

TOWN OF FOXBOROUGH  
SELECTMEN'S MEETING  
MINUTES  
AUGUST 4, 2015

Members Present: James J. DeVellis, Chairman  
David S. Feldman, Vice Chairman  
Christopher P. Mitchell, Clerk  
Virginia M. Coppola  
John R. Gray

Others Present: Ms. Mary Beth Bernard, Assistant Town Manager  
Mr. Paul Dumas, 4 Adams Street  
Mr. Roger Hill, DPW Director  
Attorney Stephen Miller, McDermott, Quilty & Miller, CBS Scene  
Mr. Christopher Kline, CBS Scene  
Ms. Jess Enos, NPS, LLC  
Mr. Joel Angelico, Stadium Advisory Committee  
Attorney Andrew Upton, Red Robin  
Mr. Patrick Cartier, Red Robin  
Mr. Michael Johns, Veterans Agent  
Chief O'Leary

The meeting was brought to order at 6:30p.m. by Chairman James J. DeVellis

A motion to enter into Executive Session to approve the Executive Session Board of Selectmen Minutes dated 7/7/15, 5/12/15, 3/3/15, 1/20/15 and return to regular session at the conclusion was made by Christopher Mitchell. Seconded by John Gray. **The motion carried 5-0-0. Roll Call Vote John Gray, - yes, Christopher Mitchell – yes, David Feldman – yes, Virginia Coppola – yes, James DeVellis – yes**

Mr. DeVellis opened the meeting at 7:00p.m.

Mr. DeVellis read the agenda.

**7:00pm – Citizen's Input – Paul Dumas 4 Adams St. Commander Lawrence W. Foster American Legion** – Mr. Dumas thanked the Board of Selectmen, Administration and Veterans Service Agent for how much they do for the veterans in our town. Mr. Dumas travels throughout the state and there is no town our size that does more for our veterans than our town. He is very proud to be a resident and wanted to say thank you to all of them.

**7:05pm – Selectmen's Update**

Mr. DeVellis thanked Lauren Eliopoulos who is the President of Hero Helpers of America and Foxborough's Veteran's Service Officer, Michael Johns for organizing on short notice last

weekend a tribute on the common for the five servicemen and their families that came together. It was a nice showing and Foxborough and other towns came and for the people that came, it was well worth the hour and the experience to see so many people come together for those Marines. Mr. DeVellis thanked those groups and all the volunteers and people that came.

The Board of Selectmen meet every two weeks and they will be meeting at a couple of separate meetings over the next couple of weeks and they will be meeting next week either Tuesday or Wednesday with the Permanent Municipal Building Committee to discuss Town Hall so they can get them up to date on that and see how the numbers are with that process as it goes towards the town meeting schedule.

Mr. Gray spearheaded the next meeting on August 27, 2015 and that was something that they started on July 17, 2015 with the Planning Board and it is to discuss the water and expansion of sewer. They will sit together with the Planning Board, Board of Health and the Water & Sewer Commission to collectively look at where the sewer is going in town and how they can work together.

Next week the Marijuana Dispensary process is going to be presented to the Board by town counsel, and there are a couple of items that he is collectively putting together and he will be at the Board's next meeting on August 18, 2015.

It is nice to see the Sharon Wason Pavilion donations starting to come in, there are a few that the Board is going to accept in tonight's package.

The bids were sent out and they sent them back out with some changes so that process is going pretty well.

Tonight they had the National Night Out which is across the country and they have Police, Fire, and a group called RAAFFT, Jaycees, H.U.G.S., and the Child Sexual Abuse Awareness Committee, which lasted all of ten minutes then the rain started. The Board of Selectmen talked collectively and last year the Board went and it got cut short because they had a meeting and they will try to coordinate it a little differently next year. It is a good community safety night so if you hear about it next year, bring the family, it is worth it.

The flagpole will be put on the agenda for the next meeting (8-18-15) and that is something that Mr. Hill has been looking into the price and hopefully by 8-18-15 they will have a cost and some estimates.

Jack Authelet brought this to the Board's attention and Mr. DeVellis didn't realize it was that bad until he went out there and when you go up about 20' the rust goes right through the pole and you can see it shaking at the top so it is timely.

Mr. DeVellis was very happy to see that they received their first donation in today and Mr. DeVellis publicly recognized the \$100 donation from Bob Palie and he is a resident of Foxborough. It is nice to be recognized and nice to be first. If you have the urge to make a donation contact any of the Board of Selectmen or someone at Town Hall and write "Town of

Foxborough Flagpole”. Mr. Scollins, Finance Director is setting up a special account so they will track everything that comes in and once they get the estimates they are going to do a portion hopefully sooner than later and we will have a new flagpole probably between 90’ – 100’.

Mr. DeVellis stated that an E-Mail came in and the Board of Selectmen should ask Mr. Scollins to come in and talk about this. The SMP rating reaffirms that Foxborough is a AA+ and there is potential to go to a AAA. AA+ is secure for a couple of years but when we talk about community it is a nice feeling, but unless we have financial stability it is all for nothing. The Finance Department did a nice job presenting it and basically if you look at the report it talks about the stability and the programs and the process that Foxborough has, so it doesn’t go without a lot of effort. The Town Hall staff and the Finance Department really does the work and we should be grateful. Mr. DeVellis asked the Board if it was okay with them to have Mr. Scollins come in and explain to them in layman’s terms what that report means and how that works with all their bonds.

### **7:10pm – Roger Hill – Discussion of Walnut Street Intersection**

Mr. DeVellis stated this is coming off of yet another accident they had off of Walnut Street and Route 140 going back many years, there is always an accident and then people jump on it and then it disappears. Mr. DeVellis talked to Mr. Hill and what their concern is Walnut and Rt. 140 is one intersection and you are crossing two to three lanes to take a turn. There is a farm stand and also the medical offices which have specific clientele but Mr. DeVellis also wanted to look at the 40B on Fisher Street and the 400-person office development that is coming online as well as Foxfield Plaza which they ran into problems last time with an intersection and you have two lights at Forbes and a little bit further up but Mr. DeVellis doesn’t want to just focus on this without looking at the big picture. The Board was hoping that Mr. Hill could give them an aerial of 30,000’ down. What Mr. DeVellis has seen is that it is very difficult to work with Mass. Highway right now because it is a skeleton crew but whatever process we can get in; it starts with a letter from the Board of Selectmen but have the Planning Board and the different boards as well as the State Representatives sit down with Mass Highway and ask why can’t this intersection be fixed.

