

SELECTMEN'S MEETING MINUTES
May 11, 2010

Members Present: Lynda Walsh Chairman
Larry Harrington, Vice Chairman
James DeVellis, Clerk
Lorraine Brue
Paul Mortenson

Others Present: Andy Gala, Town Manager
Randy Scollins, Finance Director
Bob Swanson, Highway Superintendent
Kathryn Molina, 144 South High Street
Chris Vendetti, 137 South High Street
Jeanne Bonneau, Sandra Herrmann, Paul
Dumas – Interviewees for COA
Bill Grieder, Gordon Greene, John Rhodes
Planning Board

The meeting was brought to order at 7:00 p.m. by Lynda Walsh, Chairman

Re-organization – Motion by Larry Harrington to nominate Lynda Walsh as Chairman of the Board of Selectmen. Seconded by Lorraine Brue. **Vote: 4-0-1**

Motion by Jim DeVellis to nominate Larry Harrington as Vice Chairman. Seconded by Lorraine Brue. **Vote: 4-0-1**

Motion by Larry Harrington to nominate Jim DeVellis as Clerk. Seconded by Paul Mortenson. **Vote: 4-0-1**

Lynda Walsh thanked the citizens of Foxborough for participating in the Town Meeting. She thanked Paul Feeney for his service to the Town as a Board member for the past three years and welcomed Jim DeVellis as the new member of the Board of Selectmen. She said she would continue to work for the voters as she had in the past. She said the Board has a responsibility to the residents of Foxborough to make decisions on the issues coming before the Town that are in the best interest of the Town. Jim DeVellis thanked the voters for their support and said he is committed to making decisions that are the best for the Town. He briefly mentioned some of the challenges he faced during his campaign but he is looking forward to working with the Board to do something positive for the Town. Lynda Walsh also thanked the voters for their support and giving her the opportunity to continue to serve the Town.

7:00 – Citizens Input – Cindi Haddad-Drew, Founders Day Planning Committee Chairperson, came before the BOS to discuss a problem with the banners used for Founders Day. She said the new light poles do not accommodate the old banners.

There are 18 light poles. Cindi suggested funding the purchase of new banners from the Economic Development account; this has been discussed with Randy Scollins and Andy Gala. The cost per banner is \$145.00 plus an additional \$870.00 for a total request of \$3,480.00. A brief discussion was held.

Motion by Larry Harrington to approve the request in the amount of \$3,480.00 for Founders Day Banners as requested by the Founders Day Planning Committee Chairperson, Cindi Haddad-Drew to be funded from the Economic Development account. Seconded by Lorraine Brue. **Vote: 5-0-0**

Debbie Stewart, 44 Neponset Heights Avenue, publicly thanked Lynda Walsh for allowing her to be part of the campaign committee. She said she learned a lot from this campaign and she has gained a new respect for those who volunteer to help the Town grow and prosper. She is looking forward to a respective and productive year. Mark Sullivan, 24 Spruce Street, congratulated Lynda Walsh and Jim DeVellis on their election to the BOS. He also thanked Paul Feeney for his dedication to the Town. He found Paul to always be open and honest, and a special thanks to Andy Gala for all his help while he was on the Board. He is looking forward to more commercial development in Town.

Bob Hickey gave a brief update on projects the Boy Scouts of Troop 7 have been working on. The Boy Scouts lead the meeting in the Pledge of Allegiance. He said the projects the Scouts have been working on are part of the Citizenship Badge to promote community involvement and giving something back. Bob explained the flag pole project. The flag would be a 1795 flag; the pole is donated by the Kraft family and the hope is that this project will be completed and given to the Town in memory of Carl Kusch by Memorial Day or Founders Day. The BOS would be invited to the dedication ceremony.

7:05 – Public Hearing – South High and Old Green Streets – Jim DeVellis, Clerk, read the Public Hearing Notice. The purpose of this Public Hearing is to discuss the intersection of Old Green Street and Route 106. Bob Swanson, Highway Superintendent, said drivers are continuing to speed from Rte. 106 onto Old Green Street. Three options have been discussed – making Old Green Street one way; closing off Old Green Street and installing a cul-de-sac and a redesign of the intersection of Old Green and Rte. 106. Kathryn Molina, 144 South High Street, said people drive much too fast, they ignore the speed signs and as a consequence she has had a lot of damage to her property and has had to replace two cars that were total losses because someone crashed into her driveway. Chris Vendetti, 137 South High Street voiced concern about changing the intersection with a 90-degree angle noting that this would not prevent people from using the street as a cut off to Rte. 140. She feels closing the street off makes the most sense and it would be safer for the children. A lengthy discussion was held with comments from several others from the neighborhood about speeding traffic, cut-through traffic, safety for children in the area, more signage and more police patrols to ticket speeders. Chief O’Leary pointed out that a change was made a

month ago but it does not seem to have made much impact on traffic behaviors. He does not see any problem to the community with closing off Old Green Street with a cul-de-sac. Larry Harrington suggested that the Chief look into the cost and funding to put an officer on duty in the area on a regular basis to try to slow down traffic. Another suggestion was to increase patrols only at commuter times. The Board asked for more police patrols to curb speeding and for a plan from Bob Swanson for a cul-de-sac on Old Green Street.

