

Tuesday, May 23, 2023
Select Board Meeting Minutes
Gala Room, Town Hall, 40 South Street
7:00 p.m.

Members Present:

Mark Elfman, Chair (LG)
Stephanie McGowan, Vice Chair (SM)
Dennis Keefe, (DK)
Seth Ferguson (SF)
Ian Fitzgerald, Select Board Member for a Day

Also Present:

John W. Coderre, Town Manager (JC)
Christina Metcalf, Communications Specialist (CM)
Katie Lang*, Exec. Assistant (KL)
* Attended Remotely

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on Government Channel 22/38 and at FCATv.org/live**

1. 6:30pm Executive Session

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: DK – Yes, ME – Yes, SM – Yes, SF – Yes, Approved, 4-0.

2. 7:00pm - Citizen's Input - None

3. 7:02pm Select Board Member for Day Proclamation - Proclamation recognizing Student Select Board Member for a Day Ian Fitzgerald.

The Select Board recognized Ian Fitzgerald as a Select Board Member for this meeting with a proclamation and Ian will be assisting the Chair in running the meeting.

4. 7:05pm Finance Director Contract

4.1 Vote on Finance Director Contract for Marie Almodovar

Motion to approve the Finance Director Contract for Marie Almodovar by D. Keefe 2nd by S. Ferguson. Approved, 4-0.

5. 7:10pm Use of Town Property - Farmer's Market

5.1 Recreation Director Renee Tocci to preview upcoming Farmer's Market season on the Common

Ms. Tocci stated that the Farmer's Market will be on the Common, we have some new vendors, old vendors as well. There will be the same fudge lady, new cookie and new honey lady. The Farmer's Market begins June 1 to September 7 and will be from 5-8pm instead of 4-7pm. We will have events once again at the market such as yoga, art in the park, petting zoo to name a few. We just had the ribbon cutting for the new pickle ball courts and the first opportunity people had play before the ribbon cutting they were on the courts. I am in awe and shock of the overwhelming support and interest. We will be adding fencing and benches and picnic tables. We have pickle ball lessons starts tomorrow morning with 20 people in each group. Senior-only lessons are filling up quite quickly. We are making the courts be for Seniors only from Fridays 8:30am – 11:00am with the remaining days and times available to all residents as there are no set organized times at Payson. PIP made a donation to help with the courts as well as the Stearn Charitable Trust foundation for the picnic tables, benches, and the fence.

6. 7:15pm Public Hearing: Transfer of an On Premises Annual All Alcohol Beverage License and new application for a Common Victullar and 7 Day Entertainment License Application - The Harp Patriot Place at 200 Patriot Place

6.1 Review and vote on a Transfer of an On Premises Annual All Alcohol Beverage License from CBS Scene d/b/a CBS Sporting Club to Route One Hospitality Inc. d/b/a The Harp Patriot Place at 200 Patriot Place. Attorney Thomas Miller, Brian Burke, Manager of Record for The Harp

Thomas Miller introduced himself, Mr. Burke and members of the Briar group team. Atty. Miller stated that we are here to do a transfer of the liquor license for CBS Sporting Club to The Harp. There is another location of the The Harp in Boston that has been operating for the last 40 years. The Briar Group are very familiar with operations so close to a sports venue as their current location is near Boston Garden. They have operated Six Strings for the past 5 years and understand how to operate outside of Gillette Stadium. The overall floor plan is staying the same and seating is being rearranged and the space rebranded to reflect The Harp at Patriot place. There is a patio that overlooks the stadium. Their menu is an elevated approach to game day food with a quick bite to eat or full sit down meal. Brian Burke is the proposed manager of record, familiar with the rules and regulations and experienced and was with Toby Keith's and Six String and now with the Harp. The team here will be backing Brian as well. He is familiar with the Towns' rules for the sale and service of alcohol at Patriot Place. They are looking to open mid to end of June.

Motion to close the public hearing by D. Keefe 2nd by S. Ferguson. Approved, 4-0.

Motion to approve a 7-Day All Alcohol Beverage License for Route One Hospitality Inc. d/b/a The Harp at 200 Patriot Place by D. Keefe 2nd by S. Ferguson. Approved, 4-0.

6.2 Review and vote on a Common Victualler and 7-Day Entertainment License for Route One Hospitality Inc. d/b/a The Harp Patriot Place at 200 Patriot Place

Motion to approve a Common Victualler and 7-Day Entertainment License for Route One Hospitality Inc. d/b/a The Harp at 200 Patriot Place by D. Keefe 2nd by S. Ferguson. Approved, 4-0.

