

**SELECTMEN'S MEETING MINUTES**  
**June 11, 2013**

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

Others Present: Acting Town Manager Bob Cutler  
Atty. Philip Macchi  
James, Derek and Marc Civilinski  
Jeff Lovely of the Friends of the Boyden Library  
Finance Officer Randy Scollins  
Atty. Jim Cobrey and Jess Stevenson, Kraft Group  
Mike Ashapa of the Stadium Advisory Committee  
Town Planner Sharon Wason  
Police Chief Ed O'Leary

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

**Citizen's Input**

Dave Brown of the Foxboro Jaycees distributed a flyer for the Concerts on the Common which will be held every Thursday night beginning June 13<sup>th</sup>. There will not be a concert on July 4<sup>th</sup>. Mr. Brown stated that this has been fully funded by the business community and has been going on for more than 20 years. There will also be a National Night Out on August 7<sup>th</sup> from 7:00 – 9:00 p.m. which is a crime and drug prevention event.

Mr. Sullivan read a statement in regards to tonight's agenda. There was an inadvertent omission on the agenda for the 9:05 p.m. executive session. It came to Mr. Sullivan's attention late this afternoon and has since been corrected to add the positions and the individuals who hold the positions as follows: Fire Chief Roger Hatfield, Town Manager Kevin Paicos and Deputy Police Chief John Chandler.

**Ratify Agreement to Delete Automatic Renewal Provision of Town Manager Contract; Ratify Release of Public Statement Regarding Parties Agreement not to pursue New Town Manager Contract**

The Board needs to ratify the vote taken in Executive Session on May 29, 2013 to authorize the Chairman to sign on behalf of the Board an agreement to amend the renewal provisions of the Contract between the Town and Town Manager Kevin Paicos.

A motion to ratify the vote taken in Executive Session on May 29, 2013 and to authorize Chairman Mark Sullivan to sign the agreement to amend the renewal

provision of the Contract between the Town and the Town Manager on behalf of the Board was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

Mr. Paicos' contract requires a vote on whether or not the contract would be renewed one year in advance of its expiration date of June 30, 2014. The Board received documents from Mr. Paicos that required a discussion in Executive Session. The Board needs to ratify the vote taken in Executive Session on May 29, 2013 to authorize the Chairman to issue on behalf of the Board a statement that the Board and the Town Manager, Kevin Paicos, have mutually agreed not to pursue a contract for Mr. Paicos to serve as Town Manager beyond June 30, 2014.

A motion to authorize the Chairman to issue a statement on behalf of the Board was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

Mr. Sullivan read the following statement: The Foxboro Board of Selectmen and Town Manager Kevin Paicos has mutually agreed not to pursue a Contract for Mr. Paicos to serve as Foxboro Town Manager beyond June 30, 2014.

Mr. Gray read the Agreement/Addendum to Contract that Mr. Sullivan will be signing.

**Application for Change of Manager, New Officer, Director and Transfer of Stock of an All Alcohol Package Store License for Route One Liquor Mart at 29 Washington Street**

Mr. Gray read the Public Hearing notice.

Atty. Philip Macchi was present as well as James Civilinski and his sons Derek and Marc. James Civilinski is retiring and transferring his business to his sons. Derek Civilinski will become the President and Manager and Marc Civilinski will become the Treasurer and Secretary; it will be a 50/50 split.

Mr. Civilinski has been in the business for forty plus years after taking it over from his father. He wanted to thank this Board as well as all the previous Boards he has worked with over the years. He feels that Foxboro supports the local businesses. He also liked working with Chief O'Leary and the police department and thanked them for their help over the years.

The Board members congratulated Mr. Civilinski on his retirement and commented that the business has an excellent reputation and they look forward to this third generation.

A motion to close the Public Hearing was made by Ms. Brue and seconded by Mr. Gray. **The motion carried 5-0-0.**

A motion to approve the Change of Manager, Change of Officer, Change of Director and Transfer of Stock for the Route One Liquor Mart at 29 Washington Street was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

### **Action Item**

Jeff Lovely of the Friends of the Boyden Library came before the Board to request a One Day Beer and Wine License for June 20, 2013 from 7:00 p.m. – 10:00 p.m. This is a pre-opening donor thank you for contributors to the Library Capital Campaign. There will be about 200 attendees. The event is being catered and copies of their certificates of insurance were included in the application.

A motion to approve the One Day Beer and Wine License for the Friends of the Boyden Library Foundation for an event on June 20, 2013 from 7:00 p.m. to 10:00 p.m. was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

### **Bi-Weekly Payroll**

Finance Officer Randy Scollins came before the Board in regards to bi-weekly payroll for all non-school employees except the police department who have already approved bi-weekly payroll. This was one of the goals of the Town Manager. The School Department has had bi-weekly payroll for decades. This is not a vote to approve the payroll change, just permission to discuss the change with the remaining unions.

