

Tuesday, May 9, 2023
Select Board Meeting Minutes
Gala Room, Town Hall, 40 South Street
7:00 p.m.

Members Present:

Leah Gibson, Chair (LG)
Stephanie McGowan, Vice Chair (SM)
Dennis Keefe, Clerk (DK)
Seth Ferguson (SF)
Mark S. Elfman (ME)

Also Present:

John W. Coderre, Town Manager (JC)
Christina Metcalf, Communications Specialist (CM)
Liz Buetow, HR Director (LB)
Katie Lang* Executive Assistant (KL)
*Attended remotely

**All Select Board meetings are recorded and broadcast by Foxboro Cable Access
on Government Channel 22/38 and at FCATv.org/live**

1. 6:30pm Executive Session - Finance Director Contract

1.1 To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel (Finance Director).

Motion to enter into Executive Session to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel (Finance Director) by D. Keefe 2nd by M. Elfman.

Roll call vote ME- Yes, DK – Yes, and LG – Yes. Approved 3-0.

2. 7:00pm - Citizen's Input - non

3. 7:02pm - Select Board Reorganization

3.1 Select Board to discuss and vote on Chair, Vice Chair and Clerk

Motion to nominate Mark Elfman as the Chair of the Select Board effective May 10, 2023 by L. Gibson 2nd by D. Keefe. Approved, 5-0.

Motion to nominate Stephanie McGowan as the Vice Chair of the Select Board effective May 10, 2023 by L. Gibson 2nd by M. Elfman. Approved, 5-0.

Motion to nominate Leah McGowan as the Clerk of the Select Board effective May 10, 2023 by D. Keefe 2nd by M. Elfman. Approved, 5-0.

4. 7:05pm Finance Director Contract

4.1 Vote to approve the Finance Director contract for Marie Almodovar

Not ready to execute that contract, vote moved to a subsequent meeting

5. 7:10pm Alteration of Premise - Gillette Stadium

5.1 Review and vote on the Application for Alteration of Premises for NPS LLC d/b/a Gillette Stadium, 202 Patriot Place – Atty. Thomas Miller, Jess Enos, Jim Nolan COO

Atty. Miller introduced the Kraft Group representatives Jess Enos and Jim Nolan who were in attendance to review and present the alteration of premises for the stadium.

Mr. Nolan stated that Gillette is undergoing a large renovation at the moment. The last time we changed the footprint was back in 2018. The existing covers through the North End Plaza and Lot A, the entire stadium, practice field and field house. With this alteration of premises, we wanted to redefine the North End of the stadium, incorporate the west roadway and within the existing stadium level by level.

With respect to the North End plaza, the benefit of what we are doing there is changing our security line. You would go through the security and then have your ticket scanned. We would move our line and our security screen would happen further out. Instead of queuing up people up. This gives us a hard perimeter on game day. We will screen at the top of Patriot Place grand stairs. There will now be 3 ways to have your tickets scanned. What we are asking for the liquor license footprint to mirror our new fence line on game day. This will enhance our activations with sponsors and help getting people into the stadium earlier. We also want to incorporate the West roadway. We would only be operating in that area with perimeter fencing. When we operate training camp we do have liquor service during that. It would only operate when we would have a secure set up and have the FPD and their staff involved. If it's a non-event day that wasn't secured, we wouldn't serve alcohol.

Ms. McGowan asked if everything is being pushed out. Is any of that congestion pushed back into parking lots?

Mr. Nolan replied that starting in 2021 we began a new security screening technology that is much faster. In 2019 we had older tech that created queues. We've invested in pedestal scanners that are much faster than a hand held scanner. What we like about the new sequence is not all of the people waiting in line have been screened. Now people waiting in queue have been screened.

Mr. Nolan reviewed the changes that would be happening inside the stadium premises.

A new lighthouse that is accessible by two elevators will be open to the public and incorporated on game days. On the 300 level is new connectivity from east to west with no new concessions. The blue suite and red suite levels connect east to west and each two new suites. The Club Level adds a new club, a new event and function space that operates like the Optum Field Lounge, and the for Patriots games would be available to season ticket members for purchase on season long basis. On the 100 level there are new concession locations, bathrooms, merchandise location, and guest services. On the field level we have a new North East Field Lounge that operates like Optum Field Lounge and Globalization Partners Atrium and will also be an event and function space. This would be available to season ticket members for purchase on season long basis.

Chief Grace further explained the perimeter. These are designed for the safety and security of these events. We've been working on expanding the gates for years. This will expand and have more people who have been scanned in a secure area. That is a win from a police perspective. This also works for the train people and creates a place for them to go. The gates are a priority during the events. From the town point it is extremely well regulated. It is on the stadium to screen people coming in.