Mr. Hill stated he brought an aerial view of the area. Mr. Hill looked at the geometry of that intersection today and it is a very acute angled intersection. If you are coming down Walnut Street and want to take a right turn and go north, you have problems because you have to stop and then find a break in the lanes coming toward you and you have to get across and the median is very narrow on both sides so there isn’t a refuge for that car in the middle. He really has to go 250’ to merge into the traffic that is going northbound. Mr. Gray stated this is actually a blind spot and if you are sitting at that intersection you can’t see what is coming up. Mr. Hill stated that the other problem is that the speed limit there is 55mph on Route 140 so Mr. Hill did a geometry calculation and he found out that it takes the average driver 12 ½ seconds to merge safely into the traffic on the other side at that acute angle. Mr. DeVellis asked if that was after he turns and then speeds up and Mr. Hill responded yes. Mr. Hill stated that as soon as the driver stops at that intersection and then the driver goes, he will be exposed for 12 ½ seconds to cars coming both ways, which is far too long. Mr. Hill stated that it never should have been built the way it was built. When they built Route 95 they severed Walnut Street up at Central Street, it

used to go right out to Central Street. What they have there now is a 30' easement that carries power from the end of Walnut Street out to Central Street.

The big picture is there are a number of alternative ways that this could be worked. All of them are difficult and all of them require relocation of parts of Walnut Street and all of them are going to be expensive because anything you do today that requires land-taking is going to run into money. This is not a job for the town; this is a job for the State. Right now the district has lost 55 of their good employees so they have a bunch of young people down there now and it isn't going to work with the town trying to work with the District, we need to go much higher and it is going to take the people of Foxborough to do that and our Representatives and Senators and everyone else. Mr. Hill thinks we need the Lieutenant Governor or Governor to help us with this. There is a good reason for it and we need to start somewhere and we need to come up with some alternatives. It is just not Walnut Street; there is another problem at Central Street as there are too many intersections in between and driveways. Mr. Hill understands when you get down to Route 95 you want to be cruising because you want to get up the ramps and get onto Route 95 but there is over 1,200 feet between the intersection and the ramp that goes up to Route 95 South. You have plenty of time and you could right angle one part of Walnut Street and that is one alternative. You could make the median wide right down to the intersection so it is a refuge median and if you get halfway across and the cars are coming the other way it would give you a chance to get out. Mr. Gray stated there is one of those if you are heading left onto Walnut and he thought that was a good idea to put one on the other side so at least you can tuck yourself away. Mr. Hill stated yes, temporarily. Another way is to close the median and do right turns only. The bottom line is it will save lives by doing this.

The problem is you have a traffic generator that has two peak flows every day (medical building). Mr. Hill hasn't done any counts out there but it may prove wise for them to get help from the MAPC. They did some counts for the town up at Central Street recently.

Ms. Coppola stated that when he talks about counts, she lives near Walnut Street and if she goes down Walnut Street she only will take a right; the only time she will take a left is when it is not busy. When they do a count it will be somewhat reflective of the possible traffic but not really. If there were a light there and she could easily and safely take that left from Walnut Street, she would do it. Mr. Hill stated that would be another option of installing lights.

Mr. Hill stated he thought about why the 55 mph sign is down by the state salt pit. Mr. Gray stated if they got rid of the 55 mph and brought it down to 40 mph; it's not a highway.

Mr. Hill stated another alternative is to make a deal with someone up at the other end of Walnut Street and open it up onto Central Street so you will give the medical facility another alternative so then they could go either way and it is much easier to go down to Central Street and if you wanted to get back onto Route 140 you could cut through Judge Warren or Foxborough Blvd. and then take Forbes Blvd. right out to Route 140 and you have lights there so you can go either northbound or southbound.

Mr. Mitchell asked if that comes out on Central Street where the industrial park is. Mr. Gray stated no, it is squeezed right up against the highway. Mr. Hill stated that the fence for Route 95

is right up against where the easement is now and then there are a line of poles in the middle. Mr. Hill stated that they would need to take a land-taking there because all that is there is an easement now and he doesn't know how much room you would have and to do a road you need about 40' to 50'. Walnut Street isn't really a street that has a layout but they could live with that but they will have poles all on one side.

Mr. Gray asked if it was possible to get a comprehensive traffic study going all the way from the Charter School to Route 106 in which Mr. Hill stated that was a good idea. Mr. Gray stated they could factor in all of the new developments that are going to be placed there. Mr. Hill stated if they were going to do that, they should approach MAPC and ask them to help out with this. They have the counters, the traffic engineers and the cash to do it. Mr. Hill would like to ask for help. They did it at Central Street and they may want to do it here and now they have the counts at Central Street. Counts really are important because what they are looking for is more than what is on Walnut Street both ways; what you are really looking for is the peaks on Route 140 because that is your worst time and that is when you are going to have accidents, during peak.

Mr. DeVellis stated that State Representative Jay Barrows is aware of this and Mr. DeVellis had a long discussion with him and his history goes back a lot further than Mr. DeVellis on different scenarios they have tried in the past so he would love to sit with him, Bill Grieder, and Kevin Weinfeld as there is a lot of history with assessors maps and why decisions were made with the medical building in the back but at the very least start some letter that addresses the concern from Route 106 all the way up to the Charter School because Mr. Hill put a band-aid on the Charter School with that turning lane and it made a world of difference but anyone that wants to develop along this corridor the state should be aware of the issue that Foxborough has so they are not piece-mealing everything. Mr. Hill stated that they have tried to do this in the past; they tried to mime the developers instead of taking the responsibility and doing a comprehensive study. Mr. Hill stated Foxborough could be catalyst to do the comprehensive look. Mr. DeVellis stated that the developer gets all the local approvals and then the town's hands are tied and they say they will deal with the state but the state is only looking at a small portion and they put a band-aid on it also. What works for one area makes the other area worse.

