

TOWN OF FOXBOROUGH
SELECTMEN'S MEETING
MINUTES
JULY 22, 2014

Members Present: Lorraine A. Brue, Chairman
John R. Gray, Vice Chairman
Virginia M. Coppola, Clerk
James J. DeVellis
David S. Feldman

Others Present: William G. Keegan, Jr., Town Manager
Chief Edward T. O'Leary
Lynda Walsh, Foxboro Jaycees
Keri Pereira, Foxborough Country Club
Mr. Howard Kobey, Foxborough Country Club
Mr. Robert Buckley, Muse Paintbar, LLC
Mr. Stanley Finch, Muse Paintbar, LLC
Mr. Jack Gannon, Artist Studio & Gallery
Mr. James Cammaratta, Bass Pro Outdoor World, LLC
Mr. Ronald Lima, 99 Restaurants of Boston, LLC
Mr. Robert Cutler, Town Clerk
Mr. Larry Thomas, 6 Norton Street
Mr. William Grieder, Planning Board
Mr. Paul DeFazio, 23 Richard Street
Mr. Steve Udden, 21 Carmine Avenue
Mr. John Schleyer, Ouimet Lane

The meeting was brought to order at 6:45pm by Chairman Lorraine Brue.

A motion to enter into Executive Session at 6:45pm and to return to regular session at the conclusion was made by Mr. Gray. Seconded by Mr. DeVellis. The motion carried 5-0-0.

The Board returned to regular session at 7:00pm and the meeting continued.

Ms. Brue reviewed the agenda.

7:00pm - Board of Selectmen Update

Ms. Brue informed everyone that at the next Board of Selectmen's meeting on August 5, 2014 they would be having a special Purple Heart Ceremony and encouraged anyone that was interested to attend.

7:05pm – Citizen's Input – Chief O'Leary and Lynda Walsh appeared before the Board to inform them of the National Night Out Against Crime scheduled for Tuesday, August 5, 2014

starting at 6:00pm on the Foxborough Common. Many activities are scheduled (music, a petting zoo, bouncy house, DNA Kits, karate demonstrations, etc.).

Chief O’Leary thanked the Foxboro Jaycees for organizing and helping to make this event a great success since the event started in 1992.

Ms. Walsh thanked Paul Feeney (D.J.), Ron Young and Chief O’Leary for their donations.

Ms. Walsh informed the Board that at the next Concert on the Common on Thursday, July 24, 2014 would feature performers from Splitsville/Howl at the Moon.

7:10pm – Public Hearing – Foxborough Country Club - Change of Manager

Ms. Coppola read the public hearing notice.

John Gray recused himself from this portion of the meeting.

Mr. Kobey and Ms. Pereira came before the Board explaining that a “Change of Manager” application was needed by the ABCC. A brief discussion ensued in which Ms. Pereira explained she has been a Manager in Providence for four years and is T.I.P.S. certified.

Motion was made by Virginia Coppola to approve the Change of Manager for the Foxborough Country Club. Seconded by David Feldman. **Vote: 4-0-1** with Mr. Gray abstaining.

7:20pm – Public Hearing – Muse Paintbar, LLC – New Wine & Malt Restaurant License

Ms. Coppola read the public hearing notice.

Mr. Buckley and Mr. Finch came before the Board requesting a new Wine & Malt Restaurant License for their establishment located at 217 Patriot Place.

Mr. Finch gave the Board an overview of their business as well as presented the Board with photos, menus and floor plan for their establishment.

Mr. Finch stated they presently have four (4) other locations and that their business is largely based on pre-registration bookings which enable them to have the appropriate amount of staff on-site. A small portion of walk-ins are allowed if seating permits.

Ms. Coppola asked if children could be segregated if need be. Mr. Finch stated they could be put in smaller studios if the larger studio is in use. Ms. Coppola asked for confirmation from Chief O’Leary who stated that he was satisfied that the children could be segregated if needed.

The Board asked if they had met with the Building Inspector. Mr. Finch stated they had and all that is needed at this point is a final map which will be supplied in one week.

Mr. Gannon stated that he came this evening to show his support for this business and further stated that the more art we can bring into the area the better.

