

Tuesday, July 10, 2018
Board of Selectmen's Meeting
EXECUTIVE SESSION MINUTES
Foxborough Town Hall
Andrew Gala Meeting Room

Members present: Chris Mitchell, Chair
Mark Elfman, Vice Chair
Leah Gibson, Clerk
James DeVellis
David Feldman

Others present: William Keegan, Jr., Town Manager
Amanda Smith, Community Information Specialist
Kathleen Connolly, Town Counsel
Paige Duncan, Town of Foxborough Planning Director

Minutes generated by Amanda Smith

At 7:30 p.m., L. Gibson read the following motion to enter executive session into the record.

Motion to close the public session and move into Executive session for the purpose of To consider the purchase, exchange, lease or value of the real property identified on Foxborough Assessors Map 79 as Parcels 2222 (21 Market St.), 2224 and 2225 (School and Rockhill Sts.) as an open meeting may have a detrimental effect on the negotiating position of the Town; the Board not to reconvene in Open Session made by L. Gibson, motion made second by M. Elfman.

No further discussion.

Final Result: Motion Carries 5-0-0

Roll Call: L. Gibson – Yes; J. DeVellis – Yes; C. Mitchell – Yes; M. Elfman – Yes; D. Feldman - Yes

L. Gibson recused herself from Executive Session.

P. Duncan thanked everyone for inviting her to come back tonight and work with the Board toward finalizing the RFP for release. P. Duncan summarized a memo she included with the updated draft RFP. K. Connolly clarified liquidated damages for delayed. K. Connolly said some towns put in specific examples of what is a delay but would not include an example of something that is the contractor's fault or poor weather. D. Feldman suggested to alert the demolition delay in place until November 1st but to not put an end date in the proposed schedule because no one knows what it will be yet. P. Duncan said she will work with Town Counsel to finalize the language; D. Feldman suggested to mention time is of the essence. C. Mitchell asked if there was enough language in the RFP about the municipal conversion permit. D. Feldman said it talks about it in generalities and if they have questions they will ask. P. Duncan said there isn't much information about it and included a reference to the regulation. D. Feldman said there was concern about making the RFP to robust with detail; the goal was to hit key points and summarize the big points. J. DeVellis agreed that the less detail the better.

J. DeVellis asked about the single parcel reference in the RFP and asked if it already included the three lots. P. Duncan presented updated plot plans to the Board that identifies the parcel owned by Judy's as previously discussed. J. DeVellis asked if Market Street would be added to the Design Review Board; P. Duncan clarified it was School Street, not Market Street. D. Feldman said it can be included in the municipal conversion permit. J. DeVellis asked to confirm if the Town has the one liquor license; D. Feldman said there is one all-town license and one downtown license. J. DeVellis asked if the 21e will be an addendum for applicants because it would be helpful to see what has been done; P. Duncan said she can add it as an appendix. D. Feldman said

the 21e Phase 1 should be made available upon request; or include the clearance report. D. Feldman encouraged all of the information be located in once place so it is easy for the applicant to access. J. DeVellis asked to change phone number contact to email address. J. DeVellis asked about the downtown timeline, dating back to 2012, if it were pertinent to include. P. Duncan said she was trying to provide context and paint a picture for the applicant; something the Town should be proud of. B. Keegan added that this time the Town has a clear vision, unlike the last time, as being referenced here. J. DeVellis suggested adding the timeline to be an attachment; very well done.

B. Keegan said the next step after approving the RFP would be to send it out K. Connolly said a public hearing is not required. C. Mitchell suggested to add this to the July 24th BOS meeting to approve the RFP in open session and allow those who want to come ask questions to attend. J. DeVellis agreed that opening it up for discussion at this point may derail the progress. J. DeVellis added the RFP as it stands is not as strong and restrictive as he thought it was going to be; opens up the possibility of restoration as opposed to demolition. P. Duncan asked if all were comfortable with the reserve amount; D. Feldman said it was a good starting point based on assessed value at full build. B. Keegan said sewer is there now and an available liquor license. P. Duncan said she would make all the changes discussed and send to the BOS prior to the next meeting, well in advance. J. DeVellis encouraged a better picture on the cover; K. Connolly suggested two pictures.

B. Keegan asked about the 81x plan; P. Duncan said she can bring it to the Planning Board for approval. D. Feldman said the Town owns the property and there should be a long-term mechanism in place to address this property.

**1.02 Approval of Executive Session minutes from 6/5/18, 6/12/18 and 6/20/18 for Approval/Release
Documents Included: Draft meeting minutes (6/5/18, 6/12/18, 6/20/18)**

L. Gibson returned to executive session.

Motion to approve and not to release 6/5/18 Executive Session minutes made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Result: Motion Carries 4-0-1

Motion to approve and not to release 6/12/18 Executive Session minutes made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Result: Motion Carries 5-0-0

Motion to approve and not to release 6/20/18 Executive Session minutes made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Result: Motion Carries 3-0-2

1.0 Adjourn

Motion to close executive session at 8:10pm and adjourn made by L. Gibson, motion made second by M. Elfman

No further discussion

Final Result: Motion Carries 5-0-0

Roll Call: L. Gibson – Yes; J. DeVellis – Yes; C. Mitchell – Yes; M. Elfman – Yes; D. Feldman - Yes