Mr. DeVellis stated that over the years the state basically says we are leaving it the way it is because of the proximity to the onramp to Route 95? Mr. Hill stated that he didn't know what the state's answers have been over the years; there is no one down there left. Ms. Coppola stated that they said it was too close to the off-ramp of Route 95.

Mr. Gray stated that if you had a light there it would back up to the off-ramp of Route 95 depending on the length of the light. Mr. Hill stated that it would depend on the counts and that's why the counts are so important; the peak counts because if it backs up a little bit during a peak hour and it doesn't go all the way up the ramp and block traffic on Route 95 and Mr. Hill has never seen it that bad so it may be feasible.

The other thing you could do is a time signal and have the amber/green for Walnut Street a short interval because you don't have a lot of traffic on Walnut Street and a long interval on Route 140 so that would be another alternative. There are a lot of different things that we need to look at.

Mr. Hill had a staff meeting today with the people that are looking to develop Foxfield Plaza and the State doesn't want a light at Foxborough Blvd. because the stack between Foxborough Blvd., and Route 140 it is very short and you would have two fully signalized intersections within 350' of each other and the traffic would back up on that little interval that goes off of that little piece of Forbes Blvd., would probably back up all the way to the lights during peak. What they are looking at is a roundabout as a solution and that is not a bad idea because it keeps the traffic moving all the time and people get used to them and they know how to drive in them. The one on Chestnut Street is really a good example of people learning and driving and that is a tight roundabout, this roundabout would be a lot bigger. The developers own quite a bit of land down there so they have room to do it and it is cheaper than a full signalized intersection to build. Mr. Feldman stated that roundabouts are really becoming popular for traffic calming situations.

Ms. Coppola asked when Mr. Hill was talking about the counts, was he talking strictly Route 140? Mr. Hill stated all the lights, they need a comprehensive study. Ms. Coppola asked if they would also do a count of Walnut Street. Mr. Hill stated Walnut Street, Central Street, Forbes Blvd. and it would be wise to do a count where the 40B is going access also on Fisher Street. They can model it and traffic models will show you where your problems are. Ms. Coppola stated that her concern is about if they do the count on Walnut Street and they just take the actual count number that really is not a real number because she would use Walnut Street more often if she could get out. Mr. Hill stated that the traffic engineers anticipate that also; that is called generator traffic.

Mr. DeVellis asked Mr. Hill from his experience and his position as DPW Director to put down a process that he is comfortable with and start with this meeting and go up to meeting with the State and come up with something even if it is just diagrams so the town can go for just funding or approval. Mr. DeVellis is afraid that we will just put it off too long. Mr. DeVellis asked Mr. Hill to come back before the Board either the third or fourth week in September in which Mr. Hill stated yes.

Ms. Coppola stated that one example Mr. Hill could use is the Pine Street example near the Lafayette House; that was always a dangerous intersection and the reason the State said they wouldn't do a light was because of the counts; it didn't warrant the light. It wasn't until someone was killed before a light was put in and now a lot of people use Pine Street safely. So the question to the State should be "what are you going to do wait until someone gets killed" on Walnut Street.

Mr. Hill stated that if they go in there with a big picture look and some good data they will attract support and that's what they need.

Mr. Gray asked if the State would fund the comprehensive traffic study; Mr. Hill stated that he thinks the MAPC will and they have quite a bit of planning money and Foxborough hasn't asked for much since the Common project.

**7:29pm – CBS Scene – Public Hearing – Entertainment License Additions – Attorney Stephen Miller, Christopher Kline**

Christopher Mitchell read the Public Hearing Notice.

Attorney Miller stated they were there seeking approval for expansion of their Entertainment license and what they are seeking is two-fold, they would like to be able to offer comedy shows on Friday and Saturday nights and occasionally on a Thursday or Sunday night but mostly on Friday and Saturday nights and they would like to be able to offer some musical entertainment which they expect to be one afternoon or evening a week and occasionally twice a week. The musical entertainment would be in the form of a band not to exceed six (6) pieces and occasionally a single singer or a duo playing in the restaurant.

Attorney Miller stated that there is no dance floor and no intention to put a dance floor in, this is obviously the comedy entertainment but the musical entertainment is not to create any sort of dance club or that type of atmosphere.

They don't expect to make any changes to the facility. Currently their facility generates 65% of its revenue from food and 35% from alcohol and they don't expect to see any changes to that. This is just a further amenity for their customers and for a reason to come out on Friday and Saturday nights mostly.

Mr. Gray asked what breadth of their entertainment license is right now. Attorney Miller stated TV's, radios and background music.

Mr. DeVellis asked if Mr. Kline was the current manager or the one that the Board is going to bring in and Mr. Kline responded the new manager.

Mr. Feldman asked if they saw the demographics changing in which Mr. Kline stated not at all.

Mr. Mitchell asked what type of music they would have. Mr. Kline stated easy listening, classic rock and cover bands.

Mr. DeVellis asked if this was inside but also goes out onto the third floor patio. Attorney Miller stated that they were asking for anywhere in the facility.

Mr. Gray stated they were asking for primarily Friday and Saturday nights but they were asking the license be the four weekend days (Thursday – Sunday). Attorney Miller stated it would be the full weekend days and the only other days they may have is occasionally they have functions where people request some entertainment so they would have the license for that but the plan is a maximum of two days a week for any sort of musical entertainment and then Friday and Saturday nights regularly for comedy entertainment and occasionally on a Thursday night or Sunday night possibly before a long weekend or whatever to expand the comedy but the regular entertainment would be the comedy on the weekends. Mr. Gray asked if a private group could have a function on a Monday. Attorney Miller stated that if there was any change they would come back to explain it to the Board but right now those are the plans and they do not want to change the facility from what it is now.

Mr. Gray stated that right now their license for TV's and everything else and Mr. Gray didn't know if they wanted to modify it by putting constraints on the conditions; the days. They would still have the same base license. Attorney Miller stated no, they would ask for the seven days.

Mr. DeVellis stated that the form is a little antiquated but amplifiers is not checked off but you have a cassette operated TV and an amplifier is a speaker and Mr. Kline responded yes. Mr. DeVellis stated then they would want to change the form because the way it is right now they would not have speakers.

