

TOWN OF FOXBOROUGH  
SELECTMEN'S MEETING  
MARCH 8, 2016

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

Others Present: William G. Keegan, Jr., Town Manager  
Ms. Mary Beth Bernard, Assistant Town Manager  
Attorney Pat Costello  
Jess Enos, NPS, LLC  
Mr. Phil Buttafuco, NPS, LLC  
Mr. Mike Ashapa, Stadium Advisory Committee  
Stephen Easter, Police Officer  
Captain Kelleher, Fire Department  
Chief O'Leary  
Ms. Ann Malley, National Grid  
Ms. Stephanie McGowan, Friends of Foxboro Recreation  
Ms. Heather Harding, Board of Recreation  
Ms. Deborah Giardino, Recreation Director  
Ms. Rachel Calabrese, Recreation Department

The meeting was brought to order at 7:15 p.m. by James DeVellis.

Mr. DeVellis explained that the Board had just come out of Executive Session which was attended by Attorney Pat Costello and the reason for that was to discuss the strategy pertaining to the sale of the real property known as the Old Fire Station and the former Keating Funeral Home. Mr. DeVellis did recuse himself from that meeting .

James DeVellis read the agenda.

Mr. DeVellis opened the public hearing.

Christopher Mitchell read the public hearing notice.

**7:15pm – NPS, LLC – Public Hearing – COPA America Soccer – Jess Enos, NPS, LLC, Phil Buttafuco, NPS, LLC, Mike Ashapa, Stadium Advisory Committee**

Mr. Buttafuco stated that Copa America is a major international soccer event and this is the first time in 100 years that it has been here to the United States and it was a two year process for them

to bid for this event. They are one of ten cities throughout the United States that are hosting a competition through this. There are sixteen teams from North America and South America so they are honored to be part of this event and bringing some of the best soccer teams in the world to Foxborough for the three days of competition.

The first day, June 10, 2016 they have Chili which is currently number five in the world against Bolivia and they expect probably in the 30,000 range for that event. In the application the Advisory Committee noted 40,000 but that was noted before they knew the teams that were assigned to them. The teams were just declared on February 21, 2016 so they are probably expecting in the 30,000 range for that.

The second day, Sunday, June 12, 2016 will be Brazil, which is currently number six in the world is playing Peru and they do expect close to a full house for that event.

On Saturday, June 18, 2016 they have a quarter final event that will potentially include Argentina should it be the number one seat in its bracket and Argentina is currently number two in the world. Should Argentina play here they certainly will be expecting close to a full house for that event as well.

They are excited about the draw and pairings for the event. They will be installing natural grass for the games and they will start that process immediately after Ms. Enos concludes the Beyoncé load out and she will give them the thumbs up and they will start installing the grass.

Tickets have been on sale through COPA; the COPA organization is selling the tickets in three game strips right now and at some point in the near future they will start breaking it out to single games ticket sales. The ticket prices are not cheap; depending on where you would like to sit for the three game sessions you can buy a ticket for \$165 up to \$1,600 if you would like to sit close to the field. All seats are reserved for this event. They expect the gates will open two hours prior to each game time. Lots will open four hours prior to game time. They are from a security standpoint going to in essence use what has been called in the past the “NFL Clear Bag Policy” and they now at the Stadium are using the Clear Bag Policy for all ticketed events at the Stadium from a security protocol standpoint so they will be using the clear bag process.

They do expect walk up sales especially once the individual sales start taking place but once they know the quarter final teams they expect that week to be extremely busy in the ticket office and on game day that Saturday. For the ticket office and also for guest services they will be hiring translators for the fans so that they can accommodate those that need to buy tickets on game day and also those that have questions either prior to entering the stadium or once they do enter the stadium.

Chief Hatfield is planning on a Level 4 for this event and they will have that conversation especially the first game depending on where they are with ticket sales then they will know what the necessity is from a staffing standpoint.

Should there be any exhibitors, they are talking with the COPA people about a fan activity area; and should there be a fan activity area and should they have any desire in sampling they will

certainly process through the Health Department the appropriate application and they will provide the application to any of the COPA sponsors looking to sample and they will submit that directly to the town.

They do recognize that the Foxborough High School Graduation is June 12, 2016 and that there is a planned event at Showcase Live so there will be an opportunity for Chief O'Leary to turn the lights on and potentially escort the graduating senior buses to the stadium using Putnam Parkway and they will work on the timing of that in relationship to the timing of the start of the game that night. On June 12, 2016 the game does start at 8:30pm.

Mr. DeVellis stated that it is a very prestigious event and he knows the Stadium worked hard to get it here and thanked them for that stating it was certainly an exciting event. There are a few extra bullet items on Stadium Advisory review comments and asked Mr. Ashapa to go through some of those.

Mr. Ashapa stated that they have been through it and find no problems. The only questions were really regarding Founder's Day weekend and the High School All Night Party, and they think that will be dealt with accordingly without any problems.

Mr. DeVellis stated there was also some correspondence from the Town of Walpole on their security because it is such a large event and asked Mr. Buttafuco and Ms. Enos if there has been any correspondence with the Town of Walpole Police Department. Ms. Enos stated no, but if they have any issues they have certainly dealt with the Town of Walpole whenever they have any concerns and they come to them; they have an open relationship with their Board as well so if they wanted to have any conversations they will open up a dialog prior to this to ensure that their traffic and public safety needs are being met they will certainly do that like they have done in the past. Mr. DeVellis stated that correspondence has already started and just be cognizant of that.

Mr. DeVellis asked Chief O'Leary if he had any concerns. Chief O'Leary stated that he had submitted a fairly detailed report. Foxborough is fortunate of having these soccer events way back for twenty-five years and even though it is an exciting event, it does pose challenges but he feels that because of their experience he doesn't foresee any public safety hazards by the operations of the games and it is a great opportunity to see great soccer.

Mr. Keegan stated that they are going to treat this as a major event somewhat like a concert or NFL type of event. They have had a lot of experience dealing with these types of events in the past and he expects this to be a very exciting weekend.

Mr. Gray asked if tailgating is customary with internal soccer matches in which Mr. Buttafuco stated that it is. Mr. Gray thought that people just show up and go into the stadium in which Mr. Buttafuco stated no. Mr. Gray stated that given the vast majority of patrons that this may be their first time in the stadium and asked if they were going to get any extra traffic guidance to get them in and out. Mr. Buttafuco stated that what they have talked about especially even with the clear bag policy they are now communicating with them as they purchase their ticket and their confirmation from Ticketmaster includes language about the clear bag policy, etc., and they will also have E-Mails that will go out to the tick buyers prior to each of the matches and that will

provide game day operational information including traffic and parking. They will also work with the Police Department, the State Police and DOT utilizing all the digital signage. Mr. Gray stated that given it is High School Graduation he just has this scene that people will be wandering all over town that day but if they have a plan and they are feeling confident that they can channel people into the stadium without getting lost around the other streets in town that is fine. Mr. Buttafuco stated that they will certainly be making their best efforts to do so.

Ms. Coppola asked if this is an event that the satellite parking lots would be open. Ms. Enos stated yes and parking isn't included in the price of the ticket so there is a \$40 parking fee. Ms. Coppola stated that if necessary because Founder's Day is Saturday it is not only day time activities but it is also fireworks at night in Foxborough. Ms. Coppola asked Chief O'Leary if he will be making special provisions for the proper police details and possibly notify Walpole to supply some of their people. Chief O'Leary stated that they will have a normal detail for Patriot Place because it is a Saturday night but they still have officers on duty for the fireworks event. It is somewhat easier this year because there isn't a competing Revolution game that has happened in previous years and it really stretches them and they have reached out to surrounding communities that provide them with manpower for a major stadium event. Chief O'Leary stated that he doesn't feel that although it will be a very busy weekend that they will be stretched beyond their limits of a normal weekend. Ms. Coppola asked if this was going to be a Friday through Sunday event in which Mr. Buttafuco stated it would be Friday and Sunday.

Mr. Feldman stated that they said they were going to have translators available on the conquest areas; will those translators be available for safety and security personnel to help communicate with the patrons in case there is an issue. Mr. Buttafuco stated that the intent is that they will have translators in the guest services booths and clearly if public safety needs a translator to go to a certain area of the stadium they certainly will accommodate that.

Mr. Ashapa stated that one of the teams is Brazil and in their past experiences, they have a huge following so he thinks a lot of those people have already been to the stadium before.

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

Motion by Christopher Mitchell to approve the COPA Soccer event at the stadium for June 10, 2016; Sunday, June 12, 2016 and Saturday, June 18, 2016. Seconded by John Gray. **Vote 5-0-0**

### **7:31pm – Citizen's Input**

No one was present.

### **7:32pm – Selectmen's Update**

Mr. DeVellis wanted to thank Bob Cutler, Claudine Gover, Pam Riccio, Kathy Brady and all the volunteers that were at the tables for our Presidential Primaries. He heard there were no issues and it was long and well attended.

Thank you to the Board of Selectmen, the staff and the Advisory Committee and everyone that coordinated for Fall Town Meeting; that was also very well attended. That was a case where they had 8 articles and they were pretty well vetted. The process that Mr. Keegan brought through, specifically the town hall went through a lot of hands and cable access was very accommodating for a few months to put everything on cable; there were different shows with different information. The Senior Center accommodated two meetings where they presented all of the articles and that was very well attended. Mr. DeVellis wanted to thank everyone on their participation at town meeting if they did go.

Mr. DeVellis wanted to remind everyone that the May process has already started so the Advisory Committee is already meeting and they already had a little bit of an overlap where they were doing double duty with approving some articles and also going through the budgets for the May vote.

Mr. DeVellis wanted to give a quick mention to Father Matt Westcott from St. Mary's Church. They had the privilege to go into the State House for a ceremony on February 19, 2016 and it was at the Hall of Flags at the State House where Father Westcott received the Gung Ho Community Service Award which is given to an individual that has been outstanding in his community and Father Westcott's community not only involves Foxborough and St. Mary's, but it also involves the community of the Marines while he was in the service and the things he did after his involvement in the service. Ms. Coppola, Mr. Keegan, Mr. Johns, State Representative Barrows, Jack Walton and Mr. DeVellis and he had a few friends and his parents were there. It was nice to see on two levels; someone from Foxborough that really is outstanding in his field but the second thing was recognition of the soldiers that fought in Iwo Jima and there is a state law in Massachusetts that states we have to do a parade or recognition every year; there are four soldiers remaining. This was a once in a lifetime thing to see that level commitment and recognition. Ms. Coppola stated that she received the dvd that the gentleman from Norton was taking so he wanted her to bring it to FCA.

Mr. DeVellis stated that he was asked to bring thanks back to the Board of Selectmen and our town. Last night Mr. DeVellis went to the Town of Middleboro to speak to Board of Selectmen with some members of the Child Sexual Abuse Awareness Committee. Middleboro is a few towns south and their population is about 23,000. A victim of Sheehan who lives in Middleboro had asked their Board of Selectmen to mirror what Foxborough did. The Middleboro Board of Selectmen were very receptive and welcomed it with open arms so you will see that town do exactly what Foxborough had done. He made a point of saying thank you to the Board of Selectmen and our residents who voted for it almost unanimously at town meeting so you are going to see good things happening in other towns from that.

Following the Board of Selectmen meeting the School Committee had asked to have the discussion of the Opioid/Heroin discussion so they are committed to sending over at their last public hearing a representative to the committee that they are putting together with the department heads and community so that is growing as well.

