

Tuesday, October 30, 2018
Board of Selectmen's Meeting Agenda
Foxborough Town Hall
Andrew Gala Meeting Room
7:00 p.m.

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

Others present: William Keegan, Jr., Town Manager
Mary Beth Bernard, Assistant Town Manager
Michael Johns, Veterans Services Director
Amanda Smith, Community Information Specialist

Minutes generated by Amanda Smith

Meeting called to order at 7:02pm by Chairman Chris Mitchell. C. Mitchell read the agenda into the record.

1. Citizen's Input

No citizens present for public comment. B. Keegan updated the BOS that the Town met with the citizen on Elm Street who came before the Board at the previous meeting and is working to address his concerns.

2. Public Hearing - UMass vs. BYU Football Game at Gillette Stadium - November 10, 2018

L. Gibson read the public hearing notice into the record.

Phil Buttafuoco with Gillette Stadium presented the application to the BOS. P. Buttafuoco explained parking lots open at 9:00 a.m., gates at 10:30 a.m., game would end around 3:15 p.m. and the gates would close around 5:30 p.m. He said this game would also be Band Day so high school bands will come play, along with the UMass Band and all will have the opportunity to play on the field at halftime. Randy Briggs of the Stadium Advisory Committee summarized the SAC findings to the BOS following their review of the application.

No questions from the Board. No questions from the audience.

Motion to close the public hearing made by L. Gibson, motion made second by M. Elfman

No further discussion

Final Resolution: Motion Carries 5-0-0

Motion to Approve made by L. Gibson, motion made second by M. Elfman

No further discussion

Final Resolution: Motion Carries 5-0-0

3. Public Hearing - Big Night Venues Foxboro, LLC. d/b/a The Scorpion Bar & Mexican Cantina, Manager David N. Murray - Approval of extension of all alcohol serving license to 10:00 a.m. until 12:00 pm on Sundays and certain legal holidays as per M.G.L. Ch. 138, Sec. 33B.

L. Gibson read the public hearing notice into the record.

Attorney Kristen Scanlon and David Murray came to the Board to request the extension of hours on Sundays and legal holidays to 10:00 a.m. Attorney Scanlon recalled for the BOS that the applicant came before the BOS last year to extend operating hours to 11:00 a.m. and did so without issue. Attorney Scanlon said the restaurant will open with full menu available and this request is to help them stay competitive with other establishments located at Patriot Place. C. Mitchell asked how long Mr. Murray has been manager there and how opening at 11:00 a.m. has worked in the past. D. Murray said he has been manager for two years and said there are currently long lines waiting to come in since others open at 10:00 a.m. L. Gibson asked if this was for just game days or for all Sundays; D. Murray said all Sundays as they regularly get requests for parties that begin earlier in the day.

Motion to close the public hearing made by L. Gibson, motion made second by M. Elfman

No further discussion

Final Resolution: Motion Carries 5-0-0

Motion to Approve made by L. Gibson, motion made second by M. Elfman

No further discussion

Final Resolution: Motion Carries 5-0-0

4. Town Citation for Eagle Scout - Thomas Perry Jr.

C. Mitchell read the Town Citation into the record. Thomas Perry Jr. received his eagle scout in April and added the BOS wanted to publicly recognize him for his hard work. C. Mitchell congratulated him and his parents for his achievements. T. Perry Jr. said he built the walkway for his church in Wrentham; amassed about 180 man hours using 30 scouts and a group of adults to complete the work in a few days. T. Perry Jr. said he had a tremendous amount of support; a great experience. C. Mitchell said he and M. Johns were both scout leaders in the past and spoke to the great efforts of the Troop. M. Johns commended T. Perry Jr. on his persistence and his energy to get this work done; he is humble and is a great leader. B. Keegan added congratulations to T. Perry Jr. and acknowledged his great achievement at such a young age; a testament to his parents as well.

5. Approve the Appointment of Elizabeth Foster to the Council on Aging/Human Services Advisory Board for a term starting 10/30/18 and expiring 5/1/21

Elizabeth Foster came before the BOS to introduce herself and give a little bit about her background. E. Foster said she worked at CVS in Town for 20 years and still loves people. M. Elfman asked if she was replacing someone; E. Foster said she was replacing Edward O'Leary who had resigned.

Motion to Approve Appointment made by L. Gibson, motion made second by M. Elfman

Discussion: C. Mitchell thanked her for volunteering.