7. 7:30pm Department Update - Land Use and Economic Development -Land Use & Economic Development
Director Paige Duncan, Building Commissioner Scott Shippey and Conservation Agent Jane Pierce to give update on Land Use Department

Land Use and Economic Development Director Paige Duncan introduced the 10-person team in this department. Land Use and Economic Development includes Planning, Building and Conservation. They are located at the 2nd floor of Town Hall and have connecting offices so we are able to collaborate easily. Our new reorganization has provided enhanced customer service, improved operational efficiencies, communication and coordination.

With the combining of all our departments under Land Use, we were able to get a grant from the state for \$200,000 for new permitting software and they noted our innovated approach to land use. There are a few other towns who are structured like ours but this is still a new cutting edge approach of Land Use in municipalities. Since 2016, we have raised about \$9.2 million in grants, earmarks and other advocacy-based fundraising for projects including earmarks for Walnut Street and the Central Street Parking Lot.

We are working with the Foxborough Housing Authority on the Walnut Street Senior Housing Project. We are supporting the ZBA on Morse Street and Walnut Street 40B applications. We continue to support the Foxborough Common Business Collaborative, improved wayfinding with more signage and an Uptown Parking Map and improved the Central Street and Schneider parking lots. We have a regional tourism site – visitfpw.com and the Town has been designated as a Silver Level Mass Bio Community which makes us a desirable town for R&D type uses. We have been working with the Town Asset Review Committee (TARC) and will have to decide what do with

the Pratt School and Auditorium. Once we have more information on both we'll make a recommendation to the Select Board.

Building Commissioner Scott Shippey stated that the Building Department is very busy with most of his time has been spent on North End Zone renovations since last June and within 10 months a lot of it is done. We also had 29 Wall street, a 3 story apartment building, that just got their Certificate of Occupancy a few months ago. They also have a commercial space available as well. The old Foxboro Terminals have been converted to a movie production theater and produced the HBO series, Julia. Station One at Shovel Town just opened in December and is mixed use property with apartments above the restaurant. Hao Sushi, Bahn Mi Oi and Everything Bagel also opened recently. At the stadium Building P was demolished and now have the Kraft Group Building. We brought in \$1.9 million in 2022. We are the first department to get Permit Eyes for the Town and they are meeting our needs. We did increase the permit fees with the approval of the Board to be implemented July 1, 2023. We continue to work with the Fire Department on annual inspections and working with Fire and Health on multifamily houses to be in compliance. Mr. Shippey noted that the \$1.9 million is because of the North End Zone work and will not be sustainable going forward.

Conservation Agent Jane Pierce started her presentation with her task of updating the Open Space and Recreation Plan (OSRP). We did receive conditional approval from the state and now qualify for grants from the state while we adjust some of the OSRP. We adopted policies to address issues including hazardous tree removal policy, beaver management, guidelines for proposed work on a lakefront lot and an encroachment policy and procedure. One of the best parts of the commissions role is to educate the public and we have a guide to conservation, an online land map, our lane homestead brochure & trail map and several other guides to do that.

Mr. Ferguson asked if we know anything about the quality of the water in town of the ponds and lakes and if there is anything we can do to improve it. Ms. Pierce said that she is providing the information and that is all about education and that the Neponset Reservoir has seen some improvement recently.

Ms. Duncan finished the presentation with what's next for the Land Use Department. The MBTA Communities Act and that will affect our numbers this is a big deal. We are going to have to address this and work with the community as we understand how people feel about new housing and density. We have an interim action plan and are in compliance. In July we'll start talking and in September we'll start a community conversation.

Mr. Elfman asked if this would go to the polls. Ms. Duncan replied it could be on the 2024 spring or fall town meeting and has to be passed. Ms. McGowan asked if there was a number of units required. Ms. Duncan replied that we would have to zone for 768 multiple family units on no less 50 acres. If the commuter rail becomes permanent it would be 15% and 1,148 units. If its adjacent there is flexibility with location. The density is 15 units per acre. You can do a very dense area in one space and less dense in another. Mr. Elfman asked if there is not property around there to build. Ms. Duncan replied that this is purely zoning and that you can use existing buildings. This is solely zoning and you can zone existing building. There are certain areas in town that aren't eligible. We are still in a pilot program it ends in August and we aren't sure what the decision is made. There are a lot of questions.