Mr. DeVellis stated that Mr. Keegan is coming up on two years in April so he wanted to bring it to the Board's attention that they are going to have to do his public review. Mr. DeVellis wanted

Mr. Keegan to reach out to the members. What he did the last time was a self-evaluation and he would like to start off with that same criteria but give the Board the opportunity after two years that if there is other criteria they want to add; do his own review and put it on the agenda. Mr. DeVellis wanted to do this before May and the turning of the Board; so sometime in April.

Lt. Alan Haskell just retired after 30 years. In the 1980's he came on as a Patrolman and then recently moved all the way up to Lieutenant. He is born and bred in Foxborough so it is a thirty year commitment to our town and to the community so Mr. DeVellis just wanted to say congratulations to him for a job well done and good luck on his next venture.

Mr. DeVellis received a request from the Conservation Commission as there is an opening on the Conservation Commission so if anyone is interested. Mr. DeVellis read from the sheet "Doug Davis who has been a member of the Conservation Commission since 1989 resigned in December. The Commission appreciates Doug's 27 ½ years of service and is really going to miss him. The Commission now needs a new member to fill Doug's shoes and although there is no age, knowledge or experience requirements to become a Conservation Commissioner, candidates should have interest, expertise or experience in conservation, environmental protection or relevant aspects of land use planning. The Commission is particularly interested in candidates with backgrounds in lake and pond management, engineering, hydrology and base of plant management or environmental education."

If you go to the town website it can direct you to the forms to fill out and it would be really nice if they have someone that could fill his shoes after 27 ½ years.

### **7:39pm – New Employee Introduction – Stephen Easter, Police Officer**

Chief O'Leary introduced Stephen Easter to the Board. Officer Easter came to them from the Norwood Police Department and he had been working the midnight shift there so they just transitioned him after his brief field training and will go right to midnights here so there will still be continuity. Chief O'Leary stated that Officer Easter grew up in our region and went to school originally for auto mechanics and then decided to switch his line of work and they are very thrilled to have him join part of their team here in Foxborough. He has already demonstrated a commitment to law enforcement and more importantly learning about our community so he will be an asset perhaps for the next 30+ years that will benefit the residents of Foxborough. Chief O'Leary wanted to thank Mr. Keegan for giving him the opportunity to introduce him to the Board of Selectmen that sets policies for our community.

Officer Easter stated that it was nice to meet everyone and he grew up locally as well as in California splitting his childhood growing up between both places so given that he can bring certain things to the table that some people don't (different backgrounds). He has been a police officer for just about three years now. Before being a full time police officer he was a Dispatcher and before that he was mostly an auto mechanic. Officer Easter stated that it is a real pleasure to be part of this community and police department and he is very happy here. The Board welcomed him to Foxborough.

### **7:41pm – Regional Dispatch Presentation – Captain Kelleher/Chief O'Leary**

Mr. Keegan stated that Chief Hatfield is on vacation this week and he is very supportive of this item. This is an item which has been under discussion for several years now and there are some communities in Massachusetts who have actually bound together and created this Regional Communication Center, the most recent one is the one that is actually up and running right now in the Hingham area. They are actually working with that group to identify some of the issues they should be looking at as a regional organization. It wasn't until the past year or so that they were able to get really serious about this effort. The state has incentivized them to work hard towards achieving this. Mr. Keegan thanked Chief O'Leary, Captain Kelleher and Chief Hatfield for pursuing this fairly aggressively because they needed to first of all identify their partners which in this case looks like will be the towns of Norton, Easton and Mansfield who will serve as their partners in this effort. What really opened the door for them to pursue this was the recent approval of the new combined facility that Mansfield is undertaking and just recently approved. The plan would be to take the existing police station and retool that facility to become the regional communication center for the four towns. They would effectively be working with them and it would be structured accordingly based on other models that existed. The concept of regional communication is not a new concept, it is one that actually is quite common throughout the rest of the country except for the northeast; we tend to be the last vestige for doing this. In California there are just a limited number of regional communication centers for the entire state. There is a similar type of approach in Florida and along the southeastern seaboard. In the middle part of the country there are other examples as well. We are the last group that is taking this on and there are some great examples of what is going on around the country so they are looking to try and model those efforts. To provide the Board with more specific and clear talking items Mr. Keegan turned the presentation over to Chief O'Leary and Captain Kelleher.

Chief O'Leary stated that initially he is going to provide the Board with a brief history of how dispatching has been done in Foxborough and where Chief O'Leary is history, Captain Kelleher is the future and he will explain in more detail what is happening with the regional concept. They actually started 9-1-1 back in 1987 as a methodology of having the residents in the community call 9-1-1 to get direct police and/or fire services. At that time period officers were on the desk; firefighters had ring down phones both in the upper living quarters as well as down in their desk area so if a call came in originally it might be answered by the police station and then they would contact the firefighters on duty. They did start hiring part time dispatchers that same year in 1987 and actually went to full time dispatchers at the police station the following year. That lasted until the economic downturn in 1990 where they ended up having a layoff of all the dispatch staff because of the downturn in the economy and they didn't fill police vacancies during that time period. In November of 1996 they reinstated the dispatch service just at the police station; in 1999 the fire service brought aboard a full time dispatcher during the day shift to handle service calls and in 2005 a night dispatcher hired for the fire service as they were getting ready to transition to the new public safety building so they wanted to get the idea that they would have full dispatch services at the new building.

Mr. DeVellis asked if at that time there was a dispatcher for fire and a dispatcher for police. Chief O'Leary stated yes, because they are in separate facilities each agency had their own dispatcher but when they started in 2005 all the dispatchers came under the central dispatch even though they were assigned to either the fire house or the police station.

Right now they are in the midst of going to a Nextgen E-9-1-1 system which means that they will be receiving cell phone calls at their current facility and they were involved in a prior study which the members of the Board might remember that involved Norwood, Walpole and Medfield. It offered positive results, in fact the dispatch center would have been placed in our community however because of costs to some of the other communities to join the system, it fell apart and two communities opted out of it altogether. This program that they are with now has been ongoing for over a year and he thinks it offers the great capability for our future. One thing that does have to be worked out would be staffing of the public safety building so that our residents aren't inconvenienced and they do have a fairly significant walkup to the building at all times of the day so they have to keep that in mind.

It appears that it should be at the very least cost neutral for our community in terms of cost sharing but it gives a great enhancement to the level of services our residents and visitors will get.

Captain Kelleher stated that everyone has an idea where they are now and they are almost ten years into the new public safety building and they currently house the current dispatch. The town made a significant investment at that time in communications equipment and different technology. We are getting to about the ten year mark where they are going to have to start considering making some investments and replacing some of that technology so this is kind of at a good time where they are looking to do this.

That brings them to where they want to go. Traditionally a lot of that stuff is out of sight, out of mind; the different radio infrastructure and a lot of the behind the scenes technology that keep them going day to day might take a back seat to other projects that are more tangible and more in plain sight.

This opportunity that they have with the regional dispatch really gives them an opportunity to take advantage of funding that is available from 9-1-1 that really is not available right now and really gives them an opportunity not only to invest in that new technology and new infrastructure but support it for the future and take that burden off of the town and to share costs.

PSAP (Public Safety Answering Point) is basically where 9-1-1 rings. Currently in Massachusetts there are 241 PSAP's, so every little community has a 9-1-1 answering point; there are only four in California just to dovetail what Mr. Keegan was talking about. There is one for the entire state of Rhode Island and the state of Maryland has three. Over the years as 9-1-1's evolved, it has become more technology driven and it has become more expensive to support so the goal of State 9-1-1 is to really pare down the amount of PSAP's or 9-1-1 answering points that they have to support and they are really incentivizing communities to get together.

It gives them an opportunity for a more streamline enhanced service; he doesn't want to say that the service we get now is bad but every year there is different mandates and one of the most recent mandates is emergency medical dispatch so now the state is requiring all 9-1-1 answering points to provide pre-arrival instructions until the paramedics get there and that is a whole

intensive program that requires oversight and requires quality assurance and follow up and review of different calls. As this becomes more labor intensive and more complicated to manage, it falls on a police lieutenant to manage that and every year it becomes more and more complex. He thinks particularly with emergency medical services and emergency medical dispatch that is where they will see the greatest enhancement in terms of service.

Some of the other things that they talked about were the infrastructure and technology enhancements and a lot of times those take a back seat when they prioritize their capital requests; they can band-aide those sometimes and sometimes they don't really have the latest and greatest technology or the latest and greatest radio systems. That is where you will see a lot of the long term savings. This probably will be cost neutral in the end and maybe some savings but in the long term when you have four towns going to purchase radio equipment and radio infrastructure that is really where you will see the cost savings and the fruits of this movement.

The other thing that is exciting in the public safety world being up in Massachusetts it lays a foundation for further regional efforts. Regionalization was a big topic back in 2008/2009 and when the economy seemed to get better you heard less about regionalization but he thinks there is a place for regionalization in public safety, there is a lot of duplication of services and he thinks looking towards the future they might be able to take advantage of this effort and build on it as a foundation in other areas.

Mr. Keegan stated that it was interesting that they were talking about regionalization on this particular issue but there are lots of regional type efforts that they are talking already with their neighboring communities about, especially with Norton, Mansfield and Easton. Easton is already looking to join the MFN Regional Sewer Plant and they are talking to Mansfield about having them assist us with servicing our street lights and we are talking to them about working with them on other regional type initiatives that make a whole lot of sense instead of having everyone individually buying these efforts; if we can channel our resources it makes a lot more sense.

Mr. Gray stated that the last time they went down this road the region was comprised of Foxborough, Medfield, Walpole and Norwood, how is this organized and who organizes it. Chief O'Leary stated the driving force has been Chief Sellon from Mansfield and the Fire Chief of that community. He has brought together our diverse towns and there is a great deal of similarity both in terms of population, financial and population mix. There are two colleges, one in Easton and one in Norton. Mansfield has the Xfinity Center that is used to having major events and Foxborough hosted a football stadium here since 1971. There are similarities and as Captain Kelleher mentioned, regionalization is the way to leverage the resources that we have. Since the mid-2000 era we have been a member of the Metropolitan Law Enforcement Council that provides emergency services equipped officers; we participate in and we have officers that are involved in that unit because our community on its own could not afford to train every member for incidents that only occur once in a while. The same thing is true with Detectives that work on different task forces in the area as well as a contingent of detectives that have been trained in a wide variety of major crimes as well as a certified Child Abduction Response Team that we have in this region thanks to regional efforts taken part across a wide spectrum. He

thinks we will probably maintain our own identify as the Foxborough Police but they need the support of their regional partners as they are moving forward in the future.

Mr. Keegan stated one last suggestion that came to mind is the Regional Purchasing Group that they have made up of multiple communities (SERSG); they handle all of our major purchases throughout year. Captain Kelleher stated some of the timelines for this opportunity like Mr. Keegan had mentioned, the Mansfield Police Department, they are going to make that available for rehabilitation that the State 9-1-1 will fund the cost to redo that and make that a viable place for the region 9-1-1 center which is a significant investment. That will probably be available within 24-30 months depending on the construction on their new public safety building. One of the things that they were discussing in their working group is trying to go virtual consolidation ahead of time to try to limit the amount of logistical problems they are going to encounter if they actually decide to cut over to this system. Along those same lines they will be able to do a lot of the infrastructural work ahead of time. One of the things that they may see coming before the Board is an agreement to enter into with these four towns that shows a commitment that they are looking towards this. Once that agreement is signed, it opens up the door for funding through State 9-1-1 so they don't actually have to have the center, they will be able to take advantage of that funding and start utilizing that to upgrade some of the infrastructure now, which is nice. Mr. Keegan stated that he is working with all four town managers right now working on the details of that agreement so that they are all on the same page. He also has a couple of suggestions about how it should be evaluated legally. They have one attorney doing it as opposed to four so they are going to try and work through that in a much more efficient way. All four managers are very supportive of this effort at this point.