Ms. Gibson asked where to do they queue?

Chief Grace replied they queue at Patriot Place then go down the stairs after being screened. At the West roadway we've been using that all last year it is not new. One of the things we are trying to do is provide services outside a ticket area but in a secure area. I do have a few recommendations for the Board to have the Stadium all the fencing requests is met for the secure area. I would like to the stipulation in the motion to make sure pedestrian flow is not impeded. If there was an issue as the Chief has authority to review and relocate if necessary.

Motion to close the public hearing by D. Keefe 2nd by M. Elfman. Approved, 5-0.

Motion to approve the Application for Alteration of Premises submitted by NPS LLC d/b/a Gillette Stadium, dated April 14, 2023, relative to the licensed premises located at 1 Patriot Place

(ABCC License# 00013-RS-0426) as detailed in Section 2 of the Alteration of Premises Application, subject to the following conditions:

If alcohol is to be served in the West Side of the stadium and North Plaza, there shall be a security fencing enclosure for said areas;

No serving areas located in the expanded licensed premises shall impede pedestrian ingress to or egress from the Stadium; and

If the Chief of Police determines that pedestrian gate ingress/ egress flow rates are insufficient in these areas due to the location of serving areas, the Chief of Police may restrict the use of, or order the relocation of, any such serving area by D. Keefe 2nd by M. Elfman. Approved, 5-0.

Ms. Gibson asked ss there anything we should talk about for Taylor Swift as our first event with the new changes?

Ms. Enos replied that everything we've found out about the demographic of Taylor Swift attendees is that they come early and are well behaved.

6. 7:25pm Foxborough Alcohol Rules and Regulations - Review and Possible Amendment

6.1 Review and possible vote to amend the Select Board Policy - Rules and Regulations for Holders of Alcoholic Beverage Licenses in the Town of Foxborough

Chief Grace wanted the Board to be informed about regulations and there is a gap. Going back beer is always the issue with seltzers and hard seltzers to regulate the size of those beverages. The NFL does have a 25 ounces max on their drinks. The alcohol content 4-5% ABV. I would like to be ahead of the curve and be able to control these beverages to go up to 25 ounces and amend the regulation.

I could have authorized for beers from 22 ounces to 25 ounces and we don't have the option to do that with a malt seltzer but the hard seltzer is a distilled liquid. We are seeing the trend and demographics that is diversifying from beer. It's a 3-ounce increase that this would allow our regulation to manage those additional three ounces with these types of beverages.

Motion to Amend the Select Board's policy entitled "RULES AND REGULATIONS FOR HOLDERS OF ALCOHOLIC BEVERAGE LICENSES IN THE TOWN OF FOXBOROUGH"

Move to amend the language of Section I (Definitions) of the Town of Foxborough's Rules and Regulations For Holders of Alcoholic Beverages Licenses as follows:

#1. "Alcoholic Beverage", as used herein shall mean any liquid intended for human consumption as a beverage and containing one half of one percent (.5%) or more of alcohol by volume at sixty degrees Fahrenheit; and for the purposes of these Regulations, said term shall include, without limitation, beer, wine, hard seltzers, hard ciders, alcohol infused beverages, malt beverages and any other beverage subject to regulation and licensure pursuant to G.L. c. 138.

#7. A "Beer" shall mean a maximum of 25 fluid ounces of beer in a container, unless otherwise authorized by the Chief of Police.

And inserting a new Section 22 to read as follows, and renumber the following Sections in sequence:

#22. Unless otherwise expressly provided in these Rules and Regulations, no Alcoholic Beverage,

as defined herein, shall be served in a container exceeding twenty-five (25) fluid ounces in volume without prior written authorization by the Chief of Police by D. Keefe 2nd by M. Elfman. Approved, 5-0.

7. 7:30pm Use of Public Way Application - Founder's Day Committee – Scott O'Donnell – Founder's Day Chair, Monica Fisler, Parade Chair

7.1 Review and vote on Use of Public Way Application for Founder's Day on June 10 from 9:00am - 12:00pm

Mr. O'Donnell said that most things and times will remain the same. We have the parade, fireworks, and music on the field. We are a non-profit and not part of the town but we couldn't do it without the all the town departments supporting us. Our Rocket Drive is on Saturday May 27 from 7:00am – 1:00pm and we also have a QR code to donate via Venmo. We are going to cut the parade off at Carpenter Street and those who are not going to the Booth field can circle back to the parking on Central Street. There will be shuttles running before and after the parade.

Motion to approve the Use of Public Way Application for Founder's Day on June 10 from 9:00am - 12:00pm by D. Keefe 2nd by M. Elfman. Approved, 5-0.

