

SELECTMEN'S MEETING MINUTES

July 9, 2013

Members Present: Mark Sullivan, Chairman
Lorraine Brue, Vice Chairman
John Gray, Clerk
Ginny Coppola
James DeVellis

Others Present: Acting Town Manager Bob Cutler
Town Planner Sharon Wason
DPW Director Roger Hill and Park and Tree Dave LaLiberte
Payson Road neighbors Matt Monahan of 44 Payson Road, Livia Binks of 35 North Street and Mike Casey of 40 Payson Road
Mike Bingham, Rick Lewis, Kim Mellon and Chris Warner of the Neponset Reservoir Reclamation Committee

The meeting was brought to order at 7:00 p.m. by Mark Sullivan, Chairman. Chairman Sullivan reviewed the agenda.

Citizen's Input

Stephanie McGowan of 19 Rhodes Lane stated that she feels an objective Board is needed. She knows that the Krafts are difficult to deal with but Foxboro is luckier than other towns that have had to make cuts. She urges the Board and the Krafts to come to an agreement. She thinks the Board is biased when it comes to the Krafts like when Piccadilly Pub's liquor license was transferred it was done quickly but when Trader Joe's wanted a liquor license it went on and on. Ms. McGowan wanted to know if insurance was needed for the recent road race held at the stadium. She doesn't want the town to loose money from the stadium. She did note that she was impressed with Mr. Gray's efforts to reach out on behalf of the town.

Chairman's Update

There will be an additional meeting of the Board on Thursday, July 11, 2013 in the Media Center at the High School. It will have an executive session for negotiations with non-union personnel in regards to Town Manager Kevin Paicos, a discussion on an Interim Town Manager, a discussion on the indemnification agreement with the stadium and a Public Hearing in regards to the Bon Jovi concert.

Public Hearing – Bon Jovi Concert – Change of concert hours

Mr. Gray read the Public Hearing notice.

Dan Murphy has requested that this be continued to Thursday when they hope to have an update on the indemnification/insurance.

A motion to continue the Public Hearing to July 11, 2013 at 8: 30 p.m. at Foxboro High School Media Room was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

Mr. DeVellis stated that he will not be available on Thursday.

Request to Sign Application for PARC Grant to Renovate the Payson Road Recreation Area

The Board met with Town Planner Sharon Wason who is asking the Board to consider supporting a grant to renovate the Payson Road Recreation Area. A few years ago there were three developers working in this area before the economy soured. The Planning Board would like to apply for a grant of up to \$400,000 which would have a 58/42 split in regards to the cost for the town, so the town's share would be around \$41,000. Work would include removing storm debris; thinning of the vegetative buffer; grading, loaming and seeding to create a grassy area between the Ernie George parking lot and the tot lot; paving driveways and repairing existing parking lots; additional play equipment, fences and benches in the tot lot; landscaping and signage.

Currently they have \$127,000 in donations and are looking for \$232,000 in the grant as well as the \$41,000 from the town to equal the \$400,000.

Mr. Gray asked when the town's share would be needed. Ms. Wason stated that the first year would be design and engineering at a cost of approximately \$15,000 with the rest needed for construction in the second year.

Mr. Gray asked if the state numbers are confirmed. Ms. Wason stated that the state numbers are solid and will be a source of funds.

Mr. Brue complimented Ms. Wason on her work and Ms. Copolla stated that it would be an asset to the town.

Ms. Wason stated that the Planning Board has held two meetings with the neighborhood and have also met with Conservation, Recreation and the Commission on Disabilities, so this is not just a Planning Board project.

Mr. DeVellis asked where the donations were from. Ms. Wason stated that this is mitigation money that was accepted in lieu of work from developers. She also added that if the budget allows they would include the demolition of the laundry building, it is an optional item in the bid. This application would not include lighting the parking lot as it is too close to homes in the area. The driveways would be paved and the rest would be gravel.

Matt Monahan of 44 Payson Road asked if any additional funding could come from developers.

Maria McHugo of 1 Neff Drive asked about security in the area, there are people coming late at night to the area. Ms. Wason stated that the thinning out of the border will make the area less secluded and may help cut down on this activity. Mr. Sullivan stated that the police could be asked to increase patrols in the area also.