Captain Kelleher stated that some of the concerns they have heard and want to address is that; one of which he has heard personally from a few people is that they are afraid their 9-1-1 calls going all the way to Mansfield; but currently a vast majority of their calls coming in via cell phone actually go to Framingham right now so it is a good distance. That is probably greater than 50% so it is not unique. In California it would not be uncommon for a 9-1-1 call to go 300-400 miles. In the global scheme of things in the world of public safety that wouldn't be that uncommon.

Ms. Coppola stated that once in two years this comes to fruition will the 9-1-1 calls coming in through cell phones still go through Framingham. Chief O'Leary stated that technology would then route them instead of the individual communities, to the region dispatch center. Chief Kelleher stated that happened in Essex County, their regional dispatch center actually took on all the hard line 9-1-1 calls from that region and then took all the cell phone calls.

Some of the other things Captain Kelleher has heard is that some of the people in that center won't know Foxborough like our people and the last three people they hired are from Mendon, Lakeville, and Norwood so it is a learning curve for everyone.

Mr. Mitchell stated that if this goes through will our current dispatch team be in that Mansfield center. Mr. Keegan stated that is one of the things that they have to work out collectively. What happens with these regional dispatch centers is that even though there are agreements in place, there is legislation that actually limits the application of existing agreements across the board so

effectively they would have to evaluate each of the candidates that are currently serving in this capacity to determine whether or not they can also serve in the regional dispatch center as well.

Mr. Mitchell asked how it would work; would we have three Foxborough people in this place. Mr. Keegan stated that there would be multiple staff members. Chief O'Leary stated that right now they have two people on duty at all times in the dispatch center. You are talking about an entirely different operation that you would actually have call takers that are taking the initial information whether it is via text or which is coming with the Nextgen capability or through some other method and then that information they are putting in goes to the dispatchers that would be dispatching calls. His current staff takes a call, dispatches the response units whether it's fire service or police service and there will be a separation and there will be full time supervisors that do nothing but supervise on each tour of duty as well as a manager and the backup staff that you need in terms of IT people to keep the center running. Right now as Captain Kelleher indicated they have a Police Lieutenant who is responsible for the operation and Chief O'Leary's role as Chief is to make sure that the dispatch center provides services both for the fire service and especially the growth in emergency medical issues that they are dealing with as well as for the officers on the street.

Mr. Mitchell stated that essentially they are not going to have employees over there, they are subbing this out. Chief O'Leary stated yes, but on the other hand the compact that is being developed, Foxborough does have a say in it because he knows each of the town managers are sort of like the Boards of Directors and your police and fire chiefs are going to be vocal proponents of what services they think each of the communities need.

Ms. Coppola asked if this was going to be set up like its own entity in which Mr. Keegan stated yes. Ms. Coppola asked if it would be servicing the four towns and the employees will be employees of this entity and it just so happens that it will be funded 25% from each town to pay for it but ultimately it is its own entity; Mansfield isn't in charge of it even though it is in the town of Mansfield in which Chief O'Leary stated correct. Ms. Bernard stated that the Director of Communications will oversee that entity and it is mentioned in the agreement. Mr. Keegan stated that the Director of Communications will directly report to the four managers of the four towns.

Mr. DeVellis ask what communities are doing this right now in the northeast. Mr. Keegan and Captain Kelleher stated Hingham, Cohasset, Norwell and Scituate. Essex County is working on one, Duxbury has one, and Holbrook is looking at one. Mr. Feldman asked if they had gotten any cost data from those communities as far as budgetary expense; has it been neutral. Captain Kelleher stated that they have gotten a lot of good conversation. The Hingham South Shore Regional Communication Center seemed to be one that was really well run and they wanted to model themselves after this. They looked at and visited most of them and after doing their due diligence they wanted to really model themselves after that one. They went down there and he spent a lot of time discussing it with their Communications Director and she shared her budget and everything. Just looking at the numbers it would probably be cost neutral with maybe a little bit of savings but where they really saw increases was the 9-1-1 funding. Chief O'Leary stated that they get about \$43,535 based on the size of the community and the number of 9-1-1 calls. He thinks that the regionalization effort gives them a more stable platform that the money

wouldn't necessarily be going to Foxborough but more money would be going to the entire group to jump start the funding for this regional effort which is a crucial thing. As Captain Kelleher stated, the technology in their building is nine years old now and he knows people think that it is only nine years but he knows with their portable radios as an example, they are 10-11 years old and already they are two generations behind the materials that they will be needing for their future for the department. He thinks that if you have an Executive Director that his job is to provide services to the client base which are the residents of the town through our town manager and the Board of Selectmen and he thinks it is a good investment for the community's future.

Ms. Coppola asked if the cost for this entity would be divided equally among the four towns. Mr. Keegan stated that they have not decided that yet. Ms. Coppola asked what they did in Hingham in which Chief O'Leary stated he didn't know. Mr. Gray stated that the last time they dealt with this there was going to be a portion based on population. Mr. Keegan stated that is going to be determined and they will work out that piece.

Mr. Keegan stated that the key piece of discussion was that they are really incentivized by the State 9-1-1 to upgrade the equipment and to centralize the whole cost. To do this in our own without that incentive funding would probably cost a little more initially and then over time the cost would actually become more neutral. He thinks what is the most important aspect of this is the service to the public and the public safety as a whole because they are going to have all the support pieces in place that most towns on their own can't afford. They will have the technology and the supervision and you will have all the pieces that may or may not exist in the communities as they exist now.

Captain Kelleher stated that 9-1-1 has been pushing this for a couple of years and from what he hears out there, it is only a matter of time before they start forcing some of these regional communication centers just because it is so cost prohibitive to have 241 of those PSAP's out there. They want to incentivize communities to get together on their own and pick your partner.

Mr. DeVellis stated at this early stage he thinks it is appropriate for the Board to ask if they could get a break down of some of the tangible benefits: the costs, brick & mortar, the technology, the staffing, vehicles and all of that stuff and then start to figure out how it gets apportioned. You have a 70,000 population and it goes to almost 90,000 as does Mansfield so at some point someone is going to say that it is not population, it is population plus some anomalies.

Obviously they are not looking for an answer tonight but they get a nod from the Board that says this is something that makes a lot of sense.

Mr. DeVellis asked what the two year timeline was on that. Captain Kelleher stated that is when that facility will be available for them to begin to occupy it. What they were talking about doing was to create a district and that is where that communication center would lie; no one town will own it, it will be a stand-alone and he believes Mansfield is going to work out an agreement where they will sell it to them for \$1 or something. Somehow the district takes ownership of that building and they are able to rehab it and occupy it.

Mr. DeVellis stated that it is the same but different and he thinks about this like they had the Tri-Town Agreement with Mansfield, Foxborough and Norton for the Interbasin Transfer. The towns are very provincial and no one likes to go outside their borders, they have seen it with the VSO and they have seen it fall apart before. What is the timeline do they see that it is a go or no go that this is something they want to do when they have enough information. Is this something that is going to be studied for the next year or are you looking for a couple of months to make a decision? Chief O'Leary stated it will be on the fast track just in order to have an organized group putting in for it because there is only so much money the State 9-1-1 system has although they keep raising their toll on their cell phone usage to capture the money and it comes from that. Chief O'Leary would like to think that the first ones in will get a better return for an investment in the regionalization than towns forced into it 6-7 years from now, there will be a lot less money. Each town funds their operating system differently according to duties of the dispatchers and other roles that they might perform whether in Norton or Easton because they all run separately and what they are going to have is more comprehensive and he thinks professional operation where people will be developed more in the dispatcher field. They have lost dispatchers that have moved on to either police or fire careers and he thinks people in a regional setting have greater opportunities for growth within the dispatch service.

Ms. Coppola stated just to make it clear, when something comes into the dispatch from the town of Foxborough, the Foxborough Police and the Foxborough Fire will be responding. Chief O'Leary stated that they will be the primary responders. Ms. Coppola stated unless it is mutual aid which they do now anyway. Captain Kelleher stated that he can't speak enough to the towns and he thinks it was almost by accident that they were so similar in call volume, population and each town has something unique like a college or a stadium or entertainment venue so as they meet and talk they face some of the similar challenges so it was kind of interesting to get four end users in the same room of dispatch services and have a discussion, it was really good and they do face some of the same challenges.

Mr. DeVellis stated that the Board is very receptive but want more information and he would particularly be interested in the other towns that are doing this. Certainly it is new to them but they are not inventing the wheel here so if they could get their information so they can look at it and look at the pluses and minuses. Foxborough is very used to getting good service from their police and fire and if that is jeopardized because there is a benefit because there is a savings someplace else but he thinks that is the discussion that will make or break this in the end. Mr. Keegan stated that their goal going into this was they would actually enhance their service and that was the whole goal from the beginning. Not that their dispatchers don't do a great job as it is now he just thinks that as he pointed out earlier, for each one of them to act individually it is certainly not possible for them to pay for the extra level of service that they would like to get if they can on a regionalized basis. Ms. Bernard stated that to gain in quality control you can do better as a group.

Mr. Keegan stated that the last point is that the goal for tonight was to introduce/reintroduce the topic to them and to get the item in front of them and get the discussion going. The managers are going to be meeting over the next few weeks to try and get the kinks worked out of the agreement and then they will get back to them with more detail and support information to get the decision process going.

Ms. Coppola stated that Chief O'Leary, Captain Kelleher and Chief Hatfield think this is a good idea but what about the policemen and firemen, are they in agreement that this is something that is doable and that they would support. Chief O'Leary stated that he hasn't poled the employees. He thinks from a policing perspective, the officers on the street want to know that the person is paying attention to the radio when they make a car stop or going off on a call and that person is focused on the officer's safety and he knows just a little bit about the fire business but that is one of the big concerns he would think the fire members if they are off at a house fire that the person is paying attention. He doesn't feel that they would not just because they are in a regional system because they will have more than enough staff on duty to handle multiple contingency calls that might be occurring all of the time. Ms. Coppola asked if they were well aware of these negotiations. Captain Kelleher stated as an end user he never really thought of who was answering the phone, when you are in an ambulance or fire truck it doesn't really matter as long as they are on top of their game when they are answering the radio and they are giving them good information. Where he really saw the benefit to this was in the technology enhancements. When you look at what Hingham did, all of the fire engines have computers, mobile data terminals and information GIS systems; it is all things that Foxborough doesn't take advantage of. Despite the fact that they have a pretty modern facility, a lot of their stuff is still done out of binders just because they haven't had the IT support to go to that next level and as the end user that is really what they are excited about because at the end of the day, who answers the phone and who dispatches them as long as they are doing a good job, it doesn't matter but it is those enhancements that is taking them to the next level in terms of technology and getting that infrastructure built up, that is really the best benefit that he sees and 9-1-1 is paying the bill on a lot of that stuff and he feels that if they don't do this they are going to miss the boat on a lot of that stuff.

Ms. Coppola stated that you always want to give consideration to the people who are actually doing their jobs.

Mr. DeVellis stated that the last time he saw Captain Kelleher was on South Grove Street directing and commandeering and between the fire and police and Plainville and Norfolk and all of the other towns that showed up, they did a nice job. That is what most people think if there is a fire that those guys are there and controlling it so that is what the Board's concern would be if they lose control of that a little bit.