The town will get a modest financial savings of \$7,500 by doing this, but will reduce the amount of time spent on payroll processing by the employees. It is anticipated that the change will take place in mid September. Mr. Scollins has prepared a FAQ sheet to address employees concerns. A vote is needed from the Board to distribute the memo and begin discussions with the unions. The Town Manager and Labor Counsel have authorized this process.

Mr. Scollins stated that payroll banking seminars could also be offered for the staff.

A motion to accept and approve the memo as presented and to authorize discussion with all non-school town of Foxboro Union Presidents to discuss bi-weekly payroll was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

### **Application for 2013 New England Patriots Home Games at Gillette Stadium**

Mr. Gray read the Public Hearing Notice. Atty. Jim Cobrey and Jess Stevenson were present on behalf of the Kraft Group. Also present was Mike Ashapa of the Stadium Advisory Committee.

Ms. Stevenson stated that there are no significant changes from last year with the exception of security procedures in light of the recent events in Boston.

Mr. Ashapa stated that the Stadium Advisory Committee has recommended approval of the permits.

Ms. Coppola asked about the moving of the Medical Area. It was noted that the area is moved for concerts only.

There were no public comments.

A motion to close the Public Hearing was made by Mr. DeVellis and seconded by Ms. Brue. **The motion carried 5-0-0.**

A motion to move with the assent of the Applicant, that the application of NPS, LLC to hold the 2013 New England Patriots Regular Season (10) Home Games at Gillette Stadium on August 16<sup>th</sup> and 29<sup>th</sup>, September 12<sup>th</sup> and 22<sup>nd</sup>, October 13<sup>th</sup> and 27<sup>th</sup>, November 3<sup>rd</sup> and 24<sup>th</sup>, December 8<sup>th</sup> and 29<sup>th</sup>, 2013 as well as two potential playoff games/resident open training camp, be approved subject to the following conditions: 1. that the applicant shall, by June 30, 2013, execute and provide to the Town of Foxboro an Indemnification Agreement in a form and substance satisfactory to and approved by this Board; 2. that the Applicant shall, by June 30, 2013, obtain and place liability insurance for said Event(s), insuring both the Applicant and the Town of Foxboro, in a form and substance satisfactory to and approved by this Board and 3. that the physical license for said Event(s) shall be retained by the Board or its representative and held in escrow pending the Applicant's compliance with Conditions No 1 & 2 above was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

### **Action Items**

The Board reviewed the minutes of May 7, 2013.

A motion to approve the minutes of May 7, 2013 as amended was made by Mr. DeVellis and seconded by Ms. Brue. **The motion carried 5-0-0.**

The Board reviewed the minutes of May 21, 2013.

A motion to approve the minutes of May 21, 2013 was made by Mr. DeVellis and seconded by Ms. Brue. **The motion carried 5-0-0.**

The Orpheum Theater and Bay Colony Productions are asking for a One Day Beer and Wine License for June 15, 2013 from 6:00 p.m. to 11:00 p.m.

A motion to approve a One Day Beer and Wine License for the Orpheum Theater for June 15, 2013 from 6:00 p.m. to 11:00 p.m. was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

A resignation notice has been received from Jeanne Bonneau from the Council on Aging Board. This was effective May 1, 2013.

A motion to accept the resignation of Jeanne Bonneau from the Council on Aging Board with gratitude for her service was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

There are two candidates for the open seat on the Council on Aging for the one open position. It is not clear who the Council would like appointed. The Board will take these applications under advisement to check with the Council on who to appoint.

### **Application for Us Women vs. South Korea Soccer Match at Gillette Stadium**

Mr. Gray read the Public Hearing notice. Atty. Jim Cobrey and Jess Stevenson were present on behalf of the Kraft Group. Also present was Mike Ashapa of the Stadium Advisory Committee.

Ms. Stevenson noted that this is a new event that will be held at the stadium on June 15<sup>th</sup>, they expect about the same attendance as a Revolution game, approximately 15,000 people.

Ms. Ashapa stated that the Stadium Advisory Committee has no issues with this application.

There were no public comments.

A motion to close the Public Hearing was made by Mr. DeVellis and seconded by Ms. Brue. **The motion carried 5-0-0.**

A motion to approve the application for the US Women vs. So Korea Soccer Match on June 15, 2013 was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

### **Action Items**

A donation of \$200 has been received from the Foxboro Federal Savings to the Recreation Gift Fund.

A motion to accept the donation of \$200 from Foxboro Federal Savings to the Recreation Gift Fund with gratitude was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

A donation of \$217 has been received from Stephen Gulley to the Animal Control Gift Fund.