A motion to authorize the Chairman to sign documents relative to the park grant for the Payson Road Recreation Area and to designate Sharon Wason as the town's representative was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

Foxborough Common Fence

The Board met with DPW Director Roger Hill and Park and Tree Dave LaLiberte in regards to the Common fencing. They have been looking for a foundry to replicate fence sections and have found one in Millbury. Four sections are needed but extras will be ordered and they will also make a new core cover for the center sections. The quote is for materials only; the work will be done by the DPW. There are currently four broken sections as well as six granite posts that are damaged.

The fence sections will be made of cast iron to recreate the historical significance of the fence. They would like to complete the work in time for Founder's Day next year.

Mr. Cutler, Mr. Scollins, Jack Authelet and Mr. Hill will meet to discuss how to fund the project.

Ms. Copolla has spoken to Mr. Scollins and found out that a bid cannot be awarded without a funding source but the funds could be borrowed until town meeting can vote on it if necessary. She would like to attend the funding meeting also.

Jack Authelet is happy that the project is back on track and realizes the cost it high but is glad they will have sections in reserve for future breaks.

Speed Limit on Payson Road

The Board met with Payson Road neighbors Matt Monahan of 44 Payson Road, Livia Binks of 35 North Street and Mike Casey of 40 Payson Road. DPW Director Roger Hill was also present. They met with the Board about a year ago to discuss the speed limit on Payson Road. At that time, they requested the speed limit be lowered from 35 to 25 mph, the Board agreed but it is not enforceable. They also requested that traffic platforms be installed but they were never built. The neighborhood knows that there have been various attempts to slow vehicles in the area and now that they have sidewalks in the neighborhood this is an important issue to them. Mr. Monahan stated that he used a sports radar gun and noted vehicles travelling from 29 to 52 mph with an average of 41.3 mph.

Ms. Binks prepared a handout for the Board and noted that this area is truly a live/work/play community and that the residences have increased from 4 to 76 in the past seven years. Patriot Place is an area destination and North Street is used as a cut

through. The sidewalks have been a great addition but it a harrowing experience trying to get across the street. She states that additional mitigation for safety is still needed in the area. She noted case studies of communities that have similar situations are located in Sharon MA and Arlington VA.

Mr. Monahan noted that the Payson Road field use has increased with additional sports and kids in the area also.

Mr. Casey discussed the various solutions that have been proposed including a roundabout and a T intersection. Speed Tables were promised in the final plan but were removed. They have been reasonable and are asking the Board's help in coming up with a solution. Crosswalks and stop signs are needed.

DPW Director Roger Hill stated that the speed plateaus were not installed due to the flat grade in the area, water would freeze on the plateaus in the winter; they need to be located in a different location. A stop sign would need approval by Mass Dept of Transportation and the Registry. He feels that stop signs would create more rear end collisions but would slow traffic. Police cannot enforce stop signs unless warranted by the state or else it would be an increased liability to the town. He suggested talking to the Planning Board to explore alternatives such as removable plateaus, but DPW manpower would be needed twice a year for that. Additionally if this is allowed here, other streets in town will want them too.

Ms. Binks would like the discussions reopened with the town to find a right and safe solution for the area.

Mr. DeVellis noted that he lives off of North Street and knows it is not just Foxboro residents going through the area. He would like to see at the minimum something temporary to see if it works and also noted that Chief Hatfield would need to be consulted to see if fire trucks could get over whatever is constructed.

Gordon Greene of the Planning Board noted that mitigation money was given to improve the streets and sidewalks in the area and that the Planning Board agrees with the neighborhood that the speed is unacceptable and would still like to see the speed bumps. He feels the neighborhood has been patient but doesn't want to see them wait anymore. He suggested the Mr. Hill attend the Planning Board meeting at the end of the month so that solutions could be discussed.

Mindy Taylor of 16 Lawton Lane stated that there are twenty kids in the neighborhood that use the fields across the street.

Maria McHugh of 1 Neff Drive thanked the neighbors for bringing this issue up and feels it is a need for the town not a want.

The Board would like this on the agenda again the first meeting in August.

Discussion with Route One Satellite Parking Lot Owners

This discussion will be held at the July 23rd meeting.

Report on Developments and Studies/Surveys Re: Neponset Reservoir

The Board met with Mike Bingham, Rick Lewis, Kim Mellon and Chris Warner of the Neponset Reservoir Reclamation Committee to discuss the reservoir study.