**8:16pm – Municipal Conversion Permit for the Former Fire Station at 40 School Street & Land/Building at 21 Market Street (former Keating Funeral Home (Cont'd Public Hearing)**

Mr. Keegan stated that the item before the Board tonight is a request that this item be postponed until April 5, 2016 so there is no further discussion on the item itself other than to postpone to that date.

Mr. Feldman asked for a motion to continue the public hearing regarding the Municipal Conversion permit.

Motion by Christopher Mitchell to postpone the public hearing on the discussion and vote of the Municipal Conversion Permit for the former fire station at 40 School Street and the land and building at 21 Market Street until April 5, 2016. Seconded by John Gray. **Vote 4-0-1**  
James DeVellis recused himself.

### **8:17pm – National Grid – Service and Maintenance – Ann Malley**

Mr. DeVellis stated this item was on the agenda because Foxborough went through some tough times in the earlier storms. During that process they learned terms like the union loop and tree cutting from bottom to sky and what our zoning bylaws require for tree removal and whose responsibility, is it National Grid, DPW, the neighbor. Foxborough went through a very painful and it was a very public process and they had the president of National Grid there and packed auditoriums. There were certain commitments made from response times and who we would call and who was going to be available, response from National Grid and from the website.

We recently had a storm and it went from Friday, Saturday into early Sunday morning and the general feeling was the response time was a little slow on Friday; Saturday was much better and by Sunday everything was all cleared up. The Board sat with a post-storm meeting with the department heads and public safety and what Mr. DeVellis wanted to achieve was they have a certain feeling of who did what and who didn't do and for the most part it was very positive. Mr. DeVellis didn't want the opportunity to go by without hearing from National Grid on how they thought they did on Friday and Saturday so they can compare notes and then moving forward the Board asked DPW to give them an update on the tree clearing because once the storms passed with the tree clearing it seemed like you saw the trucks all the time and then it disappeared so he doesn't know if it is the perception or who is still clearing the trees so this storm season seems like it is pretty much over but in 2016/2017 when it happens again he doesn't want to be in the position where they should have asked the questions back then.

Ms. Malley stated that she represents National Grid and she handles the Town of Foxborough and any issues that we have within the town (reliability, billing, street lighting) any types of issues that we have. She was asked by Chief Hatfield and Mr. Keegan to provide a report on how they think National Grid did during this last storm. Specifically what their general maintenance plan is and what other special projects they have going on to help improve reliability within the Town of Foxborough. This storm was obviously a little different than the two back to back storms we had in 2012 where they had a lot of issues with their sub-transmission lines serving the whole union loop and when you lose the sub-transmission line you lose everything. Since then they promised to look at that system and to take a look at their maintenance programs that they have and they have done quite a bit of work in the maintenance of the union loop since those storms. They have a five year tree trimming plan and basically it goes by their feeders and their feeders are how they supply the Town of Foxborough. It starts in the substation and works its way out and she thinks she explained in her report what the different feeders are in town and what their maintenance plan is. It is a mixed maintenance so it is constant. When they finish five years later, they come back. It is basically in the public way. They trim in the public way and they do their general maintenance plan that they are responsible for removing the debris and taking care of the tree limbs and things like that, a general maintenance plan.

This past storm because a lot of the trimming that they had done in their right of ways and they have been doing some reconductoring for their sub-transmission it was a lot more sturdier and they didn't have any issues with the sub-transmission line except for there were two outages that occurred on the line that feeds their substation on Elm Street. They had some trees that came down and they maintain the trees in their right of way but this storm the snow was so heavy and a lot of the trees that came down on their lines weren't in the right of way, they were farther out but the trees were so big they came down and took down their lines so all the trimming they do in the public way and their right-of-ways if the snow is that heavy and the trees are that big they are going to come down and they can't trim outside of their right of way. That was the one thing they saw in this last storm, was all the trees that came down, they couldn't have prevented it because it wasn't within their maintenance area. This storm they didn't lose the union loop, they lost two Foxborough sub-stations two times but she thinks they had them back within an hour both times and then throughout the distribution system they had a lot of trees that came down and a lot of outages and she supplied the list of outages and she thinks 99% of those outages were all tree related; none of their equipment failed, it was all tree related incidents that occurred during that storm.

During storms they will just go over the process, when they do clear trees that are town owned trees it is up to the town to remove the debris and if it is in a residents yard that the tree comes down, it is up to the resident to remove the debris. During storms, the tree crews are going there and removing the trees and moving on to the next project so they don't remove any of the debris during storms, it is up to either the town if it is a town tree or if it is in the residents private property it is up to the resident to remove the debris and that is how they performed in this last storm.

Ms. Malley provided the general maintenance plan and besides the general maintenance plan they have several large projects going on in the Town of Foxborough. They are reconductoring their whole union loop which runs through right of ways as well as on the public way. They have a lot of reconductoring and they are adding more pole top reclosers and basically what that does is when a whole feeder goes out what the reclosers do is it sort of limits rather than the whole feeder going out it limits the scale of the outage and they are putting more of those pieces of equipment in as well as they purchased a piece of property off of Route 1 from the Kraft Group and they will be installing a new modular substation. They will be starting that construction this summer so they have to extend the supply line to that and the substation itself, it is a modular substation so it comes in on a truck, it is not like they have to build the substation, it comes all together on a flatbed truck and they just plop it down and it is a lot easier and quicker installation and that will give them more relief and they can do more switching opportunities which is going to be off of Route 1. They are also looking to add an additional modular substation over at their Foxborough 1 substation which is across from the old Foxboro Company on Neponset Avenue. That construction will start later this year as well and then they are also looking at right now it is in the engineering study for Foxborough 2 which is across from the DPW facility on Elm Street; that is in the engineering stage at this point. They have several projects to help improve the reliability for the Town of Foxborough as well as their general maintenance plans.

Mr. DeVellis asked what about the non-tree and non-wire things; when the electricity goes out the resources that a resident calls either by telephone or goes on the website that says the duration that you are going to be out. The biggest complaint that he heard was on Friday other than there wasn't a lot of manpower on Friday to respond to it but when someone called up there was a big gap in the duration (you are going to be out until 9:30pm the next night) and then people were nervous so they got a hotel room and then an hour later it comes on. They say it is going to be a few hours and then it is later.

Ms. Malley stated as every storm they gear up; they send out E-Mails to the Fire Chief, the Police Chief, the Emergency Management Director and Mr. Keegan to let them know that they know a storm is coming and they are gearing up and have extra crews on standby and they have been doing this for the past two years and a lot of it is they get ready and nothing happens. It happened even in the storm last year where it was a light fluffy snow; they were all geared up and no outages. This storm is the same thing; they are all geared up and she thinks even the weather reporters didn't predict it was going to be as bad as it was so they had people on standby but again they can't move into the restoration phase until they do the public safety phase. The public safety phase is removing the trees and clearing the roads, so until that happens and the winds die down to a certain level they can't even start that phase so that dictates when they can actually move into the restoration. They might have been taken a little off guard as a lot of people were; she doesn't think people expected it to be as heavy as it was and again, they try to hit the larger outages first which are the substations; those are the first things they try to bring back first as well as the main roads and thoroughfares throughout the town and they work closely with the Fire Chief and Emergency Management Director; what are their priorities and where do they want them to go first and work hand-in-hand with the Chiefs as well. They operated their community liaison so they could talk to them as well as the Chief was calling Ms. Malley directly on her private cell phone to let her know what areas were concerns to him. She thinks it was just the weather, they didn't think it was going to be as bad as it was so that is why Friday it took a little bit longer. By the time Saturday hit, they had crews from other areas coming in and tree crews coming in and they hit the ground running. Mr. DeVellis thinks that is what they saw when they had their meeting, there was probably about a dozen trucks that showed up and they were in their parking lot on Saturday.

Ms. Malley stated that they try to see what areas the storm will hit because you never know who is going to get hit the hardest. In this storm it was more of the eastern/southeastern part of the state so they moved a lot of their crews from Worcester and out west because they didn't even get hit by the storm. They moved a lot of those crews closer so that is why they had the additional crews come Saturday morning.

Mr. Gray stated that it was a unique storm and 200' trees were coming down and if they are 50' from the road there is nothing really anyone can do about that. He has a business in Rhode Island and they saw a lot of similar older trees coming down; it was an unusual storm. Looking at the numbers that Ms. Malley provided the Board, most of the town was back up in a reasonable amount of time but there were some pockets that didn't get back up for a while.

Mr. Mitchell asked if all of the outages on the last page of the report related to trees. Ms. Malley stated every one of them.

Mr. Feldman stated that he didn't think the issue was the response time and the length of the outages, he thinks everyone's frustration, not just this storm, but all storms is communication; getting the right information out there and being responsive. At the end of the day it is still a customer service business so he thinks the length of the outages and although there were outages he thinks they were acceptable. He thinks the frustration comes when people call and either they get a recording or they are not getting accurate information so if they could work on that. Ms. Malley stated when you get so many calls at once you just get blindsided and you have to wait for the dust to settle to say okay now where do we start and where do we start picking up the pieces from there. That first day is mass hysteria and they are just trying to get the major roads open. It is mainly just working with the Fire Chief; he calls in his priorities directly to them making sure they work with him directly. They don't want fire trucks and police cruisers sitting on wires down and they are trying to make sure they take care of those right away. They called them first thing in the morning and they still had police and fire standing by so National Grid sent their folks out there to relieve them; mainly it is the communication. They opened their municipal room and that's where they try to instruct people to call. They call the outages up to their control center up in Northborough but deal with their municipal room to sort out priorities. They started Friday but it really opened up on Saturday morning and they had people there to respond.

Mr. DeVellis stated that he knew Mr. Keegan's cell phone was working at midnight and he seemed to be the core central of everything and asked what Mr. Keegan's perception was. Mr. Keegan stated that he thought it went pretty well considering the type of storm that it was and they all have been doing this type of work for a long time and they know certain types of storms can become problematic. They could tell that this was going to be problematic just the way the storm was hitting them. It was correct that they didn't see these coming until literally twelve hours before the storm had hit. They kept saying that it was going to miss us and go out to sea and the next thing you know it took a turn at the last minute and hit us. It had that heavy, wet snow which really caused the biggest amount of problems. They were a little bit on their own and they managed to figure out what their issues were initially in terms of communications. They fixed them pretty quickly and then they were able to get good connections with National Grid. At that point, once they recognized all the information would become centralized through our channels it went really well so he was pleased to see that they managed to pull that together pretty quickly and that National Grid was very responsive. They had challenges initially; they didn't have enough help at the Call Center and that was rectified in less than twelve hours. Once all the crews were here, the response times were pretty minimal.

Mr. DeVellis asked Ms. Malley if there was anything from the town side that they could help them with (DPW, communication or messages to the residents about trees). Ms. Malley stated that they try to get that communication out prior to the storm, specifically wires down and stay away from the wires; they treat every wire as a live wire. She thinks people don't like hearing that if their tree falls down, it is their responsibility to remove their debris but that is just the way it is. They work with Mr. Keegan and Mr. Hill on a daily basis and they will continue to. They will start working on some of the projects once spring comes. They are going to be spending a lot of money in the Town of Foxborough over the next couple of years so she really sees the

reliability getting a lot better. At least they didn't have problems with the sub-transmission like they did in the past storms.

