

TOWN OF FOXBOROUGH
SELECTMEN'S MEETING
AUGUST 23, 2016

Members Present: David S. Feldman, Chairman
Christopher P. Mitchell, Vice Chairman
Mark Elfman, Clerk
Virginia M. Coppola

Others Present: William G. Keegan, Jr., Town Manager
Ms. Mary Beth Bernard, Assistant Town Manager
Mr. & Mrs. Finn
Pat Stevens, 63 Mechanic Street
Barney Ovrut, Zoning Board of Appeals
Kim Allen, Zoning Board of Appeals
Senator James Timilty
Representative Jay Barrows
Father Steve
Chief Laracy from Stoughton
Bob Cutler, Town Clerk
Jessica Enos, Gillette Stadium
Mike Ashapa, Stadium Advisory Committee
George Bell, Stadium Advisory Committee
Kathleen Donegan, Stadium Advisory Committee
Guang Lin, Manager, Mandarin Chef
Mark Stopa, Stopa & Associates
Paige Duncan, Director of Planning
William Baker, Police Chief
Mark Ferencik, Historic Committee Chairman

The meeting was brought to order at 7:00 p.m. by David Feldman.

David Feldman read the agenda.

Mark Elfman led the Pledge of Allegiance

There was a moment of silence due to Neil Forster's passing

7:00 Citizens Input

Mr. and Mrs. Finn came forward and wanted to address the concert approval process, more specifically the end time of the concerts. They were asked to wait until the public hearing was opened at which point they would be able to voice their concerns. Both David Feldman and William Keegan informed the couple that the topic they wish to discuss was on the agenda. Next was Pat Stevens who requested an update on the school signs for the Ahern and the Sage on Mechanic Street. William Keegan asked her to contact him in the morning when he would be able to give her the update she requested.

7:02 Neil Forster Proclamation

David Feldman read the proclamation for the record recognizing the work of Neil Forster as a public servant and supporting the Town of Foxborough for over thirty-five years. He was a part of numerous boards and committees as well as a part of many projects in town. Neil has been a resident of Foxborough for fifty-five years. Barney Ovrut was then asked to say a few words about Neil. He was joined by Kim Allen, both a part of the Zoning Board of Appeals on which they served with Neil. Barney touted Neil's friendship, his selflessness, and the loss his passing is to the Town.

7:05 Chief Hatfield Pinning Ceremony

There were a number of promotions in the Fire Department. Chief Hatfield began by thanking the families of the members of the Fire Department for their support and those involved in the promotional process. He also took a moment to thank Bob Cutler for performing the swearing of the Deputy Fire Chiefs. Both Mike Kelleher and Thomas Buckley were promoted to the position. Mike Kelleher's grandmother and daughter along with Thomas Buckley's father came up to place the pin on their uniforms. The next promotion was for Captain which went to David Laracy. David's son Matthew Laracy, also a firefighter in Sharon, placed the pin on his uniform. The next promotion was for Lieutenant which went to Robert Lucas Jr., Adam Higgins, and William McMullen. Then Robert Lucas's father, retired Captain Lucas, Adam's wife Amy, and William's son Liam did the honors of pinning each Lieutenant.

7:25 NPS LLC Public Hearing Discussion/Vote Bruce Springsteen Concert Application

Jessica Enos for Gillette Stadium, and Mike Ashapa, Vice Chair for Stadium Advisory Committee came up for the hearing. The concert is scheduled for Wednesday September 14, 2016 from 7:30-11:30 and a crowd of 40-45,000 people is expected. They were able to secure the MBTA for the event with 1,200 passengers expected to use such services.

There was a brief recess for a medical emergency

David Feldman suggested and Mark Elfman made a motion, in light of what transpired, to continue the public hearing on August 30, 2016. Christopher Mitchell seconded.

Vote 4-0-0

7:35 NPS LLC Public Hearing Discussion/Vote UMass Football Application

Jessica Enos for Gillette Stadium as well as George Bell and Kathleen Donegan from the Stadium Advisory Committee were there for the hearing. There are three games between UMass Boston against Boston College, Mississippi State and Louisiana Tech. The Boston College game was foreseen to be the best attended with 20-25,000 people expected with the turn out diminishing with each subsequent game. This is the end of the contract between the Stadium and UMass. Virginia Coppola asked the question of whether or not the new insurance was reviewed by the insurance advisors, to which Mr. Keegan said yes.