Motion by Christopher Mitchell to close the public hearing. Seconded by David Feldman. **Vote 5-0-0**

Motion by Christopher Mitchell to approve the 7 Day Entertainment License application for CBS Scene, Patriot Place LLC. Seconded by John Gray.

### **Discussion**

Mr. DeVellis stated that they should modify the application to approve speakers as an amendment. **Vote 5-0-0**

### **7:37pm – CBS Scene – Change of Manager – Attorney Stephen Miller, Christopher Kline**

Attorney Miller stated that Mr. Kline who is currently the Assistant Associate Manager and they are seeking approval to have him as the Manager of Record and will become the General Manager. Mr. Kline has been working at the facility for approximately one year as the Assistant General Manager. Prior to his employment at CBS Scene he was the Fleet Beverage Supervisor and Director of Restaurants for Norwegian Cruise Line for approximately ten years and has moved to the Foxborough area when he became engaged and married.

Mr. Kline is a certified T.I.P.S. instructor and has vast experience in the industry working for Norwegian Cruise Lines in that capacity of Fleet Beverage Supervisor and Director of Restaurants. They ask the Board's approval for Mr. Kline to be the new Manager of Record.

Ms. Coppola stated under "Manager Information" he stated the number of hours per week he would be spending at the licensed premises would be 70 hours per week in which Mr. Kline stated yes. Ms. Coppola stated that this is a lot of hours. Mr. Kline stated compared to his old job that is actually fewer hours. Ms. Coppola asked if that was realistic and if he had an Assistant Manager. Mr. Kline stated not at this time but they are actively seeking one so that will probably go down to approximately 40-50 hours once they hire a new manager.

Ms. Coppola asked how many hours CBS Scene is open per day. Mr. Kline stated that it is open 14 hours per day to the public. Mr. Kline stated he is usually there for about half the day.

Mr. Mitchell asked if he was a member of Foxboro Cares. Mr. Kline stated that he will be joining that. Mr. Feldman stated that Mr. Christianson was an active member.

Motion made by Christopher Mitchell to approve the Change of Manager to Christopher Kline CBS Scene. Seconded by John Gray. **Vote 5-0-0**

**7:40pm – NPS, LLC – Public Hearing – Monster Energy AMA Supercross 2016 Application – Jess Enos, NPS, LLC, Joel Angelico, Stadium Advisory Committee**

Christopher Mitchell read the public hearing notice.

Ms. Enos stated that this is a different event, it is the Monster Energy AMA Supercross; this is dirt bike racing in the stadium. This is coming to them from the same company that they worked with for Monster Jam which they have had at the stadium successfully for two years with Speld Entertainment. They are requesting Saturday, April 23, 2016 with an event start time of 6:30pm and an approximate end time of 9:30pm. It will be reserved seating and tickets run from \$15-\$125 and parking is included in the price of the ticket.

Estimated attendance is approximately 40,000. This is part of a supercross circuit that runs throughout the country and so it goes on sale at the same time every year; it goes on sale the third week in April. This event went on sale so they applied for the license. They don't have all of logistics completely nailed down; they will be working through them in the coming weeks. They actually have a site visit with the Supercross staff next Tuesday but because it was announced and on sale they wanted to get it before and introduce it to the Board because it is a unique one.

There is a lot of crossover between this event and Monster Jam. It is a lot of the same staff; it is the same company and they are using the same dirt and they have all have the same safety procedures in place. They have eight loads of dirt and they operate as an OSHA construction zone during the load in. The load in schedule is quite similar and starts on Tuesday and begins with the same laydown on their field for a protective service and then they truck the dirt in and it is being stored across the street at their P10 lot.

It is going to present some different operational challenges and there is a pit party element to this event which will probably vary pretty significantly from what they did with Monster Jam so that is the biggest thing they need to operationalize is to figure out the exact footprint of that space; when it will operate; how it will operate because it serves for Supercross as a true pit. The riders will be competing in heats and they will be racing on the field and then they will bring bikes out and they will need a certain level of service. For Monster Jam the pit is a little bit more of an entertainment zone; the pit for this event is actually a true sort of pit zone with an entertainment component.

Ms. Enos stated that another way to think of it is that Monster Jam is entertainment and sports and Supercross is sports with entertainment.

Mr. Angelico stated that they met and there was 7 of the 12 members at the hearing and they feel very comfortable that all public safety officials have come forward and supported the event.

Ms. Coppola stated that Ms. Enos had stated that parking was included in the ticket price and wanted to know if that meant the satellite parking lots won't be needed. Ms. Enos stated that

they will figure that out when we get closer to the actual event date depending on what they have sold for tickets. Right now sales are extremely low and they typically pick up once spring hits so whether or not the satellite lots will open will be a decision that they make later on in concert with them.

Motion by Christopher Mitchell to close the public hearing. Seconded by John Gray. **Vote 5-0-0**

Mr. Mitchell asked when they thought they would have all of the logistics ironed out. Ms. Enos stated probably mid-September. They are coming next week for a meeting and then once they get through the next few concerts and once that settles down by mid-September they should really have everything set in place.

Mr. DeVellis stated that the Board does have Public Safety, Police, Fire and Board of Health all copied in their packets as having no issues.

Motion made by Christopher Mitchell that they approve Monster Energy Supercross 2016 event application subject to the conditions that the Stadium Management agrees to provide the facilities equipment necessary to perform their duties and fund the expenditures necessary to implement the public safety plan for the Monster Energy Supercross. Seconded by John Gray. **Vote 5-0-0**

#### **7:48pm – Purple Heart Ceremony – Michael Johns, Veterans Agent**

Mr. Johns invited Ms. Coppola up to assist him.

Mr. Johns stated that last year Foxborough was declared a Purple Heart Community.

Mr. Johns stated that they have a brief ceremony and would like to recognize seven (7) Purple Heart recipients one of whom is with them this evening and the others represented by their families. Foxborough is a Purple Heart Community meaning that they have gone to the effort of identifying all of their Purple Heart recipients and recognizing them with pleasure and this is the idea and the energy of the Board of Selectmen. As Commander Dumas had mentioned earlier, there is no other community in the state that Mr. Johns is aware of that recognizes its veterans, the veterans family members and the active duty members the way Foxborough does. Mr. Johns is very proud of that and he knows the people that serve and have served are very proud of our elected officials and our administration.