Mr. Mitchell stated that he just noticed that National Grid did some extensive trimming on North Grove Street and it looked like they cleared out way more than they ever have; it looks like 20' back into people's properties and asked if there was a particular reason for that. Ms. Malley stated that they work hand in hand with the Tree Warden making sure that they both agree on which trees are dead; which trees they can actually trim and which ones they can remove and it is really based on the discussion with their arborist and the Tree Warden. If the Tree Warden says to take the tree down then they do. Mr. Mitchell stated that he loves it. He drives by every day and he is sure that the property owners love it too because now their properties look so much nicer. Ms. Malley stated that they do take debris when it is regular maintenance.

Mr. Keegan stated that he just had a conversation with Dave Laliberte who is our Tree Warden and he has clearly identified the fact that he has been working with them hand in hand on a lot of these different projects and if they can help each other out in situations, they do work pretty closely together on those.

### **8:36pm – Annual Town Warrant Review – William G. Keegan, Jr.**

Mr. Keegan stated the list that the Board had before them has changed a little bit and he turned the conversation over to Ms. Bernard to get into some more of the specifics. There were just a couple of minor changes.

Ms. Bernard wanted to know if the Board wanted to go through all 35 items in which Mr. DeVellis stated to just highlight the changes and the updates.

Ms. Bernard stated that #18 on the list is a liquor license request which is actually based on the meeting with AdCom and reading closely what the article was. This is now three line items: #17, #18 & #19. Those are the three nodes represented separately by separate warrant articles. Mr. DeVellis stated that it was his understanding there was one liquor license request for each node or three nodes with undetermined amounts of liquor licenses? Ms. Bernard stated that it is to be determined by Economic Development. They will be bringing those forward to the Board.

Article #13 should be removed from the Board's list which was Capital Budget Adjustments and according to Mr. Scollins at their last meeting there were none so that item has been removed from their list.

They haven't added anything else and just clarified a few more. They have been working closely and once they get the wording for warrant articles from the proponents they send it to town counsel and they will be presenting those to the Board as they come around.

Mr. DeVellis stated that the big picture is 35 articles and he knows they got started a little later but schedule wise are they going to be on track to vet all these. Mr. Keegan stated that they should be able to. Ms. Bernard stated that AdCom had a really interesting approach last week when they met with them about the warrant articles. They went through all of them and AdCom

rated them low, medium or high and they talked about groups where if anything was DPW or Water related they will talk about all of them that night. They rated them on people who were going to be the liaisons for that group and they were going to be getting in touch with people. They measured how it was going to be and they felt it was doable. They have heard all the budget presentations at this point and they are going to get a revision from Mr. Scollins.

The contracts that are on the list #9, #10, and #11 they have not even started negotiations with the Fire Department yet so it is unlikely that this one will stay on. The Dispatch and DPW contracts are very close and they have talked to AdCom about trying to get it to the Board and then to them at the very latest in late March/early April.

Mr. DeVellis stated that they would briefly talk about the liquor licenses with Ms. Brue from the Economic Development Committee

Ms. Brue stated that the Economic Development Committee has been meeting since last fall; they meet every other week and they have a mixed group of citizens and business owners. Mr. Feldman represents the Board of Selectmen and Mr. Casbarra and Ms. Duncan provide them with a lot of support and resources. Part of the process that they have been going through is they have subcommittees that are working on different projects. There is a Route 1 subcommittee looking at opportunities for making zoning changes to encourage development on Route 1 and one of the tasks they focused on was talking about liquor licenses and having restaurant type liquor licenses, full pour. Not so much for entertainment venues but they are thinking in terms of restaurants having licenses available so that when developers target a geographic area they would have those available if that were something that they were interested in doing. What started off the discussion was Mr. Feldman suggested that they do a survey of all liquor license holders in the town so Mr. Feldman created that survey and compiled all of that information and got a good level of response rate to it. They did have requests from certain holders that they would like to upgrade the type of license that they have in order to enhance their business. As they were doing this process they were also discussing the Master Plan and looking at the different development nodes related to that. In working with Ms. Duncan she was able with the GIS system to create maps for each of those nodes and they talked about potential opportunities to those geographic areas with the members of the group and the results of the survey. Coming from that, they have come up with a certain number of liquor licenses and types of liquor licenses for each of the nodes. For example, the node that covers the Bradlees Plaza area, there is a package store in there right now that would like to upgrade to full alcohol so they were recommending one full alcohol package store license for that area and two additional restaurant licenses given that there is property on the other side of Route 140 which was the former Invensys building. With zoning discussions that they are having perhaps by making certain changes, that opens up an opportunity for a mixed development on that side of the road.

They looked at each node in that way and what they would like to do is come back (Ms. Brue, Mr. Feldman and a few other Economic Development Committee members) and give the Board more of an in-depth discussion about what their plans are. They are going to do the same thing with the Advisory Committee just to make sure that they have all of the detailed information.

Ms. Brue just wanted to come before the Board to give them fair warning that they wanted to come back.

Mr. Feldman stated that the intent is to make a formal presentation and the Board's thought process behind it was to see what the economic opportunity is and also point out that there are other towns that are bordering Foxborough that are doing the same thing so it is as much as a defensive position to have these available as it is to be proactive. They don't want people driving through their town to get to another community because they didn't have the licenses available.

Mr. DeVellis stated that if there is property on the other side of Route 140 and you look at the zoning and it says that you can put a restaurant there, you go through the steps of getting a liquor license and holding it with the thought process that someone says there are two liquor licenses available, let me bring a restaurant in versus what happened to Foxfield Plaza, this is what we want to do can and can you support it with a liquor license. It is almost backwards from what the Board just saw. Mr. Keegan stated that is more of a proactive measure. Ms. Brue stated that it is one less headache for the developer to have to be concerned about. They were fortunate with that developer but you saw how they were present all the time to advocate for that need because really that is the crux of their development. Mr. Keegan stated that this is also consistent with the way the legislature wants to see these licenses and it came up at town meeting that they want site specific (node/development), it doesn't have to be an address but it has to be in a defined area which makes sense because now you are looking at the perspective of you are planning for that development to occur and you are actually shepherding that process along as opposed to being reactive to it and he thinks that is really where we want to be. Mr. DeVellis stated with the understanding that the economic engine is liquor but it is geared towards restaurants. Mr. Keegan stated that what they have identified is what they want to do. Mr. Feldman stated that they are trying to stay consistent with the Master Plan.

Mr. Mitchell stated that they mentioned splitting it up into three articles so would the Board be voting on each node getting those licenses in which Mr. Keegan responded effectively yes. Mr. DeVellis stated that the residents would be able to say that they don't want more development or liquor in that area, yes or no on one side and not affect someone else on the other side.

Mr. Mitchell asked if they had a number of licenses in which Ms. Brue stated yes.

Mr. DeVellis stated that included in that presentation, it is economic development but they all read the PC's and DUI's so there is going to be a public safety cost on one side so is there someone from the public safety that is looking at this that can say six additional liquor licenses can equate to potentially "x" amount of calls. Ms. Brue stated that they haven't had that discussion yet but they can invite Chief O'Leary to come and comment on that. Mr. Feldman stated that at the last FoxCares meeting he had a brief discussion with Chief O'Leary and mentioned to him that they want to sit down with him and discuss the possibility of additional liquor licenses broken up into nodes throughout the community and he was looking forward to that discussion. Mr. Keegan stated that this goes back to the planning stage where they are planning for certain types of developments to occur which are less likely to cause those kinds of

effect situations but they want to make sure it is the right type of development that is consistent with the goals of the community.

Mr. DeVellis asked the Board if there were any questions on the warrant article numbers.

Ms. Bernard asked if the Board wanted to start seeing presentations on their agenda from some of these warrant articles. Mr. DeVellis stated yes, there are 35 articles. Mr. Gray stated that a lot of them are recurring and they should be able to go through them pretty quickly. Ms. Bernard stated that the Personnel Wage Board wants to present a pretty significant change to the personnel bylaw and they would like to come to a meeting and do that which may be scheduled for April.

Mr. DeVellis stated that he sees 7-8 Planning Board items and a billboard item and those are not routine so he wouldn't underestimate the time.

### **8:49pm – Town Manager Update – William G. Keegan, Jr.**

Mr. Keegan stated that he wanted to announce to the community that they are officially a member of the Commonwealth Community Compact. They received this from Lieutenant Governor Polito on February 18, 2016 and this was the actual document that they received which they will maintain in the office. It talks about their commitments to the process. They have identified two major areas of commitment from the town's end which is the financial policies to make sure they have those in place as they look towards the upgrading of their bond rating. The second thing is Citizen Engagement associated with technology solutions and they have been working closely with Aaron Hyre, their Director of IT along with assistance from Mass IT to work on this particular initiative. Mr. Keegan thinks it is an interesting partnership because Mass IT sees Aaron as a tremendous resource to them as much as we see them as a resource to us so it is going to be a good exchange between the two parties to get something good for the community.

On February 29, 2016 they had their first Opioid Task Force meeting and they met at the library. It was a pretty well attended group and they more or less laid out their goals and identified what the goals are for that process. They will be making a formalized presentation to the Board probably the first week in April on the approach that they are taking. They are trying to partner with existing resources and they are also trying to see if they can partner with certain committee organizations to help them with this effort because them doing it on their own is not going to be as effective as them reaching out to the community and having them help them with this effort.

Mr. Keegan has already done some reaching out and he has had a very positive response so there is more to come on that front but they have actually engaged their groups and the school department has been represented at that meeting as well as Police, Fire, Public Health, Veteran's and Council on Aging so they have covered the full gamut of groups in the community.

Mr. DeVellis stated that he appreciates the department heads and schools getting together and doing it; they are going to combine but what is missing is people that are not associated with town hall or town government. There are a handful of people that have approached him and they

are not associated with drug addicts or anything but they are very concerned parents that want to be involved. Mr. Keegan stated that they talked about that as part of their reach out process. Mr. DeVellis stated that if there is a placeholder for that group to add to the three part group that would be great.

Mr. Keegan wanted to say congratulations to Alan Haskell on his retirement. Lieutenant Haskell has been a huge contributor to this organization over the years. Everyone knows him as being the Technology Lieutenant and the Administrative Lieutenant and he has done a great job for this community and they are really grateful for all the services that he has done. He is going to stay on in a somewhat limited role and help them with some of the technology conversions because he is so familiar with their systems so they will still have his services available to them for a limited time. Mr. Keegan wanted to say thank you for his efforts in this community.

They have two new Lieutenants, one is actually an existing Lieutenant and they will bring them before the Board at the next April 5, 2016 meeting so they will formally introduce the two newest Lieutenants to the department. Mr. DeVellis thanked them as he knows there were a lot of interviews, testing and process that they went through. Mr. Mitchell asked if one was internal. Mr. Keegan stated that they are both internal but one was an interim.

Mr. Keegan stated that there is a lot of hiring and processes going on.

Mr. Keegan wanted to say thank you to the community for supporting the new town hall as it is sorely needed and something that has been debated for a long time. They want to put a nice exclamation point at the end of this process where they end up with a facility that everyone is proud of. They are going to try extremely hard not to let the community down. Mr. Yukna and his committee are truly committed to making this one of the best facilities that you have ever seen. They are excited about the process of getting this done the right way. They met with the developer today for an initial discussion meeting laying out all of the ground work for all the things that need to get done. They will be identifying when the exact start date will occur. There is still some groundwork that needs to get done in finalizing contracts and things of that nature.

### **8:55pm - Assistant Town Manager Update – Mary Beth Bernard**

Ms. Bernard wanted to thank the voters because town meeting voted to fund the collective bargaining agreements between the town and the Police Union, Steelworker's Union and Library Association. The past two weeks they spent a lot of time coordinating with Finance and Accounting to adjust all of the salary schedules, implement the terms of the contracts and having meetings of the minds to make sure both sides are happy and preparing payments to the employees.