A motion to accept the donation of \$217 from Stephen Gulley to the Animal Control Gift Fund with gratitude was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

A donation of \$250 has been received from Foxboro Cable Access to the Library Gift Fund to renew the museum passes to the John Kennedy Museum. Mr. DeVellis wanted to thank the Cable Access for having volunteers that cover all the town events and now donating to the Library Fund.

A motion to accept the donation of \$250 from Foxboro Cable Access to the Library Gift Fund with gratitude was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

A request has been received from Cynthia Ferguson of 17 Eastman Avenue to hold a Block Party on Eastman Avenue on July 27, 2013 from 3:00 p.m. to 8:00 p.m. (raindate July 28<sup>th</sup>). Mr. Cutler recommends approval with conditions that noise be limited and stopped at 8:00 p.m., portable saw horses be used to barricade the road, emergency access be maintained for police and fire vehicles and no alcoholic beverages be served or consumed on the public way.

A motion to approve the request for a Block Party on Eastman Avenue on July 27, 2013 from 3:00 p.m. to 8:00 p.m. with the conditions noted was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

An application has been received for a new Hackie License for Anwar Afif Saliba.

A motion to approve a Hackie License for two years for Anwar Afif Saliba was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

The Warrant for the Special State Primary on June 25, 2013 needs to be approved.

A motion to approve the Warrant for the Special State Primary on June 25, 2013 was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

A notice of a Public Hearing for Site Plan Approval for Outparcel Pad Development at Patriot Place has been received from the Planning Board. The hearing will be on June 13, 2013 at 7:30 p.m.

A request has been received to hold a charity bike race benefitting Multiple Sclerosis on June 22-23, 2013. This application was initially made to the Clerk's office but the correct paperwork has since been submitted. The Police Department commented that warning signs should be placed on Route 140 about bikes crossing from Cross Street to Post Road.

A motion to approve the request for a Multiple Sclerosis bike race on June 22, 2013 and June 23, 2013 was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

### **Application for Brazil vs. Portugal Soccer Match at Gillette Stadium**

Mr. Gray read the Public Hearing notice.

Ms. Stevenson stated that there has been a change to this application as there is a new promoter; the contracts are still being finalized. Ms. Stevenson requested to withdraw this application until the contracts are finalized.

A motion to close the Public Hearing was made by Ms. Brue and seconded by Mr. Gray. **The motion carried 5-0-0.**

A motion to take no action as the applicant has requested to withdraw the application for the Brazil vs. Portugal Soccer Match scheduled for September 9<sup>th</sup> and 10<sup>th</sup> was made by Mr. DeVellis and seconded by Ms. Brue. **The motion carried 5-0-0.**

### **Planning Board & Town Planner – Wayfinding Program, Mass DOT Community Transit Grant, South Coast Rail Technical Assistance**

Town Planner Sharon Wason met with the Board to discuss some Planning Board programs. The first one is a Wayfinding Program. This came about as a result of the Master Plan discussions about downtown. The Wayfinding Program is a program used to locate amenities in town. Ms. Wason has brought this idea to the Historical Commission and they liked the idea of being able to consolidate some of the many signs around the common. They would like to see a consistent design that would complement the historical architecture of the town.

Mr. Gray asked if the state highway signs on the common would be replaced. Ms. Wason stated that she would be in contact with the Mass DOT to try to work with them also.

Ms. Coppola inquired if banners would still be allowed. Ms. Wason stated that banners would be a part of this program.

Mr. DeVellis suggested streetscape items be considered also such as benches, awnings, trash cans, plantings, etc.

Ms. Wason will take these suggestions back to the Planning Board.

The second item are the South Coast Rail Technical Assistance Grants. Ms. Wason is applying for a grant that would have the Subdivision Rules and Regulations revised and updated to encourage the use of LID principles; a grant to create design guidelines to facilitate downtown growth and a grant to develop a regional bicycling plan. These would be service grants, not monetary grants. Easton is taking the lead on the bike path grant. Authorization is needed from the Board to apply for these grants.

A motion to authorize the Chairman to sign the South Coast Rail FY14 technical assistance grant applications to Revise the Foxborough Subdivision Rules and Regulations; to Create Design Guidelines for the Downtown; and with the Town of Easton and other South Coast Rail impacted communities, to develop a Regional Bicycling Plan was made by Mr. Gray and seconded by Ms. Brue. **The motion carried 5-0-0.**

Another item is the acceptance of the MassDOT Community Transit Grant in the amount of \$30,270. This grant will study the feasibility of regular transit service between the Mansfield commuter rail station and Patriot Place. Ms. Wason will return to a future meeting when the paperwork is ready.

