

SELECTMEN'S MEETING MINUTES
April 28, 2009

Members Present: Mark Sullivan, Chairman
Paul Feeney, Vice Chairman
Lynda Walsh, Clerk
Jim Thrasher
Paul Mortenson

Others Present: Andy Gala, Town Manager
Randy Scollins, Finance Director
Lynn Foell, Cable Advisory Committee

The meeting was brought to order at 7:00 p.m. by Mark Sullivan, Chairman.

7:00 – Citizens Input – No one present for Citizens Input. Andy Gala distributed copies of the 2008 Annual Report. He thanked Jack Authelet for his contribution of the Dedication to the 100th Year of the Foxborough Company.

7:05 – Key Return - Jim Thrasher thanked his family for their support, particularly his Mother and Father, his Aunt Barbara Sheehan and his wife, Margaret, during his years serving the community as a Selectman for the Town of Foxborough. He said a Board member is not about one person but about the Board and the Town when it comes to issues. He pointed out that there is not always agreement but the issues are researched and discussed and in the end there is respect for differences and solutions reached. He also pointed out that there is a lot to learn about making mistakes and moving forward. He remembered his fellow Selectpersons, Andy Gala, Town Manager and Randy Scollins, Finance Director, Sandra Herrmann and Chris Shewry, secretaries, Frank McDow, Frank Mortimer and Pauline Hadley, each with a gift and comments of praise for their help during his time on the Board.

7:30 – Lynn Foell came before the Board to give a brief update on the latest move by Verizon to eliminate local control. He spoke of the petition by Verizon regarding subscriber count requirements. He said Verizon is trying to reduce the amount of time it takes to get a license to 90 days and to limit revenue from 5% to 1% based on the number of subscribers. He said the subscriber count is vital to the community in terms of governance. It is critical information used in estimating the true customer impact on cable service. Lynn said he came before the Board to ask if the Town wants to go on record with other communities as being opposed to eliminating the need for the cable companies to tell the community the number of subscribers they have. He said comments have to be submitted by Friday of this week to the Department of Telecommunications.

A brief discussion ensued. Jim Thrasher said he is not opposed but asked if there was something “short of intervening”. He said he would prefer to sign if Town Counsel could advise on what impact this might have on the Town. He said he might be willing to signify support on this issue. Paul Mortenson said he would not want to be a party to intervening but would support this action. Lynda Walsh pointed out that the petition is still on the House Floor and she felt the Board should reach out to the local Representatives to advise them that the Town wants to know the number of subscribers the cable providers have. Lynn Foell said it would be helpful to know the Town is supportive and that as a community would appreciate having control of how many subscribers they have. Jim Thrasher pointed out that there still is time to discuss this with the local State Representatives. Paul Mortenson said he would be willing to go to the meeting on Friday and report back to the Board. Lynn Foell said he would tell Attorney Epstein if the Board decides to send a representative to the meeting. Andy Gala said he would let Lynn know.

ACTION:

Minutes: The Minutes for the Board of Selectmen’s Meeting of March 31 and April 14, 2009 were reviewed.

Motion by Jim Thrasher to approve the Minutes of the Meeting of March 31, 2009 as submitted. Seconded by Lynda Walsh. **Vote: 5-0-0**

Motion by Jim Thrasher to approve the Minutes of the Meeting of April 14, 2009 as submitted. Seconded by Lynda Walsh. **Vote: 5-0-0**

Request to Move BOS Meeting Date – Received from Larry Harrington a memo suggesting that the Board move their scheduled meeting for May 12th to May 5th so the Board could reorganize after the election and therefore be well prepared for Town Meeting on May 11th. A brief discussion was held. Andy Gala said he would be meeting with new members of the Board before May 11th. Jim Thrasher pointed out that there would be three “sitting” members of the Board who could reach out to the new members if necessary.

Metro Area Planning Council – Received from Metropolitan Area Planning Council notice of the Boston Region elections. One representative from each Town is elected for a term of three years. Andy Gala said that Foxborough has not had any local people on the Council. The date for submission of candidate names is May 15, 2009.

Invoices – Received from Deutsch Williams an Invoice, dated April 8, 2009, for Legal Services Rendered through 3/31/09, in the amount of \$3,819.34. This amount was broken down to specific issues.

Motion by Jim Thrasher to approve the Invoice from Deutsch Williams in the amount of \$3,819.34 as submitted on the Invoice dated April 8, 2009. Seconded by Paul Feeney. **Vote: 5-0-0**

Received from Deutsch Williams, an Invoice for Retainer Services, dated April 15, 2009, in the amount of \$4,083.33.

Motion by Lynda Walsh to approve the Invoice from Deutsch Williams, dated April 15, 2009, in the amount of \$4,083.33 as submitted. Seconded by Mark Sullivan. **Vote: 5-0-0**

Hazardous Waste Day – Received notice from Foxborough Highway Dept. that Hazardous Waste Day is scheduled for May 2nd from 9:00 a.m. to 12:00 noon.