Ms. Bernard had the pleasure of attending a FoxCares meeting on February 24, 2016 which she really enjoyed and it was a pleasure meeting with the group and witnessing their collective commitment to the safety of the community. They do a lot of community events and also how concerned they are about their patrons as well.

They have done a lot of hiring and they are welcoming a new Public Works Supervisor this week, Shawn Guillotte who the Board will be meeting at a future meeting. He filled a retirement that they had. They just made offers to two Highway laborers (one today and one tomorrow) to fill a recent resignation and a transfer. They also welcomed two new Public Safety Dispatchers who the Board will also be meeting at a future meeting; John Holmes and Lydia St. Laurent to fill some vacancies.

They are working closely with the Personnel Wage Board on the revision of the bylaw. It is intense but she thinks it will make a big difference in the lives of everyone who works with policies on a daily basis.

As part of the Community Compact they have been working closely with Aaron Hyre on a town social media policy which they really need here. Recent events have shown them that they need a policy.

They are also working closely with the police department; they are all coordinating their efforts (town, school and police) and they will be bringing fire into it also to create a policy that works for everyone.

The remainder of her free time has been spent preparing for the Annual Town Meeting.

Mr. DeVellis wanted clarification that these are all replacements or retirements in which Mr. Keegan stated yes. The funding of the collective bargaining agreements has been vetted through the Board and AdCom.

### **8:50pm – Action Items**

Motion by Christopher Mitchell to approve the February 9, 2016 Board of Selectman Meeting Minutes. Seconded by John Gray.

Motion by Christopher Mitchell to approve the February 23, 2016 Board of Selectmen Meeting Minutes. Seconded by John Gray.

Mr. DeVellis stated that this was a meeting before town meeting to codify and get up to date on all of the final numbers that the contractor brought in before town meeting which was a step that they needed to do.

### **Vote 5-0-0**

Motion by Christopher Mitchell to accept the gift donation of \$780 in Memory of Joe Harrington and Laura Smith to be used for Serenading Seniors from various donors to the Council on Aging. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to accept the gift donation of \$650 from the Friends of Foxboro Seniors for sponsoring two programs as approved at their meeting to the Council on Aging. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to accept the gift donation of a popcorn machine valued at \$500 for events held at the Senior Center from the Rotary Club of Foxboro to the Council on Aging. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to accept the gift donation for the Iraq and Afghanistan (Post 9/11) War Memorial from Bill's Barber Shop Patrons in the amount of \$68.96 to the Veterans Services. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to accept the 7<sup>th</sup> Annual Harvard Pilgrim Finish at the 50 Road Race on 7/3/2016 7:00pm – 8:30pm to Patriot Place NPP, LLC. Seconded by John Gray.

Mr. Mitchell stated that this has been a great source of funding for a lot of local nonprofits that help them staff the day of and the day before Foxboro Never Forgets and they created that and staffed it the first three years. They got significant donations so it is a good thing for the whole entire community.

**Vote 5-0-0**

Motion by Christopher Mitchell to approve the appointment of Leila McNeff as a member of the Foxborough Cultural Council expiring on 1/26/2019. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to accept the resignation of Meredith Heaney from the Foxborough Cultural Council effective February 21, 2016. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to accept the gift donation worth \$18,179.50 for a sound system and adapters to be used for programs and events out at the Senior Center from the Friends of Foxboro Seniors for the Council on Aging. **Vote 5-0-0**

Mr. Mitchell stated that he went through the whole packet and basically the Friends of Seniors are buying all of this equipment with their own funds and then donating it to the Council on Aging.

Motion by Christopher Mitchell to accept the gift donation of \$115 to the Council on Aging to be used for Serenading Seniors from various donors. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to approve the 5K Road Race on Saturday, April 30, 2016 from 9:00am – 12:00pm. Seconded by John Gray.

Mr. DeVellis stated that this is the same day that they have Clean Up Foxborough. Mr. DeVellis stated that what he would like to do is condition the race on correspondence or some dialog with Tina Belanger and Jack Authelet so they can figure out the times and where they are going to do this. Ms. Bernard stated that there is a map provided showing that it starts at 12 Payson Road. Mr. Gray stated that it goes down Cross Street to Main Street, VanDoorn Avenue, Weston Avenue and then back to North Street. Mr. DeVellis stated that AJ Dooley is dropping off and picking up trash with kids and families. Mr. Gray asked how many people would be

participating in the race in which Mr. Mitchell stated 50-100. Mr. DeVellis stated that it may not be an issue but he just wanted to have that dialog happen. Mr. DeVellis asked if the Board could condition the permit on a formal dialog with the organizers of the event. Ms. Bernard stated to confirm the route and the clean up don't conflict.

Motion by Christopher Mitchell to approve the 5K Road Race on Saturday, April 30, 2016 from 9:00am – 12:00pm providing they coordinate the race with the Foxborough Clean Up Committee. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to accept the gift donation of \$1,559.92 from the Friends of Foxboro Seniors for funding of various programs to the Council on Aging. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to approve the 10:00am early openings for the Lafayette House on Easter Sunday, 3/27/16 and Mother's Day, Sunday, 5/8/16. Seconded by John Gray.

Mr. Gray stated that the Board has done this before and the time was 11:00am. Mr. Keegan stated that is their understanding as well so this would be a departure from that. Mr. Keegan stated that most brunches start at 10:00am especially for Sunday and Mother's Day. Mr. Feldman asked if they could condition this where there would be no bar service only table service only. Mr. Keegan stated that the Board could condition it any way they want. Ms. Bernard stated that it does state in the letter that the bar and tavern will not serve until noon.

Mr. DeVellis asked Ms. Jarvis if that is what she had E-Mailed him about because there was a conflict with the state law versus what they have the ability to do. Ms. Jarvis stated that the Lafayette House had originally wanted to open at 9:00am and that was what she was conversing with him about. Ms. Herrmann had always stated 11:00am so she wanted to be sure what the statute was. State statute is 10:00am but each individual town is allowed to do 11:00am if they so choose. Back in 2010 the Board had decided at that time that they were going to do 11:00am only. That was all the information Ms. Jarvis could find. Mr. DeVellis stated that this Board as far as he could remember has never allowed 10:00am for service so it is a departure and it is for one restaurant but he can guarantee that there will be 20 more applications for Mother's Day for 10:00am; it is a little weightier than just one. Mr. Gray asked if their license currently reads 12:00pm which is their normal operating hours in which Mr. Keegan stated yes. Ms. Coppola stated that Ms. Jarvis had provided information from past years Board of Selectmen decisions in regard to requests for opening at 10:00am and they had been denied and they settled on 11:00am. It is true if you give this one 10:00am you are going to get more. Mr. Feldman stated that the Board has the ability to deny other ones and this is Easter Sunday and Mother's Day, it is not a Patriot's team. Mr. Gray stated a lot of restaurants do have brunches on Mother's Day so he is actually surprised it is the only one; given that Easter is two weeks away. Mr. Keegan stated that he believes the state law was 11:00am at one time and they reduced it back to 10:00am when the request was further considered by the legislature because 10:00am is when most brunches do start on Easter Sunday and Mother's Day. It is the Board's call.

Mr. Gray asked where the cutoff line was between breakfast and lunch. Mr. Keegan stated that it is typically noon time. Mr. DeVellis stated breakfast, lunch in which Mr. Gray stated that brunch

is somewhere in the middle. Mr. Keegan stated that it is typically 10:00am – 2:00pm. Mr. Gray stated that this topic has been debated and he doesn't know for how many years but it is really somewhat set in concrete that 11:00am was a reasonable time. He thinks it is because if you start 10:00am it is going to start to whittle back to 9:00am. Mr. Keegan stated that legally it can't.

Mr. Mitchell stated that he thinks it will definitely open up the floodgates for every other restaurant.

Mr. Feldman asked if there was a harm for other restaurants for Easter Sunday and Mother's Day that are serving brunch to be able to offer Mimosa's or Bloody Mary's at a table and not at a bar. Mr. DeVellis thinks that is how they got it down to 11:00am, it is progressing.

Ms. Coppola read a quote from past Selectmen. She stated that this was an article from the Boston Globe that Selectmen have since compromised to allow alcohol to start flowing earlier on Sunday's (going to 11:00am) "they didn't feel there was a need to start drinking at 10:00am said Foxborough Board of Selectmen Chairwoman Lynda Walsh but then they changed their minds and said they would allow folks to start at 11:00am if there is food." The town has already allowed a number of restaurants near Gillette Stadium to begin pouring at 11:00am on Sundays but Selectmen couldn't justify 10:00am. Walsh said "Then where do you stop, I think you can wait that other hour if you want a Bloody Mary with your eggs and toast." There were also copies of requests from the Board of Selectmen and it is from 2010 for other restaurants that wanted to start serving at 10:00am. Mr. Feldman asked if it was for Mother's Day and Easter Sunday in which Mr. Mitchell stated no it was for continual brunch on Sundays. Mr. Feldman stated the Board has the latitude to limit it to specific occasions. Mr. Feldman stated that if a restaurant opens at 10:00am for Easter Sunday and Mother's Day it is usually a family brunch and where it is just going to be at the tables he doesn't see an issue with it.

Stephanie McGowan, 19 Rhoads Lane. Ms. McGowan stated that Mr. Keegan is right and most brunches are from 10:00 – 2:00pm and of course the Board has the latitude to say yes or no. If people go to another restaurant in another town that has okayed it, it is only taking business away. The Board has the latitude to make that decision but they are asking for Mother's Day and Easter which are big brunch days, where Father's Day isn't one. She was just speaking as someone who has worked in the business. She doesn't think people are looking to slam drinks down, but a mother may want to have a Mimosa or something at a brunch. It is a special day.

**Vote 4-0-1 with John Gray opposing.**

Motion by Christopher Mitchell to approve the reappointment of Michael O'Leary to the Permanent Municipal & School Building Committee with a term expiring on 5/1/2016.  
Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to accept the gift donation valued at \$169 for Adult Beginner Golf Clinic from Barrie Bruce Golf School for a Raffle Prize at the 6<sup>th</sup> Annual Father/Daughter Dance to the Friends of Recreation Group. Seconded by John Gray.

Mr. Keegan stated that this has come up as a point of concern because the issue relating to the Friends of Recreation Group that has been established for Recreation. That group has been an established group but they are actually moving now toward a different status; which would be that of a 501c3 status and they are also looking to be a corporate status as well and they filed for that paperwork. Mr. Keegan did ask town counsel about this before the meeting tonight because he wanted to make sure there weren't any legal issues with this. They are an established group and they are a legally established group (Friends of Foxboro Recreation). The action before the Board tonight is appropriate because there is no bar for the Board to accept a gift donation. The challenge has come in the past with respect to signatures on grants because that is a different type of discussion but with respect to gifts and donations that can come from any individual and they can present it to the Board because it is a gift or donation. The question was raised today whether or not that was an issue because the Recreation Group is changing its status whether or not they are a legally established group and they are a legally established group. The question is whether or not their change in status has any weight on this particular donation and the answer is it does not. Mr. Keegan received that from counsel today. The only thing that it does have status with is if in fact a person who made the donation wanted to get a 501c3 or a tax credit for that; they wouldn't be able to get it because it is not a 501c3 status. They are changing their status to a corporate status first and then going to a 501c3 status.