The NRRC met with the Board to review the latest study in regards to contaminant levels and sediments in the reservoir. The Apex Company conducted a study to compare the cadmium levels in the reservoir with a 1998 study. They found that the cadmium concentrations are persistent and moving to other parts of the reservoir. They recommend removal of the contaminated sediments.

Mr. Bingham stated that removal is cost prohibitive at this time.

The DEP has approved the reservoir as a Class C REO for a five year study and evaluation. There have been no studies in the past 15 years. The first round of samples will be taken in the next month. They will take samples every six months and submit a report every five years until the area is cleaned.

Mr. Lewis stated that the report will be forwarded to Invensys.

Mr. DeVellis stated that this is a frustrating process and they should be sure to keep in touch with Rep. Barrows as well as the Board of Health.

The NRRC also wanted to discuss the treating of invasive species; this program is going well. The whole area was treated four years ago; they are now treating hot spots.

Another issue is that Invensys does not have a NDPES (National Pollution Discharge Elimination System) Permit from the EPA; they have not had one since 1996. They have asked the EPA and the DEP for records on their discharges.

They would like to bring a letter to the Board to sign requesting that a permit be issued so that the town would know what is being discharged into the reservoir.

Mr. Sullivan suggested that they come back in August with the letter.

Ms. Coppola suggested that the request be sent to the Senators to help apply pressure to the EPA.

Mr. Gray noted that dredging seems to be the only solution, capping the cadmium would only make the reservoir shallower. Dredging would take care of the weed problem also.

Mr. Bingham stated that they have funds to do the dredging, but not to haul it away to be processed.

The Board discussed assigning a liaison to the NRRC. Mr. Sullivan will be in touch with them to discuss this.

Action Items

Michael and Rose Lincoln are requesting permission to hold a block party on Howard Avenue on Saturday July 13th from 1:00 p.m. to 10:00 p.m. Mr. Cutler has suggested conditions of the approval that the music stops at 8:00 p.m.; portable horses be used as barricades; emergency access be maintained; no alcoholic beverages on the public way and the right for the Police Chief to require a detail officer if a crowd is anticipated.

A motion to allow Howard Avenue to be closed from 1:00 p.m. to 10:00 p.m. on July 13, 2013 for the annual neighborhood block party with the conditions noted was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

C. Paul Dumas is requesting renewal to the Norfolk County Advisory Board for a one year term.

A motion to renew the appointment of C. Paul Dumas to the Norfolk County Advisory Board for a one year term expiring August 1, 2014 was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

Daniel Fallon is requesting a renewal appointment as Constable for a three year term.

Mr. DeVellis asked if there were any other candidates. There were not.

A motion to renew the appointment of Daniel Fallon as Constable for a three year term expiring July 31, 2016 was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

A letter has been received from the Wareham Board of Selectmen requesting support of House Bill H1115 which would add to the definition of low and moderate income housing to include mobile homes and in-law apartments.

Ms. Coppola noted that this has been proposed before; it would help towns increase their affordable housing numbers to get to the required 10%. She has spoken to Rep. Barrows and he is in favor of this.

The Board would like Mr. Cutler to check with the Town Planner and the Planning Board to see if they are in support of this. It will be placed on the July 23rd agenda.

A new Hackie License has been received from Iadil Abbas Faris. It has been reviewed by the Police Department.

A motion to approve a new Hackie License for Iadil Abbas Faris for two years was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

A motion to adjourn the meeting to enter into Executive Session at 8:55 p.m. and to return to regular session for an announcement and to adjourn was made by Mr. Gray and seconded by Mr. DeVellis. **The motion carried 5-0-0.**

The Board returned to regular session at 11:19 p.m.

A motion that the Board accepts the terms of the agreement and new contract with Fire Chief Roger Hatfield for a three year contract from January 1, 2014 to December 31, 2016 was made by Mr. Gray and seconded by Mr. Sullivan.

Ms. Brue has issues with the distance of the Chief's weekend residence from Foxboro. Ms. Coppola shares the same concerns.

The motion carried 3-2 with Ms. Brue and Ms. Coppola against.

The meeting was adjourned at 11:21 p.m.

Respectfully Submitted,

Diana Gray

John R. Gray, Clerk