

**SELECTMEN'S MEETING MINUTES**  
**March 5, 2013**

Members Present: James DeVellis, Chairman  
Mark Sullivan, Vice Chairman  
Lorraine Brue, Clerk  
Lynda Walsh  
Ginny Coppola

Others Present: Town Manager Kevin Paicos  
Bob Russell of the Lion's Club  
Southeastern Regional School Business Manager Mark Morris  
Town Planner Sharon Wason  
Foxboro Commission on Disabilities Chairman Sue Collins  
Dan Murphy of the Kraft Organization  
Brian Early, General Manager of Patriots Place

The meeting was brought to order at 7:00 p.m. by James DeVellis, Chairman. Chairman DeVellis reviewed the agenda.

**Citizen's Input**

Town Employee Jessica Minton read a statement on behalf of the non-union employees. They wanted to express their displeasure at what took place on the February 26, 2013 Board meeting. A non-union employee and the process of changing the personnel wage bylaw were publicly disrespected. They request that the Board respect the established process for reviewing the bylaws and include the employees in the process. They also request that the warrant article pertaining to non-union personnel benefit changes be removed from the Town Meeting Warrant.

**Lions Club – Town Common Electronic Sign**

Bob Russell of the Lions Club met with the Board in regards to the Town Common signs. There was a showing of what the proposed electronic sign would look like on February 26<sup>th</sup> and the Historical Commission had a meeting about it on March 2<sup>nd</sup>. The Historical Commission did not vote in support of the electronic sign. Mr. Russell stated that the Lions Club will continue to support and repair the existing signs. They will make the necessary repairs and replace the plexiglass.

Jack Authelet of the Historical Commission spoke of the history of the Common and the many war monuments it contains. He and the Commission feel that it is sacred ground that should not have its sanctity compromised with a new electronic sign.

Mr. Russell stated that the Lions have received many negative comments about the new signs but are willing to work on the existing signs to restore them. He also suggested that a senior could change the sign each Monday instead of taking the time of a DPW worker.

Ms. Walsh appreciates the Lions' efforts, but agrees with Mr. Authelet.

Mr. DeVellis also agrees with Mr. Authelet and inquired if the Lions would like to withdraw their application for a new sign. Mr. Russell agreed to withdraw the request but stated that the Lion's will continue to maintain the current signs.

Mr. Sullivan stated that the Board of Selectmen controls the content of the sign so that the townspeople know what is going on in town.

Mr. Paicos stated that under the Strong Town Manager Act, the Town Manager controls town property, not the Board of Selectmen. The Board grants permission for street closings, block parties, etc by permit. Mr. Paicos brought this request to the Board for their comments.

### **Southeastern Regional School Renovation and Expansion Project**

Business Manager Mark Morris came before the Board to explain that a new roof has been added to the renovation/addition project that is currently underway. The new roof will not result in any additional assessments to the town of Foxboro as they will be getting the funds from a solar company that will be renting roof-top space. The Board can either vote to take no action or bring this request to Town Meeting.

A motion to have the Chairman sign the letter of No Action on behalf of the Board was made by Ms. Brue and seconded by Ms. Walsh. **The motion carried 5-0-0.**

### **Community Transportation Technical Assistance Program Grant for the Foxboro Commission on Disability**

Town Planner Sharon Wason and Foxboro Commission on Disabilities Chairman Sue Collins came before the Board to explain a grant that has been applied for that will give technical assistance training for downtown handicapped access. If received, the town would have a walking audit of the downtown to find problems with accessibility. It would also include training on how to evaluate whether an area is accessible or not. This would help to avoid mistakes in the future and avoid having to take remedial action when something is not put in the right place.

### **Kraft Organization – General Discussion of Past-Present-Future and Q&A**

The Board met with Dan Murphy of the Kraft Organization and Brian Early the General Manager of Patriot Place in the spirit of better communication and proactive dialogue with the town.

