

Executive Session Minutes  
of  
The Foxborough Water & Sewer Commissioners Meeting  
March 5, 2012

Members in Attendance: Chairman W. Euerle, Vice Chairman M. Stanton, Clerk R. Pacella, DPW Director R Hill, Superintendent L Potter, Finance Director R. Scollins, Town Counsel Rod Hoffman, AECOM Bob Bell

At 7:05 the Board voted by Role Call Vote to go into Executive Session to discuss the purchase, exchange or lease of real property with the intention of coming back into regular session at the conclusion, M. Stanton – yes, R. Pacella – yes, W. Euerle – yes.

There were no bids received for the billboards on Route 1 from the recent RFP. Correspondence was also received from the Kraft Group in regards to this. Town Counsel Rod Hoffman stated that the reason for the lack of bids was the minimum guarantee was too high. The Kraft Group stated in their letter that they felt the town had no right to accept bids. R. Scollins has spoken with the consultant Lorna Moritz and Town Manager K. Paicos and they all concluded that the guaranteed minimum of \$316,000 was too high; the market in the area is about \$7,500 a face. There are four faces and the tank. They suggest eliminating the cash requirement but stated that there is a minimum annual guarantee (MAG) percentage of no less than 50%. The bidders would then give the MAG which would result in more competitive bids.

There is a market for these signs and they feel that they should be re-advertized right away without the minimums.

A motion to instruct Town Counsel to get a letter from the consultant to recommend the course of action to re-advertize the RFP was approved 3-0.

M. Stanton stated that there is a Board of Selectman article to take the easement by eminent domain if necessary.

R. Hoffman stated that there is an access and utility easement on the site for water purposes and this should include the right to generate revenue based on the "T" cases in Boston. Since this is not specifically stated in the permit the Outdoor Advertizing office wants the owner's consent, which is the Kraft Group. A letter from Jim Wilson of the Kraft Group addresses the easement and states that they would want fair market value of the advertizing.

The Board also discussed the need for a visual line of site easement that may be needed.

A motion to support the Board of Selectmen article for authorization to take the easement for the purposes of advertizing on the billboard was approved 3-0.

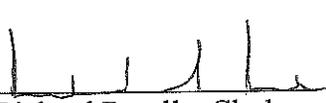
The Executive Session was adjourned at 7:45 to return to regular session, M. Stanton – yes, R. Pacella – yes, W. Euerle – yes.

Respectfully Submitted,

Diana M. Gray

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These minutes of March 5, 2012 were approved as amended on May 7, 2012.

  
Richard Pacella, Clerk