Ms. Coppola read the names being presented with the Purple Heart Certificates.

Ms. Coppola stated that they had 72 names last year and Mr. Johns has come up with an additional 7 names. These are the Purple Heart recipients from the Town of Foxborough. Speaking for the Board of Selectmen Ms. Coppola wanted to thank the recipients for their service and also thank their families for coming out in support.

David M. Bent, - U.S. Army Viet Nam. His sister, Mary Ann Forster accepted the citation (his two sisters were present).

Carl Dadman - U.S. Army WWII. His daughter and grandson Jeff Dadman accepted the citation.

George H. Hanson Jr. - U.S. Army WWII. His wife, daughter & grandson Scott accepted the citation.

Scott is a Dessert Storm veteran and he stated to Mr. Johns that this recognition in the community is a long time coming and they are glad to recognize these Purple Heart recipients this evening.

Scott stated that his grandfather would be very pleased and proud.

George S. Payson – U.S. Army WWI. Ms. Coppola stated that no one from the Payson family was here to accept this citation. Mr. Johns stated that they have not been able to identify a family member but they thought it was important to still recognize this man who served honorably and was injured during WWI and this will be displayed at Memorial Hall.

Donald J. O'Reilly – United States Marine Corps., Afghanistan – His parents, grandparents, brother, sister and friend were there to accept the award for him. Mr. Johns stated that Donald is a graduate from Foxborough High School and graduated a year before Mr. Johns youngest son and Donald and Mr. Johns had not met until last week at a vigil on the Common when his mother dragged him up to meet him. Mr. Johns stated that as we know our folks have served in some of the most conspicuous and dangerous places in the world, they are not looking for recognition, they are looking to come home and reintegrate into the community.

Mr. Johns was happy to see Ron Meisner back with them this evening and Ted O'Malley, both Purple Heart recipients.

Daniel J. Sylvester - U. S. Navy - WWII – His daughter, Denise Stern accepted his citation.

Paul R. Thompson – United States Marines - WWII – His daughters and family accepted his citation.

Mr. Johns stated that there is probably someone out there this evening saying why am I not being recognized or why is my family member not being recognized, and Mr. Johns stated that now would be the time to reach out to the Board of Selectmen or Veterans Office or anyone in Town Hall and say we would like to be recognized next year. That is how they came up with this list of seven (7) people to be recognized; two of them just this week and they are so happy you were here to honor them and that our community really goes above and beyond what everyone else is doing, really does the right thing and in a great way.

Ms. Coppola asked everyone to give Mr. Johns a round of applause. He is the one that kicked this off on what we should do to recognize our recipients. We owe a lot to Mr. Johns and late at

night he was at appointments with people so we are very fortunate to have someone like VSO, Michael Johns in the Town of Foxborough.

### **8:00pm – Red Robin – Change of Manager – Attorney Andrew Upton, Patrick Cartier**

Attorney Upton stated Mr. Cartier has been in charge for a few months and he actually came with them when the landlord and Attorney Upton met with the Chief of Police to discuss the move. Mr. Cartier is very familiar with the town and with the sale and service of alcohol. He has been in the restaurant business for many years and with Red Robin for almost five years.

Mr. Cartier thanked the Board for the opportunity to move locations and continue to be part of Foxborough.

Mr. Mitchell asked how the move went. Mr. Cartier stated that it went quick but they got everything moved and are open and are ready to go now.

Mr. DeVellis stated that Mr. Cartier had not filled out the background information correctly; there was one question of “Have you been convicted of a state, federal or military crime” and if so you needed to have affixed an affidavit and if not you would have had to check off the box (Question #3). Mr. Cartier stated the answer is no and Attorney Upton stated they would be happy to fill that out right now.

Motion made by Christopher Mitchell to approve Patrick Cartier as the Manager of Red Robin. Seconded by John Gray. **Vote 5-0-0**

### **8:05pm – Economic Development Committee – Mary Beth Bernard**

Mr. DeVellis stated that over the last couple of months they have solicited and ask for volunteers for the Economic Development Committee. They advertised this, reached out and had a couple of meetings and had a good healthy list of candidates so in the Board’s packet is a list of names, addresses, work information and applications with their history so at that point Ms. Bernard and Mr. Keegan were working through this process and asked her to give an overview and recommendation.

Ms. Bernard stated the town advertised in May and June for local residents and business people to serve on the Economic Development Committee and they had received a number of applications and reviewed them to ensure balance in both experience and representation around the community on this committee. Since the time of the application a few people withdrew due to other commitments and not all applicants on the list before the Board are being recommended and the Town Manager has reached out to all of them.

The committee currently has two sitting members expiring in May 2016; Mark A. Grebbin, Sr. of 120 Beach Street and Michael Stanton of 10 Shepard Street.

The following are the names being recommended as candidates for the Economic Development Committee:

Lorraine A. Blue  
Stephen Coote  
Daniel Krantz  
Thomas Murphy  
Michael G. Saegh  
Kurt J. Yeghian

Those are the names being presented to the Board this evening. The applications and letters of interest are in the Board's packet.

Mr. DeVellis asked if they would have to reappoint the two existing members. Ms. Bernard stated no, they go through 2016.

Mr. DeVellis asked if they should stagger the ending date. .

Mr. Mitchell asked if the total on the committee would be eight (8). Ms. Bernard stated there was one more area that was identified and that they are trying to round it out as far as experience. They are looking for finance, engineering, marketing, entrepreneurialship and real estate. Those are the kinds of backgrounds they were looking for so they talked about marketing. Mr. Mitchell stated that he had reached out to someone that has a marketing background and she is interested so Mr. Mitchell will tell her to fill out an application. Ms. Bernard stated that if Mr. Mitchell can give her the information because the ad came down and the information isn't easy to find so they can E-Mail the application.

Ms. Coppola stated that in Foxborough we have the rotary, lions club, Chamber of Commerce and all of those organizations have small business owners; do you think it would be worthwhile at their next meeting for the Selectmen to go to their next meeting and the Selectmen say a few words about the Economic Development Committee if you are soliciting at least one new member. Ms. Bernard stated that would be great and it would also be great for a member of the Board of Selectmen to go to the Chamber of Commerce events as well.