Final Resolution: Motion Carries 5-0-0

6. Place a Menorah on the Town Common - Thom Freeman, Jr.

Thom Freeman, Jr. came before the Board and provided a schematic drawing to the BOS and to the Town Manager for review. He came to present the offer to construct a menorah for the Town Common after being inspired by last year's menorah and celebrations for the holiday. He explained the design he proposes and the proposed materials for construction. He showed a sample lantern he plans to use that would not require fire or electricity. Planning for this to fit no matter the location; regardless of available utilities.

C. Mitchell asked if T. Freeman, Jr. had spoken with DPW yet about digging at the Common; T. Freeman, Jr. said he wanted to start with the BOS prior to other departments in the event this was not approved for construction. B. Keegan said electricity is not yet an option at the Common and said he would work with T. Freeman, Jr. and DPW to move forward with this plan. T. Freeman, Jr. said the intent is for this to be the

Town's property in the future. J. DeVellis encouraged him to go before the Historical Commission for their blessing and comments.

C. Mitchell said the BOS supports T. Freeman, Jr. to continue on this process for additional approvals and requirements.

7. Colwen Management, Inc. d/b/a Renaissance at Patriot Place - Request Change of Officers

Jon Aieta and Ron Rockelein came before the BOS with the request to change officers as a result of restructuring following the resignation of the President and appointment of the Vice President in his place. Housekeeping task as no change of operations is proposed. No questions from the BOS.

Motion to Approve Change of Officers made by L. Gibson, motion made second by M. Elfman

No further discussion

Final Resolution: Motion Carries 5-0-0

8. Neponset Reservoir/NRRC Update and Discussion re: Letter to MassDEP

Rick Lewis, Mary Peterson, Kim Mellen and Cindy Tracey came before the BOS to discuss the public comment letters to submit to MassDEP prior to the deadline. M. Elfman asked B. Keegan to summarize where in the process everyone is at and the status of letters to submit to MassDEP. B. Keegan said a small group of Board representatives came together to update the draft letter and language to submit to MassDEP by Thursday, November 1st. M. Elfman commended the group effort to send in an agreeable letter from the NRRC and Town Departments and Committees. R. Lewis expressed thanks for the combined efforts and feels strongly that this letter from the Town effectively expresses the concerns regarding the Permanent Solution Statement. R. Lewis said their letter will also be submitted that include comments from LSP McManus. R. Lewis said K. Mellen has been culling through the petition signatures to also forward to MassDEP; 608 signatures per K. Mellen. J. DeVellis echoed the great collaboration and L. Gibson thanked the NRRC for their unending efforts over the many years. B. Keegan said Town Counsel Connolly has agreed the letter is good to go and B. Keegan said he added the comments recommended by J. DeVellis at the previous meeting. D. Feldman said a lot of work and conversation went into this; well done. C. Mitchell asked how long MassDEP has to respond; R. Lewis said typically 90 days and outlined the response process that involves sending to the parties involved in creating the PSS.

9. Selectmen's Update

D. Feldman said the FHS Girls' Soccer has had great success this season; added that the Freshman Girls' Soccer finished 15-0-1 and only gave up six goals all season. Said freshman sports don't get enough notice and congratulations are due on a successful season. Terrific.

C. Mitchell thanked Bob Cutler and his team for setting up early voting; a great process. He thanked the volunteers and encouraged voters to come out and vote early; the hours are posted online. He also encouraged all to go out and vote on November 6th.

J. DeVellis said they will be doing "Thank you Turkeys" for the Veterans and their families in Town again this year. He said kids will make cards and the Jaycees will make desserts.

L. Gibson said the BIT Auction is Friday, November 2nd at Holiday Inn in Mansfield. Ticket sales end tomorrow and items are already receiving bids. Thanked all who have pitched in to pull this together.

10. Town Manager's Update

B. Keegan read the announcement of the open house at the Southeastern Regional Vocational Technical High School. B. Keegan was notified this last week that additional Chapter 90 funding was released to the Town, in addition to the \$650,000 the Town already receives under the Chapter 90 funding program. Funding to be used for additional improvements to our roads. B. Keegan said he thanked Lt. Governor Karyn Polito for this funding in person at the annual Business Expo at Gillette Stadium last week. Attended the Rail Coalition in Framingham last week and participated in those discussions and got updates on plans for coming years. National Grid held a meeting at Gillette Stadium last week and was able to attend.