Mark Elfman made the motion to close the public hearing. Christopher Mitchell seconded.

Vote 4-0-0

Mark Elfman made a motion to approve the UMass football games scheduled for September 10, 2016 September 24, 2016 and October 15, 2016. Christopher Mitchell seconded the motion

Vote 4-0-0

7:45 Mandarin Chef Public Hearing Discussion/Vote New Alcohol License Application

Guang Lin, Mandarin Chef owner, and Mark Stopa from Stopa and Associates were in attendance for the hearing. Mark Stopa made the argument that Mandarin Chef is a staple in the downtown area and in the Town of Foxborough. He pointed out they had a malt and wine license already. However, seeing how Mandarin Chef hasn't had any issues with the Town and in order for the restaurant to compete with the other similar restaurants in town it should be issued a full alcohol license. In addition, there are losses to the business due to the lack of ability of the restaurant to obtain an all alcohol license up until this point. Christopher Mitchell pointed out that when the Board of Selectmen had discussed economic development and the new nodes that Mandarin Chef would be allocated an all alcohol license when it became available. Paige Duncan then came up and presented, on behalf of Lorraine Brue, a letter from the Economic Development Committee which David Feldman wanted to have read into the record. The letter essentially expressed the opinion of the EDC in the determination of an all alcohol license for Mandarin Chef. It was the request of the EDC that the Board of Selectmen delay the granting of the license until a node specific license becomes available. At this point Mr. Keegan then updated the Board of Selectmen on the status of the node specific licenses and based on his conversation with Representative Jay Barrows it is believed that the licenses would be available before next Spring. Several months earlier than anticipated. Virginia Coppola then expressed concern over using the projection of the Spring for the licenses from a development perspective because if someone looking to go into downtown happened to come across the EDC letter somehow, they might be turned off or dissuaded by having to wait until Spring. This would be a disservice to the Town. Coppola then proceeded to make the argument in favor of Mandarin Chef, claiming that they are an upstanding business that has waited five years for their all alcohol license. By granting the license the Board of Selectmen will be helping an existing business, thereby displaying that the Town takes care of the businesses that are in Foxborough. She expressed that with the new node licenses it presents a new wrinkle. She cautions that the Board of Selectmen should not pick winners and losers so to speak when it comes to choosing which license to grant. David Feldman then made the argument that nobody disagrees that Mandarin Chef should get an all alcohol license; the question really becomes whether or not the Board of Selectmen is willing to give up a Town wide license in lieu of a node license when the Town wide license is a tool in the toolbox for future economic development in the downtown area later on. Mandarin Chef used to have about forty percent of their business come from sit down customers but this has diminished greatly due to their lack of an all alcohol license. Nobody disagrees that Mandarin Chef is worthy, but David Feldman argued that they would rather have the business wait until the node licenses become available and have the ability to condition the Town wide license before it is issued.

Mark Elfman made the motion to continue the public hearing in two weeks at the September 6, 2016 Board of Selectmen meeting. Chris Mitchell seconded that motion.

Vote 3-1-0

Virginia Coppola was the only one to vote against continuing the hearing on the basis that she wanted to see the license get awarded that night, not at a future date.

7:55 William Keegan Recommendation for Police Chief Vote to Confirm

William Keegan presented before the Board his recommendation for the new Police Chief Mr. William Baker. He began by explaining the process, the panels, interviews and assessments that the candidates went through for consideration. He also thanked Ms. Mary Beth Bernard for managing the process. He then explained the background of William Baker. Each member of the Board asked questions ranging from inquiring about his past municipal government experience to his first days in office and his experience with Waconia.

The motion was made by Mark Elfman to accept William Keegan's recommendation of William Baker as Police Chief. The motion was seconded by Christopher Mitchell.

Vote 4-0-0

8:30 Historical Commission Mark Ferencik Discussion/Vote Post Cane Award Recipient – JoAlleen Guenard

Mark Ferencik, Chairman of the Historic Committee was present to discuss the significance and history of the Post Cane Award. This Award is being reinstated. The last Award was presented in 2009. JoAlleen Guenard will be the latest recipient and due to her age/health she will be presented with the Award where she resides by a member of the Board of Selectmen with her family present.