Ms. Coppola stated that she has no problem doing that. Ms. Coppola asked the Board if she could go and say a few words and the Board stated yes.

Mr. Gray stated that if there are going to be nine members and the two incumbents' have one year remaining, plus the one why don't we make them the one year people and then just go in order.

Lorraine Brue, Stephen Coote and Daniel Krantz be three years  
Thomas Murphy, Mike Saegh and Kurt Yeghian be two years

Mr. Mitchell asked if Mary Beth, Bill Keegan or anyone else from the Board is going to be on this committee. Ms. Bernard stated that they would serve as Ex-Officio members and she believed they were going to ask Mr. Feldman to serve as well. Mr. DeVellis stated that Mr. Feldman had E-Mailed Mr. DeVellis his interest about a month ago.

Ms. Bernard stated that she would also assume that the Planning Director will also be on committee as an Ex-Officio.

Motion made by John Gray that the Board of Selectmen appoint the following Economic Development candidates to a three year term of expiring June 30, 2018:

Lorraine A. Brue, 126 Mechanic Street  
Steve Coot, 8 Windsor Drive  
Daniel Krantz, 43 Hickory Lane, Stowe, MA

Also for a term expiring June 30, 2017:

Thomas Murphy, 5 Bicknell Street  
Mike Saegh, 8 Kendall Drive  
Kurth Yeghian, 5 Oakwud Terrace

For a term expiring June 30, 2016:  
Michael Stanton, 10 Sheperd St.  
Mark Grebbin, 120 Beach St.  
(1)Person to be named later

Seconded by Christopher Mitchell.

Mr. DeVellis is happy that Ms. Brue is going to be on this committee. This is one group that they talk about but it never gets anywhere but this group with your institutional knowledge and the history Mr. DeVellis thinks there is a lot of things coming down the pipe that this group of people can do a lot of work with.

Ms. Brue stated that she thinks it is a really a great time to be looking at getting a group to refocus on the topic and bringing in a lot of people and they will have a new Planning Director also to participate it is really going to be a great opportunity for the town and development everywhere.

**Vote 5-0-0**

Motion by Christopher Mitchell to appoint David Feldman the Ex-Officio of the Economic Development Committee for a term expiring in 2017. Seconded by John Gray. **Vote 5-0-0**

### **8:15pm – Smart 9-1-1 – Chief O’Leary**

Chief O’Leary stated that it was disappointing that the Night Out Against Crime was canceled because of the rain and that the effort Ms. Walsh put in and the Jaycees that this event was rained out. There will be an announcement that they will recreate something in September. They had a wide variety of people that had handouts for the people in need, especially the families with the

opiate addiction. They will be working on that this week and hopefully will have something to give out to the community within two weeks for a future event in September.

Earlier this year Chief O'Leary and Mr. Keegan met with a group called Champion 9-1-1 and thanks to budget reallocations they were able to sign a contract with this company. A critical component of the town's emergency response is getting the right information at the right time and that they are receiving information that can help the caller because often times, in a time of crisis they don't know how to ask for help or identify particular information that is critical to what types of resources are sent out. The program they enrolled in will allow residents ahead of time to provide information about medical conditions, certain situations that are ongoing issues in the family to Smart 9-1-1 and then when a call comes into the center using their 9-1-1 lines that information is going to show up on a screen for their Dispatchers to know what particular situations they have so that the responders have upfront information instead of going to houses cold so to speak without having advanced knowledge.

This information is gathered and is used by a private company. The police don't hold on to it and they don't have knowledge of it until the person actually calls to use the 9-1-1 system. As such the Dispatch staff would be learning about the various specifics of a particular family that way it reduces the chance when the call was over that that information would be held over within the public system at all.

They are in the process now of being one of the communities with the State E9-1-1 system to go to the next generation which is also receiving the wireless calls to their dispatch center and as part of the program they would also have community outreach from Smart 9-1-1 that would encourage people to join. Chief O'Leary handed out some information to the Board that they would be handing out to the community as part of the overall process to enhance 9-1-1 in sending out messages to those people who have enrolled at no cost because the community itself is bearing the cost for them to participate and that's why they are going to be encouraging people once they have the technology up and running to join this service.

For those communities that have already enrolled residents, for example Somerville is one of the communities; if someone from Somerville happens to be at a Stadium event and they called, Foxborough Police would be getting that information at their call center because that cell phone is the closest to Foxborough's center and they would have access to that information even from visitors in the community as long as their community is also enrolled in it.

They are going to be going to the next generation of 9-1-1 so that their cell phones in this area will be coming directly to their center. It also works very well with the transition they have made in other communities. Chief O'Leary just wanted to update the Board on where they are going to enhance their ability for their dispatchers to send help at the time of a critical incident in someone's family.

Mr. DeVellis asked if they had already signed the contract in which Chief O'Leary stated yes. They have been looking at different vendors and they felt that this would be a good additive to the services that they currently provide.

Mr. Gray asked if someone was in distress and was at the stadium and they call how do you connect them with their data, is it in their phone or is it a part of the service that has already been uploaded and because they are already one of those communities that has the capability when that 9-1-1 call comes into their center provide that data through a match that they have of someone that is registered in even though they are from another community. Mr. Gray asked if it was the telephone that made the connection, what makes the connection. Chief O'Leary stated that you are giving your cell phone number and various aspects about both your permanent address as well as information about your family at that permanent address. Mr. Gray stated if they learn something new about that family will that information flow back into the network; they build on it. Chief O'Leary stated that twice a year the company goes out and re-contacts all the particular people that have signed up with an inquiry if there are any changes in the information that you provided or anything you want to update. It is done proactively to try and make sure the information that their Dispatchers and other Dispatchers would be getting brought up to date. Mr. Gray stated then it is up to the individual in which Chief O'Leary responded yes, it is entirely on the individual to provide the information.

Ms. Coppola asked if this Smart 9-1-1 program is strictly cell phone in which Chief O'Leary responded that it would also capture land line data. Ms. Coppola asked if you would have to register both your landline and your cell phone numbers in which Chief O'Leary responded yes. Chief O'Leary stated at the screen when you enter information you would have multiple phone options.