Recreation Gift Acceptance – Received from Debbie Giardino, Recreation Director, notice that the Recreation Dept. had received grant money from the Wal-Mart Foundation in the amount of \$500.00 to be used towards a fishing derby scheduled for June, 2009.

Motion by Lynda Walsh to accept the check in the amount of \$500.00 from the Wal-Mart Foundation for the Recreation Dept. to be used for a fishing derby scheduled for June, 2009. Seconded by Paul Mortenson. **Vote: 5-0-0**

Memorial Day Celebration – Received from James J. Finn, Adjutant, American Legion Post 93 an invitation to participate in a parade honoring deceased Veterans on May 25, 2009. Members of the Board will participate.

Extended Hours Request – Received from Red Robin International, Inc. a request to extend the hours of service for alcoholic beverages on Sundays beginning at 11:00 a.m., Sept. 27th, Oct. 4 & 18, Nov. 8 & 22 and Dec. 13 & 27th. A brief discussion was held.

Motion by Jim Thrasher to approve the request by Red Robin International, Inc. for extended hours for service of alcoholic beverages as submitted in the letter of April 16, 2009. Seconded by Mark Sullivan. **Vote: 5-0-0**

Pool/Billiard Table License Renewals – Received applications for Renewal of Pool Table and Billiard Table Licenses for Agnus Corp. (Fusion 5) – 3 coin operated pool tables; American Legion – 1 coin operated table; Ancient Marinere – 1 coin operated table; VFW – 2 coin operated pool tables; Stoneforge/MJ Holding – 10 non-coin operated billiard tables and Waxy O'Connor's – 1 coin operated table.

Motion by Lynda Walsh to approve the applications for Renewal of Pool Table and Billiard Table License Renewals as submitted by Agnus Corp., American Legion, Ancient Marinere, VFW, StoneForge/MJ Holding and Waxy O'Connor's. Seconded by Jim Thrasher. **Vote: 5-0-0**

Town Committee Appointment Renewals – Andy Gala submitted a listing of the Town Committee Appointment Renewals and asked that the Board comment and vote.

A discussion was held regarding the timing of the Board's approval of candidates for some of the boards and/or committees. Lynda Walsh reminded the Board that last year the ZBA was unable to meet on a particular issue because there was no timely approval for a new member by the BOS. Paul Feeney pointed out that he had someone signify interest the Conservation when the next opportunity came up. He would like to interview perspective applicants for these committees. Mark Sullivan suggested that March would be a good time for the Board to conduct such interviews instead of waiting until just before May 1st. Jim Thrasher said that he had concerns about reappointment of Judith Johnson to Conservation and Anita Kloss to Board of Recreation based on the fact that she is a plaintiff in a law suit against the Town.

Motion by Paul Mortenson to disband the Dog Park Search Committee. Seconded by Paul Feeney. **Vote: 5-0-0**

Motion by Paul Mortenson to approve the Appointment Renewals as presented with the exception of Judith Johnson, Conservation Commission, and Anita Kloss for the Recreation Department. Seconded by Paul Feeney.
Vote: 5-0-0

List of committee appointment renewals to be found at the end of the minutes.

Acceptance of Check from Hanover R.S. Limited Partnership – Received from Attorney Frank J. Spillane on behalf of Hanover R.S. Limited Partnership, Lodge@Foxborough LP in the amount of \$75,000.00 to be used for specific purposes and in the amounts as described \$60,000 for Sewer infiltration and inflow mitigation selected by the Foxborough Water & Sewer Commission and \$15,000 for design and/or construction of the expansion or the renovation of the Boyden Library. A brief discussion was held.

Motion by Lynda Walsh to accept the check from Hanover R.S. Limited Partnership, Lodge@Foxborough LP in the amount of \$75,000 to be used as directed in the letter from Attorney Spillane, dated April 28, 2009. Seconded by Paul Feeney. **Vote: 5-0-0**

NEW/OLD BUSINESS - Paul Feeney raised a question regarding the fees for trash collection. Andy Gala explained that attempts were made to reduce the

costs for the program including “stops and starts”, etc. He said a policy had been implemented without the desired effect and that policy is no longer in place. He said if anybody who had paid a fee under that program a credit would be issued on the July trash bill. He said the fee remains at \$90.00 for six months service.

Paul Mortenson said he had heard complaints about issues with GATRA. Andy Gala said a meeting with GATRA is scheduled for the next week and he would come back to the Board on that issue at the next meeting.

Mark Sullivan thanked everybody for “putting up with him” and that his time on the Board had been a “great learning experience”. He said he plans to return in some capacity in the future. He takes great pride in having served as a Selectman for the Town of Foxborough.

Motion by Jim Thrasher to go into Executive Session to discuss a Police Grievance and to exit from Executive Session for the sole purpose of adjournment. Seconded by Paul Feeney.

Mark Sullivan recused himself from this Executive Session.