11. Assistant Town Manager's Update

M. Bernard announced one additional Code of Conduct and Civility Training will be held on Wednesday, November 14, 2018 at 3:00 p.m. at Town Hall to catch those who were unable to attend the prior sessions. M. Bernard said the Veteran Services Officer search will conclude this week and will have an offer out to the candidate this week. M. Bernard said the Town posted for the Assistant Assessor position today as Deborah Cochrane has announced her retirement. M. Bernard said she and M. Johns will be working together with the Police Department to fill upcoming position openings and will utilize the Civil Service system. M. Bernard represented the BOS and the Town at the Kennedy Donovan Center to present a Town Proclamation and was able to learn about the history of the Center She said the breakfast last week kicked off a year-long celebration to the 50th Anniversary in June 2019.

M. Johns said the SAFE Coalition came to the Town Employee Health Fair last month and that Foxborough continues to be a part of this group as all work together toward the common goal of raising substance abuse awareness. M. Johns spoke about ongoing collective bargaining negotiations with the Police Department and the Library; all have been going very well. M. Johns echoed J. DeVellis and the Thank You Turkeys and encouraged those interested in receiving or supporting the efforts to contact the Veterans Office or Selectman DeVellis. M. Johns said the Veterans Department just connected with Doug Horka, keynote speaker for Veterans' Day events; happy that he is able to participate in the program. M. Johns said the events will take place on the Monday, November 12th at 11:00 a.m. in the Foxborough High School the Auditorium.

***BOS ahead of schedule at 7:41p.m and C. Mitchell suggested the BOS take a short break until the next agenda item and parties are present.**

***BOS resumed Public Session at 8:19 p.m.**

12. Action Items

12.01 Orpheum Theater - Approval of 1-Day Wine & Malt Beverage Liquor License Application: Maureen Hancock, Medium and Rocky Horror Picture Show on Friday, November 2, 2018 5:30 p.m. to 11:59 p.m.

J. DeVellis recused himself from this discussion

Motion to Approve Application made by L. Gibson, motion made second by M. Elfman

Discussion: D. Feldman asked if the Orpheum has an alcohol license; J. DeVellis came to the table as the President of the Board of Directors and said they are in the process of applying for the full license that includes internal restructuring to have a full café. C. Mitchell asked why there is a need to submit these applications tonight; J. DeVellis said Maureen Hancock serves wine and the following application involves a celebration following the election anticipated to have alcohol.

Final Resolution: Motion Carries 4-0-1

12.02 Orpheum Theater - Approval of 1-Day Wine & Malt Beverage Liquor License Application: Senator Paul Feeney Election Night on November 6, 2018 from 7:00 p.m. to 11:59 p.m.

J. DeVellis recused himself from this discussion

Motion to Approve Application made by L. Gibson, motion made second by M. Elfman

No further discussion

Final Resolution: Motion Carries 4-0-1

12.03 Beth Israel Deaconess Hospital - Needham, Inc. - Approval of a 1-Day Auctioneer's License Application on 11/3/18 at Gillette Stadium to raise money for outpatient clinical center

Motion to Approve Application made by L. Gibson, motion made second by M. Elfman

No further discussion

Final Resolution: Motion Carries 5-0-0

12.04 COA/HS - Acceptance of Gift Donation of \$37.00 from Anonymous for a program at the Senior Center

Motion to Accept Gift Donation made by L. Gibson, motion made second by M. Elfman

No further discussion

Final Resolution: Motion Carries 5-0-0

12.05 Recreation - Acceptance of Gift Donation of \$670.00 to Foxborough Recreation from Foxborough Youth Football for the shared payment toward work on irrigation pump

Motion to Accept Gift Donation made by L. Gibson, motion made second by M. Elfman

No further discussion

Final Resolution: Motion Carries 5-0-0

12.06 Approve BOS minutes from 10/2/18

Motion to Approve made by L. Gibson, motion made second by M. Elfman

No further discussion

Final Resolution: Motion Carries 5-0-0

13. Executive Session

Motion to close the public session and enter executive session to discuss strategy with respect to Collective Bargaining relative to a Step 3 Grievance under the Police Collective Bargaining Agreement where an open meeting may have a detrimental effect on the bargaining position of the public body, not to reconvene in open session at 8:28 p.m. made by L. Gibson, motion made second by M. Elfman

No further discussion

Final Resolution: Motion Carries 5-0-0

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