Mr. Early had a power point performance analysis on Patriot Place. This is only for Patriot Place and does not include stadium events. This report compared the town's 2006 Koff Report projected costs versus actual costs of police calls, medical calls, financial benefits and community involvement. Overall it shows that police and fire calls at Patriot Place are a fraction of the projections and revenues to the Town are well ahead of projections despite not being at full build out.

Mr. DeVellis stated that he, Ms. Walsh, Mr. Paicos and the Police Chief met with Mr. Murphy and Mr. Early to review the numbers at an earlier date.

Tim McCarthy of 387 South Street questioned why the Fire Access Road was not being utilized. Fire Chief Hatfield stated that they do have access to the road, but stated it may or may not be used depending on the location of an incident.

Paul Flaherty the General Manager of Davio's stated that he has been at his location since Patriot Place opened and he has the best landlords who make sure all town and state regulations are followed in regards to alcohol service. He also feels that this is a good place for the citizens of Foxboro.

Bill Martin of Tastings stated that he doesn't understand the antagonism towards Patriot Place; he feels that they are great landlords who always work with the tenants. There are many community events held there, they are involved with the YMCA and donate to community organizations.

Chris Mitchell of 9 Spruce Street who works for Homes for Our Troops who recently had an event at the Renaissance Convention Center in January was impressed that Patriot Place was accessible by all the attendees in wheelchairs and feels that they are an asset to the town.

Ms. Brue stated that she worked with the restaurant owners, the Kraft Organization and the Police Chief on Liquor License Regulations and always felt there was a good dialogue and commitment to management of alcohol service. She would like to see more discussions in the future; public safety always needs to be addressed.

Mr. Sullivan feels that the Brigham and Women's facility is a great asset to the town. Mr. Early stated that they are planning an expansion at the facility for more Primary Care and Specialty Clinics and they recently expanded their hours.

Mr. Paicos stated that he appreciates the efforts of this presentation, they have all come through a tough year and more focus needs to be on the positives on Patriot Place. They are the largest business partner with the town and a unique asset to the community.

Ms. Walsh asked Mr. Murphy if he could confirm that no casinos will be proposed in the future. Mr. Murphy stated that the casino was presented as a business opportunity to the town and if the town said they didn't want it, they would not pursue it. They have not had any meetings or discussions about bringing gaming to Foxboro since last May. He stated that they have moved on to other options for that parcel.

Mr. Early stated that they are involved in a dynamic industry and are always assessing things and looking for new opportunities. Even in the current tough economic climate, the restaurants have been successful and more opportunities to generate traffic at the site are needed.

Ms. Coppola inquired if they ever looked into Peter Pan bus service to Logan Airport Asince it no longer goes to Foxfield Plaza. Mr. Early stated that they have inquired about it.

### **Chairman's Update**

Mr. DeVellis stated that there will be a meeting of the Capital Improvement Committee this Saturday. This is to address CIP items over \$25,000. The meeting will start at 8:00 a.m.

Mr. DeVellis attended a meeting of the Tri Town Chamber of Commerce recently which included representatives from Mansfield, Norton and the Secretary of Housing and Economic Development as well as the State Representatives. This was to discuss the funding for the municipal sewer program.

Future agenda items include the SE Regional School Budget, fire department fees, results from the CIP meeting and the Town Meeting warrant on March 19<sup>th</sup>.

### **Discussion on the formation of a Committee to review community impact of Plainridge Racetrack's proposed gaming license.**

If there is to be a committee it needs goals and objectives and a decision on how many members should it have.

In the past a similar committee had nine members including members from the Planning Board, Finance, Board of Selectmen, Advisory Committee and local businesses.

Mr. Paicos will put something together and it will be on the next agenda.

Chris Mitchell of 9 Spruce Street asked if Foxboro can be considered a surrounding community. Mr. Paicos stated that he met with the developer for consideration as a surrounding community. The state regulations have not been finalized yet, so the steps to make a determination have not been finalized at this time. Town Counsel is reviewing at the draft regulations.