Motion was made by James DeVellis to close the public hearing. Seconded by John Gray.
Vote: 5-0-0

Motion was made by Virginia Coppola to approve the New Wine & Malt Restaurant License for Muse Paintbar, LLC located at 217 Patriot Place. Seconded by David Feldman. **Vote: 5-0-0**

The Chairman asked for Discussion in which James DeVellis stated he approved of the concept and appreciated the very precise presentation.

7:35pm – Public Hearing - Bass Pro Outdoor World, LLC – Change of Officers/Directors and Change in LLC Members of the Annual All Alcoholic Beverages Restaurant License

Ms. Coppola read the public hearing notice.

Mr. Cammaratta came before the Board seeking approval of their application required by the ABCC for the Change of Officers/Directors and Change in LLC Members of their Annual All Alcoholic Beverages Restaurant License.

Ms. Brue asked if this was a standard change in which Mr. Cammaratta confirmed that it was.

Mr. Gray asked if there were to be no site manager changes in which Mr. Cammaratta also confirmed that was correct.

Motion was made by Virginia Coppola to close the public hearing. Seconded by John Gray.
Vote: 5-0-0

Motion was made by Virginia Coppola to approve the Bass Pro Outdoor World, LLC Change of Officers/Directors and Change in LLC Members of the Annual All Alcoholic Beverages Restaurant License. Seconded by John Gray. **Vote: 5-0-0**

7:50pm – Public Hearing - 99 Restaurants of Boston, LLC – Change of Officer/Director of the Annual All Alcoholic Beverages Restaurant License

Ms. Coppola read the public hearing notice.

Mr. Lima came before the Board seeking approval of their application required by the ABCC for the Change of Officers/Directors.

Mr. Gray asked if the Officer/Director was the only one leaving in which Mr. Lima stated yes.

Motion was made by Virginia Coppola to close the public hearing. Seconded by John Gray.
Vote: 5-0-0

Motion was made by Virginia Coppola to approve 99 Restaurants of Boston, LLC Change of Officer/Director of the Annual All Alcoholic Beverages Restaurant License. Seconded by John Gray. **Vote: 5-0-0**

8:00pm – Public Hearing - Increase in Parking Violation Fines

Ms. Coppola read the public hearing notice.

Chief O’Leary came before the Board seeking their approval to increase parking violation fines. The Chief stated that they have not increased their fines since 2005 and thought it was time to compare fines to other surrounding towns that are similar in size and nature to Foxborough.

Lt. Haskell compiled a survey and based on that information the Chief feels that the increases he is presenting to the Board meets the criteria of other communities.

The Chief requested the Board to make a decision as soon as possible as new ticket books for his staff needed to be ordered.

Motion was made by Virginia Coppola to close the public hearing. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to approve the Increase in Parking Violation Fines. Seconded by John Gray. **Vote: 5-0-0**

8:10pm – Town Committee Handbook

The Board had a discussion on the existing Town Committee Handbook and changes to be made.

Ms. Coppola requested that all agendas and minutes be put on the individual Committee websites. Ms. Coppola also requested this wording be put into the handbook.

Mr. Cutler stated that his office presently posts and date stamps all agendas and they are put on the Town website. Mr. Cutler further stated that various departments put their own agendas on their individual websites also i.e., Board of Health, Planning and Selectmen.

Mr. Keegan stated that he asked the website designer to help with the issue of creating/granting Committee members permission to update/change their sites.

Mr. Feldman asked if things could be done electronically versus paper. Mr. Cutler stated that this could not be done by law yet.

Mr. Keegan stated that the new IT Director is looking at ways on how to catalog certain documents electronically. There would still be a need for one (1) hard copy.

Mr. Gray asked who the “Keeper of Records” was. Mr. Cutler stated that it was the Town Clerk’s responsibility.

Mr. DeFazio came before the Board to state that the Boards do need to put their minutes on the website for the citizens' sake. He stated that the wording should be "must get the minutes on line" as compared to "may get them on line".

Mr. Keegan stated that he would again like to bring this matter back before the Board and have them continue to approve changes to the handbook until the Board feels comfortable.