Mr. Mitchell asked right now if you call from your cell phone does it go to the State Police in which Chief O'Leary responded yes, in Framingham. Mr. Mitchell had stated that Chief O'Leary had said eventually if we are in Foxborough it would automatically go to the Foxborough police if you signed up for this. Chief O'Leary stated that the phone calls are going to come to Foxborough once the next generation is online and up and running those calls will come directly here. Mr. Mitchell asked even if you are not signed up for this in which Chief O'Leary stated even if you are just driving on Route 95 in our geographic location. The next generation will also target information about location within so many yards of a particular site.

Ms. Coppola asked if that could also be reversed if someone was lost or something, they have their cell phone number so can they get their location by the GPS in their cell phone. Chief O'Leary stated that there is a possibility of a ping from the cell phone carrier to try and locate someone from that methodology but Chief O'Leary doesn't want to commit because he hasn't heard them talk about that potential in any presentation that they have made. In rapidly evolving technology the potential is there. An example of that, on Saturday evening a young woman reported to one of the Officers on duty at Patriot Place that her cell phone had been taken. She had left it in the ladies bathroom at one of the restaurants and it was missing and her friend had an ability to call the girl's phone on an alert type of thing so as other young women were leaving the restaurant standing with the officers she was able to call the number and it started ringing in that young woman's bag, she pulled her own phone out and saw that it wasn't her phone but the other phone was still ringing so she ended up as one of their guests and they recovered the phone for the victim.

Mr. DeVellis asked from a devil's advocate position and he just saw the brochure come across his desk now and from what he saw quickly is you would take a picture of your child on your cell phone for future purposes and you are talking about all of your medical conditions go up to the cloud if I have someone in the family that is a heroin addict, everything goes on the system. Chief O'Leary stated as much as you want to share, there is no requirement that you have to self-disclose. Mr. DeVellis stated that his question was this company is a private company where are the checks and balances so that he feels comfortable that he wants to give his information and then two years from now he is getting a reverse call advertising for something, where is this information going and how is it secured and then if you are doing it in Foxborough and someone had brought this to his attention that it goes up on the Billboard at Gillette Stadium that says here is a good idea hit this number and sign up for this. You get a lot of people to do it at 70,000 a whack and all of a sudden you get this big database that they are telling people this is a good thing, where are the checks and balances and where does this data go with this company down the road. Chief O'Leary stated it is owned by a group called Rave and they have a track record of running this operation across the country for at least 5 years that the Chief is aware of. Chief O'Leary does not know or does he think any government agency should be collecting personal information; he wants it available if they are in a critical situation for that family but once that situation is resolved Chief O'Leary doesn't want to be responsible for it. He feels that in some cases private industry can have the capability with their protections and awareness that someone could try and hack them to try and protect people's data.

Mr. DeVellis asked if this was a company that is competitive; are there five vendors out there offering the same thing or is this a monopoly. Chief O'Leary stated that it is a unique system, most of their work has been done on college campuses and they branched out now into municipal governments and state governments across our country.

Mr. DeVellis asked what the acronym Chief O'Leary used for this was. Chief O'Leary responded Rave which stands for Rave Mobile Safety and the Smart 9-1-1 is one of the subdivisions.

Mr. Mitchell asked where it is dealing with phones and cell phones are they were regulated by any government agency. Chief O'Leary stated off the top of his head he believes they are but it would be the FCC.

Mr. DeVellis asked if they signed a contract you will going forward so is this discussion for information or approval in which Chief O'Leary stated yes, they have signed the contract and it is for information. The contract was signed in conjunction with the Town Manager and they had discussed it and thought about some of the issues that the Board has brought up but he thought it was important for the community to also know that they are trying to enhance their abilities when they are responding to their home with this information.

Mr. Gray asked what the plan was to get this information out to the community to let them know that the services available. Chief O'Leary stated that the company has a marketing team that would provide the information. Mr. Gray asked how he would learn of this information in which Chief O'Leary responded probably to their Facebook page. Chief O'Leary is informing the Board of where they are headed but the particulars will be fleshing out based on strategies that

they have used in other communities so that they can make sure that they are reaching a wide variety of populations with young children to senior citizens, empty nesters that might be on their own, through human services, through talking to the school department and different other venues such as cablevision, in different ways that the public will learn about it and hopefully take advantage of it.

Ms. Coppola asked what the yearly cost was. Chief O'Leary responded that the initial contract was \$14,000 and then there is a yearly maintenance fee of \$9,000. Ms. Coppola asked if this would be in the police budget in which Chief O'Leary responded that it will be appropriated in the Central Dispatch budget going forward.

Mr. Feldman stated that everyone has a choice as to if they wanted to sign up for this or not and then it is up to the individual person to find out on their own to figure out how the data that they are uploading onto this system is going to be secure. Chief O'Leary stated absolutely.

Mr. DeVellis asked if all goes forward with the contract how long is this going to take for the process to go forward. Chief O'Leary stated late October because there are some technology aspects that they have to address in the mid part of this month. On support things they are going to lose some time from mid-August to mid-September and that is due to the number of major events that they are having in a cascading fashion that ties up most of their disposable time and then they will get back on track with several projects.

Ms. Coppola asked if this was an annual contract in which Chief O'Leary stated yes it is. Ms. Coppola asked if we are obligated for a certain number of years in which Chief O'Leary responded three years, so what will be the initial operation and then two successive years.

Mr. DeVellis asked if someone signs up in Foxborough and then they decide not to renew the contract in three years, the program ends. Chief O'Leary stated potentially. Mr. Feldman stated that it is no cost to the provider. Mr. DeVellis was just thinking of the data out there, if they went to a different vendor they would have to re-create that data or something.

Ms. Bernard stated that she sat in on the initial meeting and she happened to live in a community that also has this and she thinks it does provide dispatch with that extra information. It is dependent on what you put in, you can notify them of a pet or a handicapped person or is there a weapon in the house and she has seen it used to an advantage. She thinks the Fire Department would also benefit from it knowing that a medical condition goes in and having a paramedic. She thinks the program grows richer, they had a small amount of users in the town she was in but she thinks as the towns come on; in the meeting they went to she thinks Framingham and some of the bigger communities as they sign on become more popular. We can probably envision the day when the salesperson said that his dream would be to have it up on the scoreboard at Gillette Stadium to say that you are safe here if you are one of these subscribers.

