

Tuesday, December 11, 2018
Board of Selectmen's Meeting Minutes
Foxborough Town Hall
Andrew Gala Meeting Room
7:00 p.m.

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

Members absent: Leah Gibson, Clerk

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

C. Mitchell opened the meeting in public session at 7:00pm and read the agenda into the public record.

1. 7:00pm - Citizen's Input

Janet Kennedy, 45 Cocasset Street, came for Citizen's Input to discuss the \$50,000 set aside in the state budget for generators at Carl Annon Court and Centennial Court in Foxborough. J. Kennedy read a prepared statement into the record. J. Kennedy expressed concern over the lack of updates regarding the generators and requested more information about the status of the generators and how the funding will be used after determining connections at some of the properties are cable of connecting a generator.

2. 7:05pm - Harvest Group, Inc. d/b/a Mai Pearl - Change of Manager

Attorney Paul Schneiders and Jean Mar, wife of Mai Pearl owner came before the Board. Attorney Schneiders explained for the Board that he and his client are here request a change of manager on the licenses for the restaurants as they work to settle her husband's estate. Attorney Schneiders said Ms. Mar and other bartenders have successfully taken the TIPS certification courses. Attorney Schneider thanked everyone in Town for their help to date. J. DeVellis expressed condolences to Ms. Mar and commended them on running a fantastic restaurant.

Motion to Approve Change of Manager to Jean Mar made by M. Elfman, motion made second by D. Feldman

Discussion: Amended motion to include Jean's name

Final Resolution: Motion carries 4-0-0

3. 7:20pm - The Kitchen Partners, LLC d/b/a Union Straw - Minor Modification to Existing Licenses to Increase Number of Seating from 90 to 136

Jim Glaser came before the Board as an owner/investor in the restaurant to request modification to the seating in the restaurant. C. Mitchell clarified that the Board previously approved for 90 and Mr. Glaser said an engineer came and stamped the final plans for 136 seats. B. Keegan asked to confirm that Mr. Glaser has submitted all necessary plans to the proper departments; Fire Department and Inspections Department.

Motion to Approve Modification made by M. Elfman with the condition that the Fire Chief and Building Commissioner sign off on the change, motion made second by D. Feldman

No further discussion
Final Resolution: Motion carries 4-0-0

4. 7:35pm - Presentation by Town Manager of Fire Chief Selection

B. Keegan said he had previously advised the Board that he has made a selection to step into the role of Fire Chief following the retirement of Chief Hatfield. B. Keegan said the search for new Fire Chief was kept internal and the Town used an outside firm to do an assessment center. B. Keegan said following the review of the assessment center results and one-on-one interviews with each candidate, he selected Deputy Chief Mike Kelleher to step in as new Fire Chief following the retirement of Chief Hatfield. B. Keegan congratulated both candidates and said this was not an easy decision to make.

C. Mitchell asked when Chief Hatfield's last day is and when Deputy Chief Kelleher will begin. B. Keegan said Chief Hatfield's last day will be January 19, 2019 and Deputy Kelleher will take over upon his retirement. J. DeVellis asked when the Board should expect to see the contract for the new Fire Chief; B. Keegan said he anticipates to have the new contract before the Board in the first week of January.

Motion to Authorize the Town Manager to enter into contract negotiations with Deputy Fire Chief Mike Kelleher made by M. Elfman, 2nd by D. Feldman

Discussion: J. DeVellis said this process does not seem the same as the past and requested the motion to be adjusted to enter contract negotiations.

Final Resolution: Motion Carries 4-0-0

5. 7:45pm - Selectmen's Update

C. Mitchell thanked the FHS Swim Team hosted a dinner for the Veterans and heard that it was great. Thanked the Swim Team and the VFW for putting together this event. M. Johns said he had heard very positive comments from Veterans in the community for the efforts by the Swim Team.

C. Mitchell thanked Thom Freeman for his hard work and efforts getting the Menorah on the Common; it came out great.

6. 7:50pm - Town Manager's Update

B. Keegan updated the Board on the letter sent by the Town to CSX and Mass Coastal requesting a cease of operations in Town that have proven to be unsafe.

B. Keegan said the Town received notification that Schneider Electric has requested an extension to the deadline to respond to comments received during the public comment period; MassDEP has to authorize the extension.