7:45 – Interviews – C.O.A./Human Services – Police Chief O’Leary was present because he was up for re-appointment. He said he had been on the original Human Services Board from 1985 and continued when the Council on Aging and Human Services were combined to form one department. He feels that as an ex-officio member he could provide information they might need and in that way continue to help the community.

C. Paul Dumas, 4 Adams Street, said he has attended quite a few C.O.A. meetings and feels it is important to have Chief O’Leary present at the meetings; that he brings “a lot to the table”. Paul gave a brief summary of his background noting that he knows how to work as a team. He has been a volunteer most of his life; he said he probably has more board experience than most. He is retired and would have time available to serve in whatever capacity was needed.

Sandra Herrmann said she has a lot to bring to the table having been in municipal government for 25 years and serving on various committees. She has attended many Council meetings and feels she could bring structure to how these meetings are conducted. She basically said she has a great love for the seniors and she has the time to dedicate to the Council.

Jeanne M. Bonneau, 73 Oak Street, has been a member since 1967 and “somehow got to be a senior citizen”. She pointed out that the Council is a very cohesive group. She has had the opportunity to interact with many seniors on a weekly basis and has had a lot of feedback on their concerns. She has had experience in working as a team member.

A brief discussion was held regarding specific contributions and areas of expertise each applicant would bring to the Council

Motion by Paul Mortenson to appoint Edward T. O’leary as ex-officio member of the Council on Aging/Human Services. Seconded by Loraine Brue.

Vote: 5-0-0

Motion by Larry Harrington to appoint Jeanne M. Bonneau to fill the vacancy on the Council on Aging/Human Services. Seconded by Lorraine Brue.

Vote: 4-1-0

ACTION:

Legal Invoices – Received from Deutsch/Williams invoices for January, February, March and April for services rendered under the retainer agreement in the total amount of \$13,333.32.

Motion by Larry Harrington to approve the invoices received from Deutsch/Williams for retainer services for January, February, March and April, 2010 as submitted. Seconded by Lorraine Brue. **Vote: 5-0-0**

Ragnar Road Race – Received from Christopher Thrasher on behalf of Ragnar Relay Series, a request seeking permission to conduct a road race on May 22, 2010. Andy Gala explained that this is a non-profit organization and this is the first time the route uses Foxborough streets. The Police Chief does not see any potential hazards with this race.

Motion by Paul Mortenson to approve the request to conduct a road race scheduled for May 22, 2010 as submitted by Ragnar Relay Series subject to the approval of the Police Chief. Seconded by Lorraine Brue. **Vote: 5-0-0**

10th Annual Diabetes Road Race – Received from Richard H. Noonan a request seeking permission to conduct the 10th Annual Diabetes Road Race on Saturday, June 5, 2010.

Motion by Paul Mortenson to approve the 10th Annual Diabetes Road Race on Saturday, June 5, 2010 as requested by Richard H. Noonan and John V. Hurley in a letter dated May 5, 2010. Seconded by Larry Harrington. **Vote: 5-0-0**

8:20 – Audit Committee Recommendations for Health Insurance – Randy Scollins, Finance Director, distributed “Health Plan Offering Strategies” for discussion. Randy first explained that the Town is now required to include on the Town balance sheets the liability for long term retiree health care benefits. He wanted to make sure all understand the magnitude of this liability (\$62M). He pointed out that the Audit Committee has come forth with some ideas on how to contain this liability. One suggestion is to adopt a policy that puts all retirees on equal footing, that is, to pay 50% of the premiums for their health care program. At present retirees not eligible for Medicare pay 30% of the premiums while those eligible for Medicare pay 50%. He noted that the Finance Officer found that in 1965 a ballot question approved by vote of the Town required that all retirees regardless of age pay the same premium. He said the Town is out of compliance with that vote. He is looking to the BOS to uphold this finding and have the retirees pay 50% regardless of age.

