

**Tuesday, September 1, 2020**  
**Board of Selectmen Meeting Minutes**  
**Foxborough Town Hall**  
**Andrew Gala, Jr. Meeting Room**  
**7:00 p.m.**

**Members Present:** Mark Elfman, Chair  
Ed O’Leary, Vice Chair  
Stephanie McGowan, Clerk  
Leah Gibson  
Chris Mitchell

**Also Present:**  
William Keegan Jr., Town Manager  
Christina Metcalf, Community Info. Specialist

1. 7:00pm - Citizen's Input –Richard Heydecker – Thank you for having met with me last week. The reason for meeting with me goes back 4 years ago and both Bill Keegan and Bill Yukna about the Burrell school. In the process of protocol, there is missing paperwork. There has nothing been done about this committee. There isn’t a single piece of paper covering this. I’ve been asking this since 2010 and the process and the formation of the State supported Mass. School Building Authority. They have their own regulations. The Burrell School has a lot of contract work. There is a statute in the state regulations about you must organize and put this information together. You can’t get two committees together and “flex” there is no paper on how an appointment is made. Bill Keegan said I’ve gotten all the materials I requested. When the Burrell opens it will be at capacity as well as the other schools and with the projection there will be no room. How do we have to contracts signed with one that says the Town one says the School committee who is the architect to work with. Why aren’t we fixing this? The committee has worked well and has been effective years, it’s the paper work and protocols where I have problems as well as the contracts.

ME – Thank you for coming in.

BK - We disagree the town and town counsel have looked at this. The Building Committee has been involved and formed and been involved in projects. The state requirements under the School Building Assistance Bureau. This requires additional people included myself, Dr. Amy Berdos and one other person from school building. It is a requirement of the state. The schools is being built to a high level and with all the challenges with Covid-19. I am involved as the Chief Procurement Officer.

2. 7:05pm Town Manager - COVID-19 Informational update

Currently we have 9 active cases. It has been reported that we’ve had 15 cases that is incorrect. There are 4 cases of the 15 that is one family. The family is nearing the end of its quarantine. Total 146 cases, 117 recovered 18 no follow up. There have been 2,667 people who tested negative. There has been 1 death and 60 people test positive for the antibodies. I’m pleased to announce a grant, from the Executive Office of Public Safety for equipment that gives us the ability to test with \$50,000 grant. We continue to move forward. Some numbers across the state are spiking. But we are going in the right directions. RI has still growing numbers. States to the north are doing well. Some businesses still remain closed, we’d like to get those open but we are bound by the regulations we have and will continue to work with the Board of the Health.

MK – With the Public Health Nurse working full time under our department and the waivers in place we were able to go after this aggressively. It is the Molecular PCR test and nasal swab with 3-14 minutes. It is portable. We can get ahead of this is something pops up. We will have 250 initially to be able to do and still fleshing out how we will test people and how to roll it out. The company doing testing at Gillette was helping us get tests to people who weren’t able to come out.

LG – The new public health nurse position has really been essential during this time. Any thoughts of a town wide flu shot that you can talk about.

MK – We will do it and paramedics will help to get the employees of the town as well as residents and work with the COA and Marc Craig to have senior flu clinics.

SM – How accurate is the test?

MK – There are a bunch of tests on the market. This test is the gold standard has the least amount of frequency of false readings. We did invest in other testing methodologies included antigens and antibodies.

Any information we can give people right away will be able to respond and these can test for flu and other disease.

3. 7:10pm Veteran Services - World War II Veteran Recognition Presentation of Certificates to World War II Veterans, Josephine Miller and Joseph Sevieri

VSO Ally Rodriguez – This started with a citizen who want to recognize his neighbor who is a pillar in the community. I can't just recognize one veteran so why don't we recognize all the WWII veterans and dedicate this corner to all of our WWII corner. If you know any from or in Foxborough and let us know. In preparation for the WWII Corner Ceremony I wanted to recognize all of them. I have a certificate and token for them. Reading of the Certificate. The plaque is being cast now. It will be going on the little triangle on South and Mill Street. We will replant a tree and have a plaque that is The WWII corner. Both Veterans being honored spoke about their time in the service.

4. 7:20pm Kraft Group - Discussion and vote to approve the application for use of Gillette Stadium for the 2020 New England Patriots Season by Jess Enos and George Bell

JE – Jim Nolan, COO, did presentation last meeting. The Governor asked for us to