8:20pm – Action to Consider Filing Legislation to hold a Special Election during the State Election for a Non-Binding Referendum Question Concerning Site Selection for Town Hall

Mr. Thomas came before the Board as a private citizen citing certain sections of the Master Plan in which the residents surveyed all stated that the Town Hall should remain in the center of town. His fear is that if the location is changed the "yes" votes for a new town hall on the Master Plan survey would be divided and the town would probably lose the vote.

Mr. Grieder came before the Board also discussing the Master Plan. Mr. Grieder stated that the Master Plan is a road map of where the community wants to be at that time. Mr. Grieder stated whether there needs to be a new building at 40 South Street or it turns out that it is more feasible to go to Payson Road the public needs to know the actual costs and be kept informed and involved during the process. Mr. Grieder also stated that if the Board did not stay with the Master Plan a referendum would be needed.

Mr. Udden appeared before the Board stating that he wasn't sure putting a referendum question on the voters ballot would be a good idea. At the last election there was a record low voter turnout. Because of this he does not feel that the record/data they would get back would be "real".

Mr. Cutler addressed Mr. Udden's concern about putting this question on the next election ballot and stated that since this election would be the Governor's race and Casino issue there should be a 60%-70% turnout of residents.

Mr. DeFazio feels that Mr. Thomas is correct in that this project will fail if we do not get the voters involved.

Ms. Brue deferred voting on this until after hearing the next segment of the meeting with the Town Hall Working Group.

8:30pm – Town Hall Working Group – Town Hall Update

Mr. Feldman appeared before the Board representing the Town Hall Working Group. He informed the Board that at their recent meeting they discussed whether the Town Hall should be located at Payson Road or stay at 40 South Street.

During a presentation to the Planning Board on July 10, 2014 they had received push back because of the Master Plan. Mr. Feldman stated that the Master Plan is a working guide and they

are cognizant of that but that their goal as town employers is to give town employees a clean, safe working environment with room to do their jobs.

The focus of the next meeting is how to best get information to the public along with the economic standpoint. Mr. Feldman suggested that a link be placed on the home page of the town website entitled "Town Hall Update".

The majority of the soft costs are offset. Several plans have been put together and they have worked the building square footage down from 20,000 sq. ft. to 14,000 sq. ft.

Mr. Keegan stated that he formed this group to get himself up to speed on this issue. The group never intended to make the decision as to where the town hall should go; they just wanted to make sure that they looked at all possible locations/costs so the voters could ultimately make an informed decision.

Mr. Schleyer came before the Board stating that he feels that they could salvage all of the foundation walls of the present Town Hall building and add on to the front or back of the building but would not be able to salvage any of the exterior walls. Everything from the grade on up would need to be knocked down.

David Feldman stated that the 486 respondents that took the survey from the Master Plan only make up 4% of the resident voters. He feels that by putting this question on the state ballot a larger percentage of citizens will be able to give their opinion.

The Chairman stated that the Board wants a plan they can bring to the public with as much information as possible.

Mr. Keegan and Mr. Cutler stated the Board had until mid-August/September to make their decision on putting the survey question on a special election ballot.

Ms. Brue asked when the Board would have financial information on this project. Mr. Keegan stated that the only financial information they could supply would be for square footage as the Town does not have the financial means to hire an engineer until an exact location is agreed upon.

Following a discussion on the proposed referendum question, the Chairman asked the Board should they vote:

1. New
2. Keep Town Hall Downtown
3. Vote to Actively Work with the Planning Board

Motion was made by James DeVellis to approve the construction of a new Town Hall. Seconded by Virginia Coppola. **Vote: 5-0-0**

The Chairman asked for Discussion in which James DeVellis stated while he agrees that the Town Hall looks appealing from the outside, from an architectural/permitting standpoint it does not make sense to renovate.

Motion was made by John Gray to direct 40 South Street for the new Town Hall site thus eliminating the need for a referendum vote. Seconded by Virginia Coppola. **Vote: 4-0-1** with Mr. Feldman abstaining.