Mr. DeVellis stated that it is certainly forward thinking and he started negative but if he had the option to sign up for this he probably would. Part of them is always a little cautious as to where his data is going. Mr. Mitchell stated that you just have to be careful of what information you put out there.

### **8:35pm – Town Manager Update**

Please mark your calendars for the joint meeting between the Permanent Municipal Building Committee and the Board of Selectmen next week. The committee is ready to update the Board on the Town Hall project and they would like to introduce options and get feedback.

Mr. DeVellis had already mentioned that they will have more detail about the Sharon Wason Pavilion but she wanted to mention that there was a nice article in Sunday's Boston Globe. Anyone interested in donating money, time or materials should contact Tracey Vasile at 508-838-6603.

They are currently working closely with the Library Trustees on the Library Director recruitment and they have the first round of interviews next week.

They are working with the Planning Board on the Planning Director search. That job is posted and closes on August 31, 2015.

Ms. Bernard wanted to give a special shout out to Randy Scollins and his team. On Monday the standard report on the town's AA+ rating came out and they cited things such as the town's very strong economy, town's management, budget performance, liquidity and budgetary flexibility.

Mr. DeVellis stated that it would be helpful if Randy comes for little questions and answers. This would be helpful between the bonds and the projects going out and coming in and the yearly budgets. Randy does a nice job in keeping it simple. Mr. DeVellis asked the Board if they were okay with that in which they all responded yes. Mr. DeVellis stated that they said that the AAA was achievable so it would be nice to see what those are. Ms. Bernard stated they are currently working on some financial policies and that was an area that Mr. Scollins wanted to improve upon and there are a lot of things in the works to improve upon that AAA.

Mr. Feldman stated that not only would it be to the board's benefit but also the public's because there are a lot of questions because most people at home don't have a clue about municipal bonds and how money is borrowed for some of these long-term projects and he thinks it would be good for them to kind of understand the nuances and how our S&P rating effects the cost to borrow money.

### **8:45pm – Action Items**

Motion by Christopher Mitchell to approve all (37) that are on the list in front of them of Election Workers with a term expiring on 9/1/16. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to approve the gift for the Council on Aging from Lorraine O'Brien in the amount of \$50. John Gray seconded. **Vote 5-0-0**

Motion by Christopher Mitchell to approve ten (10) One Day All Alcohol Licenses for the New England Patriots Charitable Foundation at the Dana Farber Bldg. on: 8/13/15, 9/3/15, 9/10/15,

9/26/15, 10/24/15, 10/29/15, 11/7/15, 11/23/15, 12/5/15, 12/19/15. Seconded by John Gray.  
**Vote 5-0-0**

Mr. Gray asked what the number of licenses each establishment can have for one day licenses in which Ms. Jarvis responded 30 days a year.

Mr. Mitchell stated that when he was up at Patriot Place the other day he had noticed that the Dana Farber Fieldhouse is now called the Fieldhouse and he doesn't know if we can approve these under that name. Mr. Gray stated that we could motion the Dana Farber building or its successors.

Motion made by Christopher Mitchell to approve the 10 one day all alcohol licenses for the Dana-Farber building or whatever the new name is for the dates of 8/13/15, 9/3/15, 9/10/15, 9/27/15, 10/25/15, 10/29/15, 11/8/15, 11/23/15, 12/6/15, 12/20/15. Seconded by John Gray.  
**Vote 5-0-0**

Chris Mitchell rescinded the first motion with incorrect dates. **Vote 5-0-0**

Motion by Christopher Mitchell to accept the gift acceptance to the Sharon Wason Memorial Fund of \$500 from 16 Washington Street, LLC. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to accept the gift for the Sharon Wason Memorial Fund of \$100 from William & Christina Belanger. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to accept the gift to the Sharon Wason Memorial Fund of \$100 from Virginia Coppola. Seconded by John Gray. **Vote 4-0-1 Virginia Coppola Recused Herself.**

Motion by Christopher Mitchell to approve a gift to Recreation to be used for Booth Summer Programs of \$300 from Mark Lane. Seconded by John Gray. **Vote 4-0-1 James DeVellis Recused Himself.**

Motion by Christopher Mitchell to approve the Lakeview Pavilions 2015 All Alcohol Licenses – Entertainment, Annual All Alcohol and Common Victuallers license. Seconded by John Gray.  
**Vote 5-0-0**

Mr. Gray asked while they rebuilt their facility wasn't their license suspended. Ms. Jarvis stated that back in December they had to submit their On Premise license to the State to keep their license open and the Board had voted back in November not to charge them for the 2015 permitting season and to proceed from this day forward. Mr. Feldman asked if these licenses expire at the end of the year in which Ms. Jarvis responded yes.

Motion by Christopher Mitchell to approve the Saturday and Sunday Early Openings move it from 12:00 noon to opening at 11:00am for Lakeview Pavilion expiring 12/31/15. Seconded by John Gray. **Vote 5-0-0**

Mr. Gray asked if this was for football games and Ms. Coppola responded that they have done this every year and it's for weddings and they have to do it formally every year.

Motion by Christopher Mitchell to approve the Sharon Triathlon Annual Bike Race traveling through Willow Street/East Street on 8/9/2015. Seconded by John Gray. **Vote 5-0-0**

Ms. Coppola had a question on other races in town they asked them to remove their signs once the race is over and in the past it has been part of the requirement. Ms. Jarvis stated that when he E-Mailed the form there was trouble with the PDF file and it was written on the form it just would not print properly and he does know to take down the signs.

Motion by Christopher Mitchell to approve the Board of Selectmen Minutes dated 7-21-15, 5-26-15, 4-14-15, 2-3-15, 1-20-15 and 12-8-14 as written or as amended. Seconded by John Gray. **Vote 5-0-0**

Mr. DeVellis went over the next agenda with the Board for August 18, 2015 stating that town counsel would be in for two (2) items: Marijuana Dispensary and the Seating at Gillette Stadium.

Ms. Bernard stated that we will have more information on the Sharon Wason Pavilion and the flagpole project and talk about this at the next meeting.

Motion by Christopher Mitchell to adjourn at 8:58pm. Seconded by John Gray. **Vote 5-0-0**