Mr. Keefe asked what's the Kraft group stands on this development. Ms. Duncan replied they did a market study that they could do 250 units and they could be open to that amount. She continued that we will be doing a Master Plan update, continue with Uptown revitalization and continue to launch electronic permitting. Jane will finalize open space and recreation plan and work on the encroachment issue. Scott will continue with implementation of the new permitting and the new fee schedule. Mr. McGowan asked what is going on with the property at Chestnut Street? Ms. Duncan said that there's no plans for that right now. Ms. McGowan asked about the contamination at the Bleachery and does that affect the Morse Street project.

Paige responded that doesn't affect 119 Morse Street and there has been testing and will continue to be testing throughout the build. We've always know that 131 is the problem and Matt Brennan, Public Health director is your contact on that issue. Mr. Shippey stated there is a structure in back at 131 Morse that is going to be demolished as it is an unsafe structure. Mr. Keefe asked what happened to the day care that was proposed for Chestnut Street. Ms. Duncan responded that it was approved but the day care walked away.

Mr. Ferguson asked if there was any update on the Schneider property. Mr. Coderre stated they haven't decided what to do with it yet as they are still cleaning up.

8. 8:00pm Common Victualler Application - Ice Cream Beach Club - Review and vote on a Common Victualler and 7 Day Entertainment License for Ice Cream Beach Club at 10 Mechanic Street, Sara Gibson, Owner.

Sara Gibson told the Select Board that Ice Cream Beach club would be a on the lower, A seasonal shop. It was an office space previously but we are working on it and hope to open in the next month or so. The ice cream that I'll be serving will be from Gibson Dairy Farm and will be providing water, soda, and toppings. There space to sit inside and outside. There will be cones and cups and a container for to-go ice cream.

Ms. McGowan asked if there is a plan for traffic and parking. Ms. Sara Gibson responded that there is parking lot for the ice cream shop specific to the building and on street parking as well. Safety is top priority. Mr. Keefe asked how many parking spaces there are at the location. Sara responded there are twelve parking spaces. I have been wanting to open an ice cream shop since I was young. We are missing the stand alone ice cream shop. It's in walking distance from several schools and Booth Playground. I do have a business degree and will be doing this in addition to my full time job. There will be 16 flavors and icecreambeachclub.com and the hours would be open Wednesday – Sunday from 3:00-9:00pm on Wednesday and Thursday, Friday 3:00pm-10:00pm and Saturday and Sunday 12:00pm -10:00pm.

Motion to approve a Common Victualler and 7 Day Entertainment License for Ice Cream Beach Club at 10 Mechanic Street by D. Keefe 2nd by S. McGowan. Approved, 3-0-1. S. Ferguson abstained.

9. 8:10pm Board, Committee & Commission Reappointments

9.1 Select Board to appoint/reappoint members of Foxborough Boards, Committees and Commissions for new terms - List of appointments/reappointments attached at the end of this agenda.

Motion to approve the annual board and committee reappointments as more particularly described on the posted May 23, 2023 agenda by D. Keefe 2nd by S. Ferguson. Approved, 4-0.

10. 8:20pm OML Meeting Complaint Response

Mr. Coderre stated that we received a complaint for not approving minutes in a reasonable time frame. From the March 28th meeting we are within compliance and we are not in violation.

Ms. McGowan asked if the person who did complain was incorrect. Mr. Coderre stated that yes he was incorrect but the meeting before town meeting could have caused some confusion.

11. 8:25pm Town Manager's Update

11.1 Update on Town Operations and Business

11.2 Town Common Use Approval - Foxborough Rotary Peace Day, 9/23, 12:00pm - 5:00pm

11.3 HR Update - New Hires: Collections Coordinator Nancy Koczela and Finance Administrative Assistant Alma Ugialoro, Officer Korey Goldrick. Resignation: - Officer Charles Gallagher retiring and Lt. Ken Fitzgerald resigning to become Bellingham Police Chief.

12. 8:35pm - Selectmen's Update

12.1 New Business - FY24 Select Board Schedule – There was date that change from July 18 to July 11

12.2 New Business - Weekend Event Recap – Mr. Elfman said the concert was good as a Main Street resident and I was not affected by traffic.

Chief Grace stated that we will have traffic on concert and game days. The traffic management plan has not changed. The resident pass has been done for 20 years. The ride share changed the dynamic. There was a lot of messaging beforehand that you have to show up early. The messaging worked and people showed up early. The traffic was affected by the rain on Saturday. We knew we would have extra people who didn't have tickets they didn't have any issues. We had 1 or 2 custodies a night. It was a great atmosphere. This event has the most hype and my staff is spent. We were tasked we providing Taylor Swift's private security as well. I have to thank all the police departments and chiefs who had staff at the concerts. Thank you to all the officers in my department and every officer filled in and took a shift. We are still doing all the billing for this as well. Mr. Keefe stated that on social media was it was a very well managed event. Chief Grace agreed and that the Town adapts well.