8:50pm – Town Manager Update

Mr. Keegan/Chief O’Leary informed the Board that they had evaluated the substation at Gillette Stadium and are satisfied. This was an existing space that just needed to be retrofitted and furnished. Fiber Optics have been installed that lead directly to the Police Station. Mr. Early has been very accommodating. The Chief stated that Mr. Early assured him that as times change the building can be changed to accommodate whatever is needed. Mr. Keegan explained that this process had started some time ago but was finalized during the Splitsville negotiations.

Cocasset Street would be detoured for paving purposes on Wednesday, July 23, 2014 and that residents should seek alternate routes.

Resident Tickets for the Patriots Practice Game will be available on Wednesday, July 23, 2014 at the following (3) three locations:

- a. Public Safety Building
- b. Senior Center
- c. Boyden Library

Department Heads are working on their Goals and Objectives and Mr. Keegan will be setting up individual meetings with each of them.

Open Meeting Law Complaint – Regarding Attorney General’s Decision on 6/5/14.

Motion was made by James DeVellis to bring this matter to a close. Seconded by John Gray. **Vote: 4-1-0** with Mr. Gray voting in the negative.

Action Items

Motion was made by Virginia Coppola to approve the Max Performance Triathlon Event Bike Race on August 10, 2014 from 8:15am-9:30am. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to approve The Council on Aging Gift Donation of \$50 from Roberta McIntyre. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to approve Kristin A. Hovey as a Member on the Historical Commission with a term expiring May 1, 2017. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to Post the Warrant for the State Primary Election September 9, 2014 from 7:00am-8:00pm. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to approve (10) ten One Day All Alcoholic Liquor Licenses for the New England Patriots Charitable Foundation on the following dates:

8/15/14	7:30pm-5:00pm
8/22/14	5:00pm-7:30pm
9/21/14	11:00am-1:00pm
10/05/14	6:00pm-8:30pm
10/16/14	6:00pm-8:25pm
10/26/14	11:00am-1:00pm
11/02/14	2:00pm-4:25pm
11/23/14	11:00am-1:00pm
12/14/14	11:00am-1:00pm
12/28/14	11:00am-1:00pm

Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to Re-Appoint Michael J. Regan, Jr., as a Member on the Fair Housing Committee with a term expiring May 1, 2015. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to Re-Appoint Mary T. Souza as a Member on the Fair Housing Committee with a term expiring May 1, 2015. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to Re-Appoint Richard C. Hobbs as a Member on the Fair Housing Committee with a term expiring May 1, 2015. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to Appoint Sharon Wason as a Member on the Metropolitan Area Planning Council, with a term expiring July 26, 2017. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to Appoint William G. Keegan, Jr., as an Alternate Member on the Metropolitan Area Planning Council, with a term expiring July 26, 2017. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to Re-Appoint Cyril Paul Dumas as a Member on the Norfolk County Advisory Board. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to accept the Gift Donation to the Council on Aging in the amount of \$100 from Katherine Howard. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to accept the Gift Donation to the Council on Aging in the amount of \$50 from Bea Barr. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to Re-Appoint Joan F. Sozio as a Member on the Canoe River Aquifer Advisory Committee with a term expiring July 1, 2017. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to approve a new Hackney License for Sandra T. Bergeron expiring on 7/22/2016. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to Appoint Roberta L. Rae-Jones as a Member on the Board of Registrars with a term expiring May 1, 2016. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to Re-Appoint Gary Whitehouse as a Member on the Audit Committee with a term expiring July 1, 2017. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to approve Toby Keith's request for Sunday Early Openings for Serving Alcoholic Beverages at 11:00am during all New England Patriots Home Games starting at 1:00pm.

Seconded by John Gray. **Vote: 5-0-0**

Motion was made by Virginia Coppola to Re-Appoint Stephen Cain as a Constable with a term expiring July 22, 2017. Seconded by John Gray. **Vote: 5-0-0**

Motion was made by John Gray to Adjourn at 10:13pm. Seconded by Virginia Coppola. **Vote: 5-0-0**

Respectfully Submitted,

Debra A. Jarvis

Virginia M. Coppola, Clerk