Vote: 4-0-0	Paul Feeney, Vice Chairman	Yes
	Lynda Walsh, Clerk	Yes
	Paul Mortenson	Yes
	Jim Thrasher	Yes

Meeting to adjourn by Jim Thrasher. Seconded by Lynda Walsh.

Vote: 4-0-0 Meeting adjourned 9:30 p.m.

Lynda Walsh, Clerk

TOWN COMMITTEE APPOINTMENT RENEWALS

Effective May 1, 2009

COUNCIL ON AGING & HUMAN SERVICES

3 Year Term - 5/1/2009 through 4/30/2012

Ann M. Alibrandi

Colin Haney

Lloyd C. Gibbs

Joanne Pratt

AMTRAK ELECTRIFICATION PROGRAM

1 Year Term - 5/1/2009 through 4/30/2010

John R. Martin

APPEALS, ZONING BOARD OF

3 Year Term – 5/1/2009 through 4/30/2012

James N. Forster

Associate Members

1 Year Term - 5/1/2009 through 4/30/2010

Lee S. Estabrook

Christopher Karvonen

CABLE TELEVISION ADVISORY COMMITTEE

1 Year Term - 5/1/2009 through 4/30/2010

Harold H. Donnelly, Jr.

Matthew Shea

Lynn W. Foell

John Regan

Gary W. Nash

Ex Officio Members - 1 Year Term 5/1/2009 through 4/30/2010

Paul R. Beck

William Randy Scollins

Jerry Cirillo

Michael Webber

Paul F. Godin

Paul Bortolotti

CAPITAL IMPROVEMENT PLANNING COMMITTEE

1 Year Term - 5/1/2009 through 4/30/2010

James DeVellis

Paul D. Mortenson

Andrew A. Gala, Jr.

Leo R. Potter

Christopher Martes

William Randy Scollins

DISABLED CITIZENS, COMMITTEE FOR

1 Year Term - 5/1/2009 through 4/30/2010

Frances A. Bell

Susan C. Collins

Nancy L. Biggar

Catherine S. Hickey

Richard W. Biggieri

Marilyn L. Lucas

ECONOMIC DEVELOPMENT COMMITTEE

1 Year Term - 5/1/2009 through 4/30/2010

Mark A. Grebbin, Sr.

Michael G. Saegh, Sr.

Marc Resnick

Michael Stanton

EMPLOYEES INSURANCE ADVISORY

1 Year Term - 5/1/2009 through 4/30/2010

Gloria M. Barnes (Teachers' Rep)

Arthur F. Reynolds (Highway/Water)

Diane Monahan (Retirees)

David Healy (Firefighters)

Sean Buckley (Police)

Vickie Kusleika (Library Rep)

William R. Scollins (Finance Director)

EXECUTIVE EMERGENCY PLANNING COMMITTEE

1 Year Term - 5/1/2009 through 4/30/2010

Roger Hatfield, Fire Chief

Paul Feeney, Board of Selectmen

Edward T. O'Leary, Police Chief

Andrew A. Gala, Jr., Town Manager

FAIR HOUSING COMMITTEE

1 Year Term - 5/1/2009 through 4/30/2010

Richard C. Hobbs

Michael J. Regan, Jr.

Roger Hatfield, Fire Chief

RENEWABLE ENERGY ADVISORY COMMITTEE

1 Year Term – 5/1/2009 through 4/30/2010

Paul R. Feeney

Robert Garber

Nancy D’Uva

Michael O’Driscoll

Brian Doherty

Kevin Slein

STADIUM ADVISORY COMMITTEE

1 Year Term - 5/1/2009 through 4/30/2010

Joel Angelico

James Kelly

Myron R. Ashapa

Candace LaChapelle

Frank P. Barresi

Robert J. Quinn

George W. Bell, II

Sandra J. Smith

James W. Evans, Jr.

Nathan M. Webber

Ronald W. Hodgdon

STATE FOREST ADVISORY COUNCIL

1 Year Term - 5/1/2009 through 4/30/2010

Anthony C. Gilby

Rita Martin

David Risch

SURVEY BOARD

1 Year Term - 5/1/2009 through 4/30/2010

William R. Buckley, Jr.

Richard Dempsey

William Casbarra

Roger Hatfield

TOWN OWNED PARCELS REVIEW COMMITTEE

1 Year Term - 5/1/2009 through 4/30/2010

Robert Boette

Witmore Pete Turner

William Yukna

ZONING BY-LAW REVIEW COMMITTEE

1 Year Term - 5/1/2009 through 4/30/2010

Erik J. Bednarek

Barnett D. Ovrut

David Brown

Marc Resnick

William Casbarra

Michael Saegh, Sr.

William Grieder

Kevin Weinfels

MUNICIPAL HEARINGS OFFICER

1 Year Term 5/1/2009 through 4/30/2010

Andrew A. Gala, Jr.

REGISTRARS, BOARD OF

3 Year Term 4/29/2009 through 4/28/2012

Audrey L. Greeley

50 East Street