12.3 New Business - Availability of North Street Resident Only Traffic Pass

12.4 Old Business - Founders Day, June 10, Memorial Day is Monday.

Mr. Ferguson said that we see all the grants that the departments present and wanted to know how do we maximize grant opportunities in town and is there a tracking mechanism to know what we grants have been applied for. Mr. Coderre stated that every department head belongs to grant distribution list. We get emails from our state reps. As programs rollout they are distributed to department heads. A lot are need based and we don't qualify. We know the regular grant programs. We are constantly having conversations about grants. We are very plugged in and its choosing to apply for grants that we are able to obtain and can have candid conversations with those program leads to know if we really qualify. Mr. Ferguson said that it would be good story to know the total volume and win rate, comparative to other towns.

Mr. Elfman congratulated Mr. Paul beck as the MRPAC community volunteer of the year.

13. Action Items

13.1 Wormtown Brewery - 4 One-Day Beer & Wine License during the Patriot Place PickleBall Classic on 6/22 - 6/25 from 12:00pm - 9:00pm at 1 Patriot Place

Motion to approve 4 One-Day Beer & Wine License for Wormtown Brewery during the Patriot Place PickleBall Classic on 6/22 -6/25 from 12:00pm - 9:00pm by D. Keefe 2nd by S. Ferguson. Approved, 4-0.

13.2 Gillette Stadium - North End Zone Extended Hours Request for work from 7:00-11:00pm following conditions from prior requests at 1 Patriot Place

Motion to approve the North End Zone Extended Hours Request for work from 7:00-11:00pm following conditions from prior requests at 1 Patriot Place until September 30, 2023 by D. Keefe 2nd by S. Ferguson. Approved, 4-0.

13.3 Historical Commission - Accept a donation totaling \$210 from Laura Bradley (\$140) and Sandra Norton (\$40) for the Historic House Plaques

Motion to accept a donation totaling \$210 from Laura Bradley (\$140) and Sandra Norton (\$40) for the Historic House Plaques by D. Keefe 2nd by S. Ferguson. Approved, 4-0.

13.4 Foxboro Cultural Council - Accept a donation totaling \$1,800 from Citizens Bank (\$1,500), Elliot Physical Therapy (\$150) and Rally Point Inn & Pub (\$150) for Fox-in-the-Boro Sponsorships

Motion to accept a donation totaling \$1,800 from Citizens Bank (\$1,500), Elliot Physical Therapy (\$150) and Rally Point Inn & Pub (\$150) for Fox-in-the-Boro Sponsorships by D. Keefe 2nd by S. Ferguson. Approved, 4-0.

13.5 Select Board - Approval of Select Board Minutes from 4/25/23 and 5/9/23

Motion to approve the April 25, 2023 Select Board Meeting Minutes by D. Keefe 2nd by S. Ferguson. Approved, 4-0.

Motion to approve the May 9, 2023 Select Board Meeting Minutes by D. Keefe 2nd by S. Ferguson. Approved, 4-0.

14. Adjourn – 8:36pm

Motion to adjourn by D. Keefe 2nd by S. Ferguson. Approved, 4-0.

Agenda Packet Documents:

2020-2023 Executive Session Minutes with Redactions to be reviewed and released

Draft 4.11.23 and 5.9.23 Executive Session Minutes

Recreation 2023 Farmers Market License issued by Town Manager John Coderre

The Harp Transfer of 7 Day All Alcohol Liquor License, Common Victualler and Entertainment License application, Public Hearing Notice and The Harp Presentation

Ice Cream Beach Club Common Vic and Entertainment License Application and menu of flavors

List of 2023 Boards + Committees Appointments

Foxborough BOS OML Complaint issued May 9 2023 and OML complaint response

Foxborough Rotary Club Peace Day Use of Common Permit

Wormtown One Day Beer & Wine Application for PickleBall Classic

Suffolk Construction North End Zone Extended Hours request letter and approvals from Police, Health and Building Departments

Historical Comm Donation Form for a total of \$210

Foxborough Cultural Council Donation Form for a total \$1,800

Draft Select Board Minutes for April 25 and May 9, 2023