A lengthy discussion ensued. Larry Harrington pointed out that he has been talking about getting all unions together to discuss contracts and health care costs to try to work things out. He would look to the School Committee and others to work with the unions to start to get a dialog going towards some resolutions. He

said it is important to move this along faster; to determine what the issues and objectives are and to make sure all the necessary data is available. Paul Mortenson feels that he needs to look at this issue closer. He would like to have advice from Town Counsel on this. Larry Harrington pointed out that this is going to be a huge increase and a financial burden on some retirees. He has no problem with putting all retirees on the same level as of July 1st. Other areas of discussion included a question on whether dependents are eligible under a family plan, looking at other less expensive plans and the number of retirees not eligible for Medicare.

Don Faulkner, Rochester, MA., pointed out that anyone planning to retire knows there is a big increase for health insurance. He suggested the Town consider grandfathering in the 58 retirees impacted by this change. Randy Scollins pointed out that the Town needs to get into compliance with the Town vote and it would be hard to grandfather in 58 people. The Town is trying to balance everybody's needs. Dave Healy said the IAC thought they were going "in the right direction" so that all would absorb the cost of health care. It is not acceptable to try to balance the budget on the backs of 58 retirees. He said \$300.00 per month becomes an issue for retired people.

Larry Harrington wanted to make sure everybody understands the issue. This particular group of people retired before age of sixty-five and are on an active plan but are not eligible for Medicare. All retirees are going to have to pay 50% of premiums whether eligible for Medicare or not. Tim O'Leary acting President of the Firefighters Union said they would be willing to help out. Larry Harrington said he heard loud and clear all unions seem to be willing to meet and help get this issue moving forward to bring this to some kind of resolution. He suggested meeting within the next couple of weeks on this issue.

Randy Scollins said he is not sure where this is going to lead but the Town is not in compliance and there would be a problem signing for bills that are out of compliance. Lorraine Brue pointed out that in order to be compliant everyone who retires has to pay 50/50 and that takes care of the problem going forward but the Town has to come up with a solution about the 58 retired people. Lynda Walsh asked for input from IAC at the next meeting. It is important to get started on this plan and to let people know what to plan for.

9:00 – Planning Board Appointment – Bill Grieder and Gordon Greene were present for discussion on the candidate for appointment of Associate Member of the Planning Board. Bill Grieder gave a brief review of the qualifications of John Rhodes. A brief discussion was held.

Motion by Larry Harrington to appoint John Rhodes as Associate Member of the Planning Board. Seconded by Paul Mortenson.

John Rhodes explained that he is currently with Norwood Engineering Company. He is very interested in serving on the Planning Board. He has time now to give something back to his community. **Vote: 5-0-0**

ACTION (continued):

Red Robin – Early Opening Hours – Received from Jake Schlueter, Senior Licensing Manager Red Robin International, Inc., 290 Patriot Place, Foxborough a request for extended hours of alcohol service on Sundays beginning at 11:00 a.m. for 09/13, 09/26, 10/17, 10/31, 11/21, 12/06, 12/19, 2010 and January 2, 2011.

Motion by Paul Mortenson to approve the request for Early Opening Hours on Sundays as requested by Red Robin International, Inc. in the letter dated April 21, 2010 – dates 09/13, 09/26, 10/17, 10/31, 11/21, 12/06, 12/19, 2010 and January 2, 2011. Seconded by Larry Harrington. **Vote: 5-0-0**

Change of Restaurant Manager – Received from Barbara Torino, GMRI, Inc., d/b/a The Olive Garden Italian Restaurant, 392 Patriot Place South, Foxborough an application for Change of Manager from Karen Charlesworth to Cory Wilson.

Motion by Larry Harrington to approve the application for Change of Manager from Karen Charlesworth to Cory Wilson as submitted by GMRI, Inc. d/b/a The Olive Garden Italian Restaurant. Seconded by Lorraine Brue.

Vote: 5-0-0

Appointment as Constable – Received from Thomas M. Whiting an application for Constable appointment. A brief discussion was held.

Motion by Larry Harrington to approve the application for Constable as submitted by Thomas M. Whiting. Seconded by Jim DeVellis. **Vote: 5-0-0**

Public Works Mutual Aid Agreements – Received from Bob Swanson, Highway Superintendent a memo regarding Public Works Mutual Aid Agreements. Andy Gala explained that House Bill 4526 allows communities to enter into mutual aid agreements. Bob Swanson is in favor of this. A letter supporting this has been sent to Rep. Jay Barrows. A brief discussion was held.

Motion by Larry Harrington to support this Bill with the recommendations made by Bob Swanson in his memo dated April 27, 2010. Seconded by Lorraine Brue. **Vote: 5-0-0**

Reclassification of Historical Commission Member – Received from Robert E. Hicks, Chairman of the Foxborough Historical Commission a request for reclassification of member Mr. Christian Arcaro as an “Associate Member” from his

current standing as “Member” and a request to reclassify Mr. Mark Ferenick as a “Member” from his current standing as “Associate Member”.