A meeting will be held to discuss the PARC application for renovation of the Payson Road Recreation Area. The grant is in the amount of \$300,000 and would be used to clean the fields, trim the brush, put down loam, paving, landscaping and signage. The meeting will be on June 24<sup>th</sup> at 7:00 p.m. in the McGinty Room to discuss neighbor impacts. The Planning Board will then hold a Public Hearing on July 11<sup>th</sup> at 7:30 p.m. at the Town Hall and the Board of Selectmen will have to sign the application before the July 17<sup>th</sup> deadline.

Ms. Wason attended the Plainridge Racino meeting on June 4<sup>th</sup>; studies need to be done to determine if the town will be an impacted community. Mr. DeVellis noted that the deadline to notify Plainville is the end of July. Ms. Wason stated that the Racino Committee is meeting tonight and will present their findings to the Board soon.

Bill Grieder of the Planning Board noted that all the grants Ms. Wason receives allow the Planning Board to move forward on projects such as the Master Plan without affecting their budget. He wanted to publicly acknowledge all the work Ms. Wason puts into these grants.

### **Public Hearing – Request for No Parking Zone – Spring Brook Road and East Belcher Road**

Town Planner Sharon Wason and Police Chief Ed O’Leary came before the Board in regards to parking on East Belcher Road and Spring Brook Road.

Ms. Wason explained that during the recent Planning Board hearing for the expansion of the Foxboro Sports Center complaints were received about the parking of vehicles on East Belcher and Spring Brook Roads during ice hockey games at the Sports Center. During the Public Hearing process a Traffic Management Plan was developed with the Sports Center to be used once the expansion is complete. It creates a new traffic pattern using East Belcher as the entrance and Spring Brook as the exit.

Chief O’Leary explained that Lt. Alan Haskel analyzed the traffic plan and feels this is a safer method for parking at the Sports Center. Ms. Wason, Building Commissioner Bill Casbarra, Town Manager Kevin Paicos and Chief O’Leary met at the site and talked about parking. The Chief feels it is appropriate to take this step for safe traffic flow in the area.

Ms. Wason explained that the management plan will be triggered when there are events that will attract 250 or more. The Sports Center will identify these events and have a recap meeting with the Planning Board at the end of the year to discuss its success or failures.

The goal is to get the vehicles parked on site and not on the roads. There is temporary signage on one side of East Belcher now; the other side is already no parking. In regards to Spring Brook, complaints have been received about employees of the businesses there parking on both sides of the street, sidewalks, etc. If those vehicles are there, they will block the flow of cars exiting the rink.

Mr. DeVellis commented that the new rink is already under construction, is there any way to check if the businesses on Spring Brook conform with zoning in regards to parking?

Bill Grieder speaking as a citizen and not a member of the Planning Board noted that the management plan should help to correct the parking problems for the rinks, but the other businesses in the area are having problems. The Planning Board could hear the issues with the other businesses but have no control over parking, Public Safety and the Board of Selectmen do.

There is still one more parcel left to be developed on Spring Brook.

Rich Touzos of the Foxboro Sports Center stated that he has been at his location for nine years and has worked with the police department when there are parking problems but it is usually only eight to ten times a year. He will have 306 parking spaces now when he had 188 before. Sometimes there are injuries or equipment breakdowns that cause delays to the next game.

Andy Felix of Tree Tech which is located on Spring Brook stated that he is frustrated with the Planning Board, he knows he has too many employees at his site and is working to move to a new location. He is not in favor of making Spring Brook no parking. He stated that emergency access is available.

Art Rounds of 141 Cocasset Street who has a business on Spring Brook feels that there are two problems one is the cars and kids on East Belcher going to hockey games and the other is the parking on the sidewalks, grass, etc on Spring Brook by employees.

Mr. Touzos stated that since his business is mostly evening and weekends he would be willing to work with Tree Tech to use his lot during the day. He is not in favor of banning parking on Spring Brook.

Mr. Sullivan would like to get more information on the zoning, etc and continue this to the first meeting in July.

### **Traffic Plan – Kenny Chesney Concert**

Chief O'Leary stated that this is a work in progress; he has been meeting with Walpole officials, stadium personnel, Mass State Police and the stadium engineers. The goal is to get vehicles off of Route 1 as soon as possible and into parking areas. More information is needed before it can be determined when the lots will open.

Ms. Brue asked if all the lots will be open at the same time; this should be addressed at a future meeting, parking regulations for commercial lots. Chief O'Leary stated that they may be opened and closed to help move traffic along.

**Thank you**

Mr. Sullivan wanted to thank the DPW, Fire, Police and Public Safety for their help on Founder's Day. There was a lot of extra work done because of the inclement weather.

A motion to adjourn the meeting to enter into Executive Session at 9:17 p.m. and to return to regular session solely to adjourn was made by Ms. Brue and seconded by Mr. DeVellis. **The motion carried 5-0-0.**

The Board returned to regular session at 11:18 p.m. and the meeting was adjourned.

Respectfully Submitted,

Diana Gray

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John R. Gray, Clerk