### **Annual Town Meeting Warrant Review**

The Board reviewed the Annual Town Meeting Warrant Articles.

In regards to Article 15, Ms. Coppola stated that she requested action on the Personnel Wage Bylaw in January and wanted to know why it took so long to be addressed. Mr. Paicos stated that there were no instructions given to him at the January meeting to take any action and Ms. Coppola was to come back with suggested changes.

Ms. Brue re-read the employees statement from the beginning of the meeting, they are requesting that the article for the Personnel Bylaw change be removed from the warrant and would like to be involved in discussions for any changes. They are not necessarily opposed to the change, but to any changes to the process of changing the bylaw.

The Board discussed whether this could happen by the March 19<sup>th</sup> BOS meeting. Mr. Paicos stated that this is outside of the usual process that is followed and that there would be no cost to the town to defer these changes to the Fall Town Meeting. Employee Lisa Sinkus stated that the first two items on the article are language changes and can stay; they were discussed at the employee meeting today.

A motion to remove from the Annual Town Meeting Warrant Article 15 the section headed Article II Employee Benefits, Section O, Educational Reimbursement for reconsideration at fall Town Meeting was made by Mr. DeVellis and seconded by Ms. Brue. **The motion carried 5-0-0.**

HR Director Cindy DePina stated that the warrant articles were reviewed with department heads, who informed the employees. The non-union employees had a meeting today which resulted in their letter. The Town Manager was not present at their meeting.

Ms. Brue commented that an intern had found a number of streets that were not accepted which is affecting Chapter 90 funding and if they could be put on this warrant. Mr. Paicos stated that there is a process needed and they could not be ready for this warrant. He will work on it for Fall Town Meeting.

Ms Brue stated that the Town Asset Review Committee had advised that a town meeting vote was needed to sell the state hospital auditorium property. Mr. Paicos stated that research is needed and it was actually proposed as the site for the regional dispatch center. A report is due on the dispatch center in the next few months. If they do not recommend this location then the process could be started to for a future town meeting.

### **Action Items**

Police Chief O'Leary informs the Board that a Grant award acceptance has been received for \$10,000 from the STATE 911 Department to be used for training costs for the Central Dispatch Center.

A motion to accept the grant in the amount of \$10,000 from the STATE 911 Department with gratitude was made by Ms. Walsh and seconded by Mr. Sullivan. **The motion carried 5-0-0.**

Police Chief O'Leary informs the Board that a second Grant award acceptance has been received for \$43,534 from the STATE 911 Department to be used to supplement costs for the operation of the Central Dispatch Center.

A motion to accept the grant in the amount of \$43,534 from the STATE 911 Department with gratitude was made by Mr. Sullivan and seconded by Ms. Walsh. **The motion carried 5-0-0.**

A gift from Waxy O'Connor's to the Police Department Gift Fund in the amount of \$8,000 has been received.

A motion to accept the gift of \$8,000 with gratitude from Waxy O'Connor's to the Police Department Gift Fund was made by Mr. Sullivan and seconded by Ms. Brue. **The motion carried 5-0-0.**

A gift has been received from Harvard Pilgrim HealthCare to the Historical Commission Gift Fund in the amount of \$500.

A motion to accept the gift from Harvard Pilgrim HealthCare to the Historical Commission in the amount of \$500 was made by Ms. Walsh and seconded by Ms. Brue. **The motion carried 5-0-0.**

A letter in regards to water quality at Skipjack's was copied to the Board. It is being handled by the Board of Water and Sewer Commissioners.

A motion to adjourn the meeting to enter into Executive Session and not return to regular session at 9:45 p.m. was made by Mr. Sullivan and seconded by Ms. Brue. **The motion carried 5-0-0.**

Respectfully Submitted,

Diana Gray

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Lorraine Brue, Clerk