were also getting updated on open positions, do we have any?
- MJ We still have an Equipment mechanic positions available and advertised. We had a permit coordinator in the inspections and we reevaluated and turned that position into a 12 hour per week local building inspector.
- LG When will we have Bill's evaluation?
- MJ I will send out and have ready for the 30th.

13. 9:15pm Town Manager's Update

- I'll be focusing on the federal aid package and seeing what we will be getting. There is limited resources at the county level and I'm working with the congressmen and county commissioners' office and their treasurer and help that along.
- The Town submitted an award application for SEMRECC to the ICMA for Excellence in Government Award
- Alcatel Lucent Company Rainbow will also be applying for an award on our behalf.
- Working with Ad Comm and going over article and we are on schedule for town meeting. Our goal is to be posted by April 16th.
- We had a meeting with the Diligent Group who provides BoardDocs software to the Board and we will transitioned into a new expanded service to all the boards and committees in town. There is a lot of support for board and committee members. We would go from \$12,000 for one board and would go to \$18,000 a year for all boards.
- COA Donations in memory of Catherine Carbone:

\$20 from Louise Hall, \$25 from Amalia Canna, \$25 from Evie Rayburg, \$50 from E. Suzanne Beaulieu, \$50 from Nancy Stockwell, \$50 from Paul & Carolyn Godin, \$75 from Millie Greene, \$100 from Geoffrey Gallant, \$100 from Susan Dreilinger, \$100 from Mr. & Mrs. Joseph Govoni

14. 9:25pm - Selectmen's Update

LG – My papers were returned. It looks like it is an uncontested race. We should start advertising for Town Meeting and Election.

SM – There is a fundraiser for Billy Wilson and family at Conrads March 25, from 5pm-9pm.

15. Action Items

15.1 BOS - Approval of Board of Selectmen Meeting Minutes for January 26 and February 2, 2021

Motion to approve the Board of Selectmen January 26, 2021 Meeting Minutes by S. McGowan, 2nd by C. Mitchell.

Roll Call Vote: Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes. Approved 5-0.

Motion to approve the Board of Selectmen February 2, 2021 Meeting Minutes by S. McGowan, 2nd by C. Mitchell.

Discussion: LG – Executive session minutes from that day. We just need to do a quick clean up of those minutes so we now what meetings we have even if we approve but not post them.

CM - Adjustment on Page 3 - confusion of Chris Gallagher and Chris Mitchell, need to update.

Roll Call Vote: Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes. Approved 5-0.

15.2 Police – Approve \$960 Tuition reimbursement to Ofc. J. Godino

Motion to approve a \$960 tuition reimbursement to Officer Joseph Godino by S. McGowan, 2nd by C. Mitchell.

Roll Call Vote: Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes. Approved 5-0.

15.3 COA - Accepting donation for \$250 for the Council on Aging

Motion to accept a \$250 donation to the Council on Aging for programs to benefit seniors in memory of Catherine "Kitty" Carbone from Mr. John Redmond by S. McGowan, 2nd by C. Mitchell.

Roll Call Vote: Roll Call: CM - Yes, SM - Yes, ME - Yes, EO - Yes, LG - Yes. Approved 5-0.

16. Adjourn

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

Roll Call Vote: Roll Call: CM – Yes, SM – Yes, ME – Yes, EO – Yes, LG – Yes. Approved 5-0.