Motion by Lorraine Brue to reclassify Christian Arcaro as an “Associate Member” from his current classification as “Member”. Seconded by Larry Harrington. **Vote: 5-0-0**

Motion by Lorraine Brue to reclassify Mark Ferencik as a “Member” from his current classification as “Associate Member”. Seconded by Jim DeVellis.
Vote: 5-0-0

Hackie’s License – Received from Richard T. O’Rourke an application for a Hackie License to drive for East Coast Limo.

Motion by Larry Harrington to approve the application for a Hackie License as submitted by Richard T. O’Rourke, 38 Patten Road, Norton, MA. Seconded by Paul Mortenson. **Vote: 5-0-0**

Tuition Reimbursement – Received from Police Chief O’Leary a request for tuition reimbursement in the amount of \$1,485.00 for Officer Kerry Apgar for courses at University of Lowell.

Motion by Larry Harrington to approve tuition reimbursement in the amount of \$1,485.00 for Officer Kerry Apgar for course towards a Master’s Degree in Criminal Justice at University of Lowell. Seconded by Paul Mortenson.
Vote: 5-0-0

Metro Area Planning Council – Received from MBTA Advisory Board notice of the Municipal Elections to the Boston Region Metropolitan Planning Organization including the official ballot and the candidates statement of candidacy. Andy Gala suggested there should be some input from the Town. Lynda Walsh said she would review the candidates. Jim DeVellis said he would look into this further. No Action taken.

Tower and Appurtenances at Hill Street – Received from Leo R. Potter, Water/Sewer Superintendent notice that when Comcast lease is up for the tower and appurtenances on Hill Street they will not renew the lease. W&S have no interest in the facilities and is asking if the Town or another department is interested. Andy Gala explained that the Town does not have the funds to take over the tower. No action taken.

Invitation – Received from Warren Wright, Commander, Foxboro VFW Post 2626 and the Foxboro Legion Post 93 an invitation to participate in ceremonies at the Legion on Monday, May 31, 2010 in honor of deceased veterans. No action taken.

Invitation – Received from Bill Grieder, Planning Board, an invitation to attend the dedication of the memorial at the round-about by the Public Safety Building on Saturday, June 26 at 10:00 a.m. No action taken.

Invitation – Received from Norwood Hospital notice of a Groundbreaking Ceremony for the Cardiac Catheterization Laboratory at Norwood Hospital on Tuesday May 18th. No action taken.

NEW/OLD BUSINESS

Andy Gala notified the Board that the Town Manager Search Committee would like to meet with each Board member to get an idea of what the Board is looking for in a candidate.

Lorraine Brue distributed a revised list of Goals and Objectives asking the Board to review and get back to her with comments.

Larry Harrington asked the Board to review the evaluation form and discuss at the next meeting whether or not to use the form. He pointed out that Andy and Randy are comfortable with the form; it allows for evaluations and a section for goals and objectives. He suggested that the completed forms go to the Chairman who would then consolidate them. Each Board member would have the opportunity to speak with Andy and Randy on an individual basis. He feels these should be made available to the public.

Larry Harrington asked that the Board agree that the School Superintendent and the Town Manager meet with the union representatives to talk about Proposition 2-1/2. A discussion was held. Randy Scollins pointed out that there are a series of steps that should be taken. Thought should be given to strategies and then get together with the School Committee. Larry suggested a joint meeting, School Committee and Town Manager, with Randy present to discuss anticipated revenue for the next few years, what expenses are expected and then determine what the margin would be to work with. He said it is important to sit down with the unions, make them feel they are a part of the process and get their thoughts and ideas on how to save money, look at the five-year plan and to talk about strategies. Larry suggested that Andy Gala work with the Schools and have a dialog around the five-year plan and to share ideas. He said it would help to have a facilitator available at such meetings. The very first step is to get everybody together in one room and talk about strategies and how to move forward. He pointed out that if the Town is going to move towards zero percent increases it is important for people to understand the ramifications. There is a window of six months to examine the financial situation, salaries and health care issues; now is the time to start working collectively on these issues. Paul Mortenson pointed out that this would be a difficult uphill battle. He would prefer to engage the unions when contracts are

open again. Lorraine Brue said the first meeting would be information sharing and should be an open invitation to all employees.

A brief discussion was held on space in the Town Hall, who meets in the Selectmen's meeting room and whether the space could be better used for office space for those who work in the basement.

Motion to adjourn by Jim DeVellis. Seconded by Lorraine Brue.

Vote: 5-0-0

Meeting adjourned at 10:15 p.m.

Jim DeVellis, Clerk