The motion was made by Mark Elfman to approve presentation to JoAlleen the Post Cane Award which was seconded by Chris Mitchell.

Vote 4-0-0

8:40 Selectmen's Update

There wasn't any news to share

8:50 Town Manager Update

Mr. Keegan mentioned that they received word from MIAA the insurance company that the Town received an additional \$54,093 in reward credit due to the strong risk management policies of the Town. The other topic discussed was the desire to place the yellow ribbons around the common for the month of September in recognition of support for cures for childhood cancer. A thank you was said to the Board for new UTA's and it was announced that the economic development video will be presented to the Governor. There was a successful Regional Dispatch meeting and Opiate and Drug Awareness meeting.

9:00 Assistant Town Manager Update

Ms. Bernard began by thanking the Board for their approval of the Police Chief process. She mentioned the Opiate and Drug Awareness Committee is in the process of a name change. She also had the opportunity to attend the Child Sexual Abuse Committee and explained how they are focused on awareness. One of the risk management activities that the Town partakes in is Anti-harassment training and the distribution of the Anti-harassment policy which gets circulated in September so that is coming up. Next Ms. Bernard discussed the job description review that has been taking place and how that process is being wrapped up and that the consultant has agreed to meet with the Board after the meeting regarding the non-union pay plan that took place.

Action Items

Motion made by Mark Elfman to postpone the approval of the 7/26/16; 8/9/16; and 6/9/15 minutes until September 6, 2016. Seconded by Chris Mitchell.

Vote 4-0-0

Motion by Mark Elfman to accept a \$20 Gift Donation for Serenading Seniors in Memory of Evelyn Fortier from Barbara Nordblom. Seconded by Chris Mitchell.

Vote 4-0-0

Motion made by Mark Elfman to accept a \$15 gift donation for the Lock Box Program from Anonymous. Seconded by Chris Mitchell.

Vote 4-0-0

Motion made by Mark Elfman to accept a \$50 Gift Donation for in Memory of Evelyn Fortier and Shirley Emery from Anonymous to be used for Programs at the Senior Center. Seconded by Chris Mitchell.

Vote 4-0-0

Motion made by Mark Elfman to accept a \$25 Gift Donation in Memory of Evelyn Fortier from Richard Cleary to be used for Programs at the Senior Center. Seconded by Chris Mitchell.

Vote 4-0-0

Motion made by Mark Elfman to accept a \$50 Gift Donation in Memory of Shirley Bliss Emery for use in Animal Control from Dan & Sandy Kronenwetter. Seconded by Chris Mitchell.

Vote 4-0-0

Motion made by Mark Elfman to approve Bar Louie of an Early Opening at 11:00 am during all New England Patriots Sunday Home Games Starting at 1:00 pm for the regular 2016 season as well as playoff season. 9/18/16; 10/2/16; 10/16/16 and 12/4/16. Seconded by Chris Mitchell.

Vote 4-0-0

Motion made by Mark Elfman to accept a \$100 Gift Donation from Marie Mueller's Estate to be used for Programs at the Senior Center. Seconded by Chris Mitchell.

Vote 4-0-0

Motion made by Mark Elfman to approve a Block Party Application on Sunday 9/18/16 from 1:00 pm to 10:00 pm at 9 Howard Ave. with a rain date of Sunday 10/9/16. Seconded by Chris Mitchell.

Vote 4-0-0

Motion made by Mark Elfman to approve of the Knights of Columbus Tootsie Roll Drive on 10/8/16 at entrances around the Common. Seconded by Chris Mitchell.

Vote 4-0-0

Motion made by Mark Elfman to accept a \$50 Gift Donation from Mr. & Mrs. Fred Green in Memory of Shirley Emery. Seconded by Chris Mitchell.

Vote 4-0-0

Motion made by Mark Elfman to accept a Gift Donation of (2) UTA Vehicles from the Kraft Group & New England Patriots to the Police Department valued at \$52,000. Seconded by Chris Mitchell.

Vote 4-0-0

Motion made by Mark Elfman to close the meeting. Seconded by Chris Mitchell.

Vote 4-0-0

Meeting Adjourned