Mr. Gray asked what their legal status is now in which Mr. Keegan responded that they are just a group; they are a "Friends of" group and they can solicit donations. They have the right to do that and they have been established for a couple of years now since 2013. The Board has a couple of options tonight. They want to look at this from the perspective of they can defer it because they are in the process of getting the corporate status established (it should be resolved in another few days). The Board could postpone these items until that is resolved within the next few days or condition this approval pending that approval of those conditions or simply accept them which can be done properly.

Mr. Mitchell asked what the difference between the Friends of Foxboro Seniors that the Board just approved over \$20,000. Mr. Keegan stated that they are an established 501c3 group just as the Friends of the Library are as well. Mr. Mitchell stated that Mr. Keegan had stated that they don't have to be an established 501c3. Mr. Keegan stated they do not. They can accept donations and the key being that the Board of Selectmen has to accept them after as well, for gifts and donations. Mr. Keegan stated that he asked Attorney Costello that question tonight and he said that is absolutely true. There is no limitation on a donation or a gift and there really isn't one on a grant per say except for the fact that you have to be very careful of ethics considerations.

With respect to this particular item tonight the Board has those three options:

Postpone  
Approve Conditionally  
Accept

Mr. Feldman stated as a 501c3 they could make the donation directly and they would have to come to the Board. Mr. Keegan stated no, the Board always accepts them, that is town policy.

Ms. Coppola stated that if they become a 501c3 that means if you donate to the Friends, then that is a tax deductible donation. Mr. Keegan stated it is tax deductible and right now they can't do that. Ms. Coppola stated however, to get to that point you have to be legally constituted and that is her concern. Mr. Keegan stated that they are legally constituted and he wants to be very clear about that; they do not have the corporate status right now.

Mr. Gray asked what form of legal constitution they presently have. Mr. Keegan stated that they have to create a formal structure, which they have and it is a formal structure made up of a Board of Directors, President, etc. Mr. Gray asked if they filed Articles of Incorporation in which Mr. Keegan responded that the incorporation piece is the piece they filed with their attorney this past week. Ms. Coppola stated that they gave him the information but they have not filed yet and that was her concern going back to the February 2, 2016 meeting when she voted no on that acceptance. The reason she voted no was because to her, the Friends of the Recreation Committee are not really a legal Friends Group in the same way that the Council on Aging Friends of Seniors or the Friends of Boyden Library are. She had questioned it, and that is why she voted against it. She talked to Mr. Keegan later and what they were going to do was change the process. This weekend when she saw that there were four more donations from the Friends of the Recreation she questioned Mr. Keegan and asked if they were a real group and he said yes, John Michelmore was working on it. She called Attorney Michelmore and stated to him that he was working on this and if they are a real Friends Group. Attorney Michelmore stated that they had given him the paperwork and his opinion was that they are not a legal group because they have not done that first step to constitute their group. Ms. Coppola's concern is when you get donations from anyone and then the Board of Selectmen has to vote to accept this, there has to be a legal barrier between one group who has received a donation and the Board of Selectmen especially if that group; the Friends Group, is receiving something from an entity that comes before the Board of Selectmen and they have to vote on something with regard to that entity. All she wants is to establish that legal barrier which will come when the Friends of Recreation are formally constituted legally as Attorney Michelmore stated right now they aren't. Once they are formally legally constituted then at that point they can go and get their 501c3 status. She would like to see that legal barrier which right now does not exist; in a couple of days it will, but right now it doesn't exist. She was very surprised when she saw those donations here because they may have gotten together, but she can get together and make the "Friends of Fairway Lane" and that doesn't mean anything especially if she were going to come before the Board of Selectmen on an issue. That is her problem, she wants to have a legal barrier and all she is asking is that they differ this until the next meeting when the Friends of Foxboro Recreation is legally constituted and she has no problem with that.

Mr. DeVellis stated that the discussion they just had would have been nice to have had at the last meeting rather than she didn't vote against it and you didn't come in to any of the discussion. He spent a tremendous amount of time on this item over the last couple of days with Mr. Keegan when it should be at the Board's table. Ms. Coppola stated that it would have been at that table if Mr. Keegan hadn't taken a phone call and Mr. DeVellis hadn't rushed this through. Mr. DeVellis stated he disagreed and at the last meeting it was an identical thing that showed up and it was the Friends of Recreation Group. Mr. DeVellis asked for any discussion and Ms. Coppola didn't say anything and then he said "All those in favor".

Mr. DeVellis stated this is what he did today, when he is hearing terms like “they are not a real group and I can make up the Friends of the Fairway Lane”. Mr. Keegan asked him to go back and find out some history of it. This group was established about two years ago and it has been on the meeting minutes. The way that the Recreation Department works is that they have a director and staff and then they have an appointed board and the appointed board is separate from this Friends Group. This was established two years ago and they reach out to get donations and it is covered under the meeting minutes of the Recreation Board and it is all documented. If you go back two years; this is an established group under the Massachusetts laws and protocol; they are not staff members or board members, they are friends just like every other friends group that comes in here. You go back to the (and this is why he is so surprised) Friends of the Flagpole which Mr. Mitchell, Mr. DeVellis, Ms. Belanger and Mr. Authelet are the Friends of the Flagpole and they got a check for a \$15,000 donation and it went right through and that is without even a group. He doesn’t think they have ever met in public so that got passed and then the whiteboard got passed which he thought Ms. Coppola voted for. He called the Attorney General to see what his take was on it because they have a call number and you don’t need to be a 501c3 and you don’t even need to be a friends group to bring money to the Board of Selectmen; there is no legal barrier. They can put a 501c3 name to it but the way that the donations come in, it goes through any department head. If he is Vicki Lowe at the Senior Center, he would look at the donation and if he feels it is appropriate he logs it in, where it came from and who donated the money as well as the vehicle that it got there and he signs as a department head and brings it to the Selectmen. All of those that they got from the Council on Aging (about eight of them), went through that process as did the Recreation Group. The first thing he looks at on all of these is, is it documented, does it say it say where it came from and is it the Friends Group and he is confident beyond legal approach on this that it is a documented “Friends of Group” and it is not the Friends of Fairway Lane and it is not the Friends of the Flagpole. This is appropriate. If we want to hold back four donations where it has been the same process that they have been doing for years, he is not sure where this is coming from and he isn’t sure why it wasn’t brought up at the last meeting and why he had to hear it from Mr. Keegan and spend hours on this. Ms. Coppola called the Friends Group attorney who someone is paying for representing the Board and reaching out and it was a complete cluster over the last few days. There are irate people here and he has three other members of the Board who have no idea what has been going on. If you have an issue it has to be handled at this table not through Mr. Keegan and phone calls and text messages, he is not going to run a meeting that way. If she is going to vote against it, she can vote against it and if someone wants to make a motion to table all of these to a different time so be it, but it has to happen at this table. It is not Ms. Coppola calling someone else’s attorney and now we have our attorney involved with it when it is something that can be handled here with a vote. That is why they have five members, they share information. It started out that Ms. Coppola was saying there was an issue and no one knew what the issue was other than Mr. DeVellis and they went through a circle of what is the issue and there is a blanket that someone is doing something wrong and he doesn’t think they are and he knows for a fact they are not. Ms. Coppola stated that this was the discussion that she had at the last meeting and this was going to be brought up and she told Mr. Keegan she was going to say something and she asked him to speak to it but his phone rings and he left the table and Mr. DeVellis gavelled it through and it was done. Ms. Coppola stated that there was no opportunity to speak up. Mr. DeVellis stated that when he asks for discussion he looks at the Board not Mr. Keegan. Mr. Keegan was called away for a telephone call he had to take and when he came back

he thought it went through 5-0 so he thought everything went fine and he found out afterwards that wasn't the case. Ms. Coppola stated that she talked to Mr. Keegan the next day and explained her concerns and he told her not to worry that they were going to do the Friends thing. Mr. Keegan stated that he said that they should really go back and create a policy that addresses this issue and it should be for everyone not just for any one group. Mr. Keegan went back and looked and the Board does have a policy in their bylaws currently that addresses that very issue and it hasn't been updated in a little while so it needs to be looked at again. He also asked town counsel to take a look at what are the best practices around the state with respect to these types of things and he was researching that as well. That issue is not dropped, he didn't specifically say he was going to address it with the Board, he said he was going to address it across the board. Having said that he went back and he wanted to make sure that the Board was not going to do anything illegal by approving these actions tonight and he did that and he is sorry that he didn't have an opportunity to speak to Ms. Coppola before tonight's meeting about that, but that is in fact what happened. He was concerned that they may be doing something incorrect and in fact they are really not by simply accepting it because it is a donation and it is a gift and that is the difference. Ms. Coppola stated she was contacted by the newspaper and she stated that what this is, is that it is an issue of process. It has to do with grants and donations and it goes to everyone and Mr. Keegan was going to take care of it and this weekend she saw those donations and she thought the Friends must have organized.

Mr. Mitchell stated that if she was contacted by the newspaper why is this the first time three quarters of the Board is hearing it. Mr. Mitchell stated that he looks at it as this is a bunch of kids at the Recreation Services getting donations for the father/daughter dance and this is blown out of proportion. Ms. Coppola stated that she is looking at it as if some entity has to come before the Board of Selectmen for something you want to have a legal barrier between them and the Board, if the Board has to vote on something. That is all she is asking for, it is very simple, you just have a legal barrier separating them. Mr. Mitchell stated that Mr. DeVellis mentioned the Friends of the Flagpole in which they raised \$42,000 and they are not a legal anything. They accepted money from Partners in Patriotism and they accepted money from Ms. Coppola and himself and Mr. Gray. Ms. Coppola stated that she told Mr. DeVellis that what he should be doing is accepting donations from individuals and most of those people that donated do not come before the Board of Selectmen and ask for a liquor license or ask for an extension on a concert and ask for dates on football games. Mr. Feldman stated that these are people that are donating gifts for the benefit of others and they are requesting a license for their own benefit. Ms. Coppola stated that some of the gifts that come in from entities do come before the Board and that is what she is saying. Mr. DeVellis stated that she brought in the example of the flagpole and when they started this, the paramount route that they wanted to go wasn't going to be tax money. They worked hard to get input and services from labor and from the DPW, from individuals, from kids and businesses because it was a community project where businesses, residents and the government, the three legs worked together on it. They intentionally went to businesses and sent letters out to businesses and if they are not going to accept money from any businesses, they can't say that one business is better than the other because they had people that owned liquor stores that gave and that is what they did, it was an intentional route.

Mr. Gray stated that it is his understanding that the 501c3 status will be sealed in a few days. Mr. Keegan stated that their corporate status will and that there are three steps. Mr. DeVellis

stated that there are people who have been waiting patiently to speak which is the Recreation Director, a Board member and the Friends which probably know more about the schedule and the history. Mr. Gray stated that he wanted to ask the questions and then they can answer them. If that is the case then the Board has a few options, if you want to get this absolutely right they can approve these conditional on when they get that status. Mr. Keegan stated when they get the corporate status. Mr. Mitchell stated that he thought one of the options was that they have the legal right to approve them all now. Mr. Keegan stated the more conservative would be to take the one with the conditional approach but the most conservative would be to just table it until the next meeting to do it but based upon what he found out tonight between the meeting, the action the Board takes tonight to accept these donations is perfectly legal.