B. Keegan updated the Board on the Hanover Project mitigation funds status and said the Town has requested that the necessary studies be completed now, instead of waiting until the end of the holding period. Roger Hill and Nick Riccio are working on this and have been updating the Town Manager on the status. M. Elfman requested the Town Manager summarize this for those who may not understand what the Hanover project is. B. Keegan summarized the project and available funding for the Board and the public record. J. DeVellis recalled the previous neighborhood oppositions and that the goal previously discussed included reaching out to the neighborhood group for their input in addition to the studies to be conducted. B. Keegan said the Town will reach out to the group and review previous meeting minutes to obtain contact information.

B. Keegan shared with the Board the new newsletter put together by the new COA/HS Director, completely funded by donations. M. Johns said the newsletter was printed without the use of any tax dollars and the COA/HS was able to print 2500 copies to disburse around Town.

B. Keegan highlighted the Town's Loss Prevention Program as highlighted by MIIA today and thanked Barbara Kelley for her continued efforts.

7. 7:55pm - Assistant Town Manager's Update

M. Bernard said the Town completed arbitration with the Steelworkers, reached an agreement with the Library Union and reached an agreement with the Police Union, pending one more piece.

M. Johns said the Town has closed the Assistant Assessor position and will close the Assistant Treasurer/Collector position on December 14th to begin selection for interviews.

M. Johns echoed the thanks to the efforts of Thom Freeman for his work on the Menorah on the Common and was able to attend the Community Chanukah event on Sunday, December 9 at the Boyden Library and on the Common.

8. Action Items

8.01 BOS - Approval of 2019 Licenses

Motion to Approve made by M. Elfman, motion made second by D. Feldman

Discussion: A stamp has been created for Board signatures.

Final Resolution: Motion carries 4-0-0

8.02 Agria LLC d/b/a Commons Eatery - Common Victuallers License

Motion to Approve made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion carries 4-0-0

8.03 Reappointment of Agricultural Commission Members with terms expiring 12/14/21

Motion to Approve Reappointment made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion carries 4-0-0

8.04 COA/HS - Acceptance of Gift Donation of \$240.00 to the Council on Aging/Human Services from the Friends of Foxboro Seniors for half of September and October Tai Chi

Motion to Accept made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion carries 4-0-0

8.05 COA/HS - Acceptance of Gift Donation of \$35.00 to the Council on Aging/Human Services from Anonymous for the Lock Box Safety Program

Motion to Accept made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion carries 4-0-0

8.06 Historical Commission - Acceptance of Gift Donation of \$132.25 to the Foxborough Historical Commission from multiple donors through book sales for the general historical fund

Motion to Accept made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion carries 4-0-0

8.07 Library - Acceptance of Gift Donation of \$415.00 from Fred Lockhart, Foxborough Founders Day Planning Committee, Inc., Catherine Scott, Annie's Book Stop Association, David Clinton, South Shore Model Railway Club & Museum, Lydia Main, Virginia M. Coppola, Fred Green, and Ann Conaty to the Boyden Library General Gift Fund in Memory of Marilyn Cutler

Motion to Accept made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion carries 4-0-0

8.08 Whole House Group, LLC. d/b/a Battle Road Brewing Company - Request to Amend One-Day Entertainment License on 12/15/18 to include guitarist

Motion to Amend One-day License made by M. Elfman, motion made second by D. Feldman

No further discussion

Final Resolution: Motion carries 4-0-0

8.09 CBS Sporting Club - Approval of extended closing hours on New Year's Eve to 2:00 a.m. on 1/1/2019

Motion to Approve extension of Closing hours on New Year's Eve on 2:00 a.m. on 1/1/19 made by M. Elfman, motion made second by D. Feldman

Discussion: Specify alcohol service adheres to normal hours per existing liquor rules and regulations

Final Resolution: Motion carries 4-0-0

8.10 CBS Sporting Club - Approval of extended closing hours on 12/29/18, 1/26/19, 2/9/19 and 3/2/19 to 2:00 a.m.

Motion to Approve extension of Closing hours made by M. Elfman, motion made second by D. Feldman

Discussion: D. Feldman clarified this request for extension of hours was just restaurant hours, not for alcohol. C. Mitchell asked if the Board is allowed to extend hours on multiple days; B. Keegan said the extension is not for liquor service. C. Mitchell asked if approving requests like this opens the Town up for liability and requested the Town look into this matter prior to the meeting next week on 12/18/18. M. Elfman requested more detail about the events to be held on the dates listed in the request.

Final Resolution: Board continued this vote to the next meeting; motion to withdraw the motion made by M. Elfman; motion made second by D. Feldman

Final Resolution: Motion to Withdraw Carries 4-0-0

9. Adjourn

Motion to adjourn at 7:40pm made by M. Elfman, motion made second by D. Feldman.

No further discussion

Final Resolution: Motion carries 4-0-0