8. 7:40pm Audit Committee Report - Discuss Audit Committee Report

Mr. Keefe reviewed the minutes from the last Audit Committee meeting. They discussed changing Auditors to have a 5-year contract and changing to a new audit firm. This does not relate to the competence of our current auditor and the work they've done. Mr. Coderre added that the current auditor's contract will go through the FY23 and FY24 audit. Mr. Keefe went on to state there is no intent to break the contract. Mr. Coderre met with the Audit committee to inform them. Once the contract is near expiring we can put it out to bid. Because of Covid audits were backed up now.

9. 7:50pm Open Meeting Law Complaint Response - Addressing Open Meeting Law complaint pertaining to the April 25, 2023 meeting

Mr. Coderre reviewed the complaint, which was an incorrectly posting the April 25th amended agenda. The original and amended agenda were posted side by side in town all and online but the amended agenda has to include the original posting time and date. The second issue was the lack of address on the agenda as it said Foxborough Town Hall Gala Room, but did not have the actual address. We will now have the address on the agenda, this was just two minor administrative errors and the clerk will make sure the amended agenda is the original. There is a letter included in your packet that acknowledges those minor oversights and letter going to the complainant and Attorney's Generals Office which should resolve the issue.

10. 8:00pm Town Manager's Update

10.1 General Update on Town Operations and Business

Mr. Coderre stated he met with the Seniors on May 26, and I also went through Gillette North End Zone. I met with the Audit Committee and CIP Committee. I also toured all the Recreation facilities with Renee Tocci, Marc Craig and Heather Harding. I held a pre-Town meeting on May 3rd and we had town meeting last night and was impressed with how smoothly it went.

10.2 Acknowledge a \$100 donation to the K-9 fund from Deb and Mike Stewart and Lynda Walsh in memory of Janet Kennedy.

11. 8:10pm - Selectmen's Update

11.1 New Business - Senior Olympics Begin May 15, DPW Open House on Saturday, May 20 from 10:00am - 12:00pm

11.2 New Business - Preliminary Board and Committee Appointments and Reappointments

11.3 Old Business – Congratulations to Debbie Giardino for her pavilion that should be opening in the fall.

There will Pickle Ball Ribbon Cutting on May 23rd at 6:00pm.

Mr. Elfman thanked Ms. Gibson for her great job as Chair.

12. Action Items

12.1 Pool Table Renewals - Foxboro VFW at 337 Cocasset St. and Rally Point Inn & Pub at 9 Mechanic Street

Motion to approve the renewal of 2 Pool Table Licenses for Rally Point Pub and Inn at 9 Mechanic Street and 2 Pool Table Licenses for VFW Foxborough Post 2626 at 337 Cocasset Street by D. Keefe 2nd by M. Elfman. Approved, 5-0.

12.2 VFW Foxboro Post 2626 - Extended Hours Request at 337 Cocasset Street

Motion to approve extended hours request for VFW Foxboro Post 2626 to begin serving alcohol at 1:00pm on Memorial Day, May 29 by D. Keefe 2nd by M. Elfman.

LG- With the recent issues I check with the Chief and he is okay with this request.

Approved, 5-0.

12.3 Recreation - Accept \$5,000 donation for Recreation's Booth Summer Program from St. Alban's Lodge A.F. + A. M.

Motion to accept a \$5,000 donation for the Recreation Departments Booth Summer Program from St. Alban's Lodge A.F. + A. M. by D. Keefe 2nd by M. Elfman. Approved, 5-0.

12.4 BOS - Approval of Select Board Minutes from the 3/28/23 and 4/11/23

Motion to approve the March 28, 2023 Select Board Meeting Minutes by D. Keefe 2nd by M. Elfman.

LG – Can you please put the address on the meeting minutes? CM – Yes.

Approved, 5-0.

Motion to approve the April 11, 2023 Select Board Meeting Minutes by D. Keefe 2nd by M. Elfman. Approved, 4-0-1. S. McGowan abstained.

13. Adjourn – 8:40pm

Motion to adjourn by D. Keefe 2nd by M. Elfman. Approved, 5-0.

Agenda Packet Documents:

Gillette Stadium Alteration of Premises Application, Public Hearing notice and Police Chief Memo

Current Foxborough Liquor Rules and Regulations and Police Chief Memo regarding liquor rules

Founders Day Use of Public Way and Rocket Drive Application

Audit Committee Recommendation

Open Meeting Law Complaint and response

Applications for Pool Table License for Rally Point Inn and Foxboro VFW

Request for Extended Hours for Foxboro VFW

Recreation Donation Gift Form

Draft minutes for Select Board Meetings on 3/28/23 and 4/11/23