Stephanie McGowan, 19 Rhoads Lane. Ms. McGowan stated that she was Foxboro Friends of Recreation, just her. Her children have gone through the recreation programs and she had a conversation with Ms. Giardino and she works in a restaurant so whenever there was a father/daughter dance she would say that she knew some businesses in town and asked if she could get them something. There were the Friends of the Turf Field, the Friends of this and Friends of that so they said why not make Friends of Foxboro Recreation. She just wanted to let them know, why did she go up to the stadium; because the stadium is there. The BIT Auction gets a number of things from them. She heard the Board for years approve lots of things that came from up there. She understands Ms. Coppola's point but wanted to know if she questioned every other Friends of Group; did she question to see if they were all 501c3. She came to the meeting tonight because she was shocked when she didn't see Ms. Coppola's hand go up at the last meeting and unfortunately there was no discussion. They just got those gifts and she had the feeling that they would be on tonight's meeting. She would have come up during Citizen's Input but she didn't know if there was anything to input and she was waiting to see if she had voted no like the last time. If anyone had voted no, she wanted to be able to come up and tell them what they have been doing. They have been working with Mr. Keegan to make sure that they are doing things legally; no one wants the Board to approve something that is not legal. She goes to businesses in town and not one person has asked her if they had 501c3 status. Yes, she went up to Route 1 because it was a father/daughter dance and they had Taylor Swift coming into town and One Direction coming into town and she asked if she could get a donation for the father/daughter dance; that is what the little girls like so that is what they have been doing. They have been told it is okay because Ms. McGowan is the one doing the asking. They got the group started and people got busy and it just didn't completely take off and they got the group started together again and they are having regular meetings. At first it was just her doing the asking because she was the one that got it going with them and now they are delegating and so someone is going to take the father/daughter dance and someone is going to take the Fishing Derby and they are trying to do everything how the Board wants it. They have \$160+/- and they are not coming to them with \$50,000 of donations. They are trying to do everything the way the Board wants it. Ms. Harding will talk to the legalities of it because she doesn't honestly know all of the legalities; she is the asker, she is the one going into the businesses. The Recreation Department is self-supporting, there is a budget but they are pretty much self-supporting. As a parent whose children love everything about going up there and have spent summers up there, she decided to help. She just wanted to give a little bit background for whoever didn't know what they were doing; she is pretty much doing most of the asking. Now they have grown it a little bigger and they are starting to delegate and so it won't just be her. The only thing she heard tonight that did

make her a little upset was that she was just wondering if the Board is vetting everything that is going by them and not just what is going through for Recreation. She herself doesn't know if all of these friends groups are incorporated in which Ms. Coppola stated that they are. Ms. McGowan stated that over the years she has never seen anyone turn down a gift for anything or raise their hand no until last week. That is why she was wondering if they were doing something wrong. Ms. McGowan just wanted the Board to know that this is what she has been doing and watching Ms. Coppola's hand not go up last week was almost a slap in the face to her for all the hard work and the phone calls and trucking around town. She is glad that she understands Ms. Coppola's point now but that is why she is glad to get this off her chest to. Lots of people have worked hard to make them have a great recreation program and to bring things that aren't budgeted and let the kids have; it is all about the kids and that is all it has ever been about. Ms. Coppola stated that she appreciates all the work that she does and all the work that the Recreation Department does but she works very hard also trying to make sure that the Board of Selectmen is doing things properly and she doesn't want the Board of Selectmen to take a vote that down the road may be inappropriate. She doesn't want to vote on something that perception wise is not good. Ms. McGowan stated that they being the Selectmen and she being a town resident respects that but they have been told by the Attorney General what they are doing is okay.

Heather Harding, 14 North High Street, Ms. Harding stated that before the Board takes a vote and she knows that they have three options in front of them, she is hoping that the Board will simply vote to accept these gifts tonight. They have a responsibility to their donors to get them publicly thanked for those gifts and it has been clarified six ways from Sunday by town counsel, by the Attorney General and by their own attorney, John Michelmore that the way they have been operating for the last two years is perfectly legal. She thinks that it is a disservice to the donors to not simply say thank you for these gifts that have been passed on to Foxborough residents. Secondly, she would like to point out that Ms. Coppola had stated that every other Friends group is incorporated and that is not true. The Friends of the Foxboro Flagpole and the Friends of the Sharon Wason Pavilion are not 501c3's and they are not corporations and this Board accepted a \$12,000 check a month or two ago from that friends group with no questioning. She understands that this was in the past but they can't help but feel a little singled out where now this is the second time in two months that only Recreation has been questioned. Their meetings are public, this has been on their agenda several times and if anyone on the Board of Selectmen had any questions about their Friends of Group, they could have called Ms. Giardino, Ms. McGowan, or they could have called her or come to any one of the meetings. It was on their agenda and all of their questions would have been answered. When she has a question about something another board is doing she calls up the chairman and she asks them or she calls up someone that works in the department. They are always there and they are always available to answer questions. In case it helps the Board she wanted to give them a little bit of a run down. In December of 2013 at the meeting with Ms. McGowan, their Recreation Board voted to form a "Friends of Group" and they met again in January 2014 to discuss the formation in FY14. January of 2014 Ms. Calabrese reached out through Twitter, Facebook and Constant Contact and advertised the group. The group had their first meeting in February of 2014 and Ms. Harding then updated the Recreation Board later in that month. In June of 2014 after the group got officially organized they sent out a letter introducing themselves to all the local businesses (this is what we are and this is what we do and we are looking for donations). On October 29, 2014

Ms. Harding called the Attorney General's Office again and had a detailed discussion as to this is what they were doing; are they doing it properly; is there anything that they should be doing and they said no, they are doing it fine. Foxborough didn't have a specific policy in place and all they could do was rely on what they got at the Attorney General's Office and they have been proceeding that way. When one of their coordinators fell and broke her leg in January and was going to be out for an extended period of time they realized they were going to need more help so they started reaching out to the Friends Group again and they have been meeting regularly about all of these events. They have several current members, none of them are employees and none of them are board members. In addition, in the past, the way the Attorney General told them to handle grants and gifts were that the Friends of Group would get the grants, gifts, money or whatever and they would present them to Ms. Giardino who is their Director and Ms. Giardino would vet them and she would say yes, these are all gifts that they want to accept and they would then be turned in to the Board of Selectmen. Last February, they turned in all the gifts for the father/daughter dance and it said right on them from the Friends of Foxboro Recreation and they were all accepted, no problem. Now we fast forward to now and they get the AB Grant and she hears there is a big problem with it because Recreation applied. They called the Attorney General's Office and they decided they would put everything through the Friends of Group, so they started doing that. That is why the forms that the Board sees now don't just simply have "given by the Friends of Recreation" they actually say "Friends of Recreation" at the top and that is a discussion that she and Mr. Keegan had and they decided just to be even clearer and going forward they would do that. However, the only reason they decided to become a corporation and a 501c3 is that so going forward if they applied for grants there would be no question whatsoever. Gifts have nothing to do with it. They can accept as many gifts as they want and they also can apply for grants. Just to be on the safe side they decided they would do it. So whether or not they become a 501c3 and whether or not they become a corporation has nothing to do with the gifts in front of the Board tonight. If anyone else has any questions she would be happy to answer them but she would urge the Board to just accept the gifts tonight and thank the donors that gave them to them.

Mr. Mitchell stated that they had made the motion and it was seconded by John Gray for the Golf School.

Ms. Coppola stated that she was going to wait until their group is legally constituted according to what Attorney Michelmore said to her and just to let the Board know that she is going to vote no on all these things. Ms. Coppola stated that she had spoken to Attorney Michelmore today and he told her because she told him her concerns that maybe what she should do is have them pull this and once they are legally constituted then put it back on the agenda. She thought that was a really good suggestion because that was the suggestion she was giving to Mr. Keegan and that was the suggestion that she gave him for the one before so that is why as far as the Board of Selectmen, she as a Selectmen is going to wait until they are legal before her vote accepts things that are coming through them. Mr. Keegan stated that he really has to object to that, they are a legal body and he wants to be very clear about that. Ms. Harding stated that Attorney Michelmore is the attorney that they hired simply to do their 501c3 status and he has absolutely no details about the formation of the group, he doesn't need them to become a corporation and a 501c3. Attorney Michelmore does not have the information on how their Friends of Group was formed; he didn't ask for it, he didn't need it. Ms. Coppola stated that she had talked to him

Friday and he was waiting for information and as soon as he got the information that he needed (the names and addresses of people on the Board) he was going to file it electronically. If they had given him that information this morning, they wouldn't be talking about this right now because they would be a legally constituted Friends of Group. Mr. DeVellis stated that if this Board is reaching out to paid attorneys from the applicant without going through the town manager or the chairman, it has to stop now. Ms. Coppola stated that she does her homework.

Rachel Calabrese, 53 Cross Street, Ms. Calabrese stated she wasn't sure what time Ms. Coppola talked to Attorney Michelmore but all the names were in, she had put them in at 3:00pm on Friday. She works from 9:00am-3:00pm and about 3:05pm she got an E-Mail that said that he needed the addresses. She was never asked for the addresses before that and it wasn't on the paperwork, so Monday when she got into work she found out that they needed the addresses. Not knowing off the top of her head the addresses of all of their volunteers she sent a quick E-Mail to the volunteers. Everything was in that was asked for, so she doesn't know if the conversation Ms. Coppola had with him spurred him to ask for addresses she isn't really sure but that is when she was asked for addresses. She did it as quickly as possible.

Ms. Giardino stated that more gifts/donations would be coming in.

**Vote 4-1-0 Virginia Coppola voting in the negative**

Motion by Christopher Mitchell to accept the gift donation of an autographed Patriots football by LeGarrette Blunt for a raffle prize at the 6<sup>th</sup> Annual Father/Daughter Dance to the Friends of Recreation Group. Seconded by John Gray. **Vote 4-1-0 Virginia Coppola voting in the negative**

Motion by Christopher Mitchell to accept the gift donation valued at \$162 for (6) Revolution Soccer Game tickets from the Kraft Group for a raffle prize at the 6<sup>th</sup> Annual Father/Daughter Dance to the Friends of Recreation Group. Seconded by John Gray. **Vote 4-1-0 Virginia Coppola voting in the negative**

Motion by Christopher Mitchell to accept the gift donation valued at \$80 for (4) VIP tickets to United Skates of America for a raffle prize at the 6<sup>th</sup> Annual Father/Daughter Dance to the Friends of Recreation Group. Seconded by John Gray. **Vote 4-1-0 Virginia Coppola voting in the negative**

Motion by Christopher Mitchell to accept the gift donation of \$25 in Memory of Joe Harrington to be used for Serenading Seniors from Linda Belyea to the Council on Aging. Seconded by John Gray. **Vote 5-0-0**

Motion by Christopher Mitchell to accept the gift donation of \$25 for programs at the Senior Center from Mr. & Mrs. David Lowe to be used for programs at the Senior Center to the Council on Aging. Seconded by John Gray. **Vote 5-0-0**

Mr. Danau asked if they had struck Article 13 from the Town Warrant Article in which Mr. Keegan stated that it was the Adjustments to Capital Budgets. Ms. Bernard stated that she had a

new updated list that she could give him. Mr. Danau asked if anything else was struck from the list in which Mr. Keegan stated no, they added a couple of liquor licenses.

Mr. Danau asked what time they expected to hold a hearing on the additional liquor licenses in which Mr. Feldman stated that the Economic Development Committee has a meeting tomorrow night and they will formulate that and send out a formal letter or request the Board of Selectmen for a presentation within the next couple of weeks. Mr. Danau asked at that meeting would they begin to get an idea of how many liquor licenses they were going to ask for in which Mr. Feldman stated yes.

Motion by Christopher Mitchell to close the meeting at 10:01pm. Seconded by John Gray. **Vote 5-0-0**