

Foxborough Advisory Committee – Minutes from Wednesday, October 9th 2019 AdCom Meeting at Town Hall.

In attendance: Seth Ferguson, Larry Ooi, Sharon Weiskerger, Stephanie McGowan, Jack Martin, Bernard Dumont

Absent: Thom Freeman, Brian Guild, and Jennifer Frank

MINUTES (Taken by Bernard Dumont given Thom's absence)

7:05 PM - Meeting called to order by Seth Ferguson

Vote on 09/18/19 Minutes – Sharon made a motion to accept the minutes as written. Stephanie made the motion. Four (4) voted in Favor (Seth, Sharon, Stephanie, and Bernard). Two (2) abstained given no attendance at the 09/18/19 AdCom meeting (Larry and Jack).

7:10 PM Discussion and Voting on Articles 4 -12

Larry O – made a general statement addressed to Board of Selectmen (BOS) Chair, Mark Elfman, and AdCom members regarding a suggested approach on how to view Warrant Article 2, FY20 Budget Admendment-Administration Salaries, and offered the following suggestions:

- a. Take a “Big Picture” view of Article 2 and proposed to AdCom members to view as “Olive Branch” approach by Town Hall Administration and BOS trying to reach a compromise.
- b. Emphasis on AdCom being an Independent Board and motto of “Trust but Verify”.
- c. OK to compromise at times – cannot make everyone happy.
- d. Concluded by saying: What do we want to achieve, as AdCom Committee, by voting in favor or against Article 2?

Stephanie M – Spoke with Frank Spillane regarding his willingness to discuss on next AdCom meeting the legal side of the Town Manager’s contract so that we are all in understanding of how the Strong Town Managers Act impacts Article 2.

Seth F – Arguing on legal vs. illegal aspect of Article 2 is perhaps outside of our scope. Per Frank Spillane, BOS has the right to resubmit Article 2 for consideration at Special Town Meeting – and suggested that we move to discuss and vote on Article 4.

Article 4 – COA/HS Building - Funds for Feasibility Study

Note was made that the \$40,000 was added on Article 4.

Stephanie M – Is the \$40,000 good spending for the feasibility study? George Samia, Finance Director, responded: yes, and it can be financed via free cash. Bill Keegan added: feasibility study is 1st step in the process and also confirmed that town can afford the feasibility study – as well as project once the study is done.

Joan Gallivan from Cannon Forge – believes that we are going too fast in proposing feasibility study and proposed that we would be better off to examine other town resources. She recommended for finding other ways to better utilize what we currently have in town instead of thinking of building new center. She strongly opposed spending the \$40,000 for the feasibility study and would like that Article 4 be more specific in nature. Instead, she supports a Community Center but not a larger

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Senior Center. **Attached is example of the Meredith Community Center located in NH** she passed to all AdCom members to prove her point.

AdCom vote on Article 4: Bernard made a motion to accept Article 4 as written. Larry 2nd. Vote: 6-0-0.

Articles 5 and 6 – Accept Montgomery Way and VanDoorn Avenue as a Public Way

Jack M – proposed to address both Articles 5 & 6 together and mentioned that he actually visited and drove into both ways before reaching his conclusion for recommending for voting favorably on those two (2) articles. His argument was that all was fine to have both ways as Public Way.

AdCom vote on Articles 5 and 6: Jack made a motion to accept Articles 5 and 6 as written. Larry 2nd. Vote: 6-0-0.

Article 7 – Extend Affordable Housing Trust

Seth F – stated the key points of Article 7 which is set to expire in 2019 – hence, to renew the Trust for another five (5) years, and to hold/keep \$320,000 in the Trust which was payment at the time made by the developer/builder.

AdCom vote on Article 7: Seth made a motion to accept Article 7 as written. Jack 2nd. Vote: 6-0-0.

Article 8 – Remove Deputy Police Chief from Civil Service

Larry O – made the point of how it is important to select the best candidate for the position; hence the goal of this article.

Seth F – asked Larry to come forward with any argument that would not be supportive of this article. Larry responded that he is OK with the article as written.

Stephanie M – today there is no Deputy Police Chief and there are only three (3) Lieutenants. Per Stephanie, it is pretty clear who they want for this job and she expressed concerns about changing the current process – not that she's against the article but only concerned that the rules are being changed for accommodating current candidate.

Bill K – Both prior Chief of Police supported this article. Civil Service, as a program, is quietly dying.

Larry O – Some Police Departments near us do not have Civil Service structure anymore.

AdCom vote on Article 8: Larry made a motion to accept Article 8 as written. Stephanie 2nd. Vote: 6-0-0.

Article 9 – Police Contract

Bernard D – provided brief summary of \$253,000 breakdown of proposed amount to raise or transfer: a) 2.0% retro-active COLA b) 2.0% current year COLA c) Moderate stipend increase % for keeping in line with comparable towns.

Stephanie M – what was the issue for bringing this article to surface? Bill K responded that it was all about mediation with the Police Department and that it is about the contract signing with the breakdown components noted per above paragraph.

**AdCom vote on Article 9: Bernard made a motion to accept Article 9 as written. Larry 2nd.
Vote: 6-0-0.**

Article 10 – Amendments to Kennel Definitions

Stephanie M – Article as written seems pretty reasonable as it makes the definitions more explicit for better regulation.

Seth F – Kennel, Personal paragraph on Article 10 too much verbiage, written in legalese terms, and confusing. Should consider keeping only sentence through “*for private personal use;*” and discard remaining of paragraph.

Bill K – MA Chapter 275 may require such wording but agreed that paragraph has too much verbiage.

Larry O and Bill K – both noted that Article 10 is as written on the warrant.

Stephanie M – suggested to reach out to Animal Control Officer, Kaycee Baylee, and have her explain why so much verbiage on paragraph as noted per above.

Seph F – let’s consider to slim down the verbiage of Article 10.

Jack M – recommends to HOLD Article 10 until we get more understanding from Kaycee.

AdCom members present at meeting seem to also have confusion on additional paragraph alluded by Seth.

Larry O – confirmed Bill’s statement per above that additional paragraph on “personal kennel” was taken directly, word-for-word, from Section 136A. Definitions applicable to Sections 137 to 174F unless the context requires otherwise.

**AdCom vote on Article 10: Seth made a motion to accept Article 10 as written. Stephanie 2nd.
Vote: 6-1-0. Jack voted against per his recommendation above.**

Article 11 – Amendments to Use Table for Kennels

Stephanie M – Discussed the content of this article and noted that all points are to clarify what is already in existence.

Seth F – Clarified for AdCom the definitions under this article and asked Bill K about his opinion on “Kennels – Personal” nuisance.

**AdCom vote on Article 11: Stephanie made a motion to accept Article 11 as written. Seth 2nd.
Vote: 6-0-0.**

Article 12 – Amendments to Chapter 78 Animals

Bill K – is still seeking clarification from the Attorney General (AG) office on the issue of BOS deferring to Town Manager by BOS. At issue is that does this need special act from the State? Depending on outcome, this article may have to be postponed as written and not presented at 11/04/19 Special Town Meeting.

Seth F – For the records, Seth expressed reservation about the way Article 12 is currently written.

Stephanie M – strongly opposes to have BOS defer to Town Manager on final decision.

Sharon W – expresses her views that, for getting to this point, the animal/kennel would have to have many issues and noted that she is OK with Article 4 as written given we have responsible individuals in charge.

Bill K – clarified that the issue is not with the animal/kennel but with the owner.

Jack M – added that the professional aspect of the Town Manager will always trump the point brought up of individual in charge who may not be an animal/kennel lover.

Seth F – noted that we have safety valve in appeal process and having Animal Control Officer facts and opinion in any given case.

Jack – BOS should not be wasting their time on this issue. He is OK to have Article 12 kept as written.

Bill K – Article 12 still needs to be revisited given the way it is currently written and made the point again that he is waiting to hear from AG as noted per above.

Article 12 NOT voted by AdCom.

Other Topics


Seth – AdCom members are expected to start writing their respective articles and submit to him and Larry once completed. Due date to Seth and Larry: Sunday, October 20th, end of day.

Bill K – confirmed Agenda for 10/17/19 Financial Summit Meeting.

8:33 PM Seth F – made the motion for Adjournment

Sharon W - 2nd

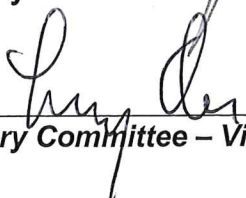
Vote: 6 – 0 – 0



Advisory Committee – Chairman

10/16/19

Date



Advisory Committee – Vice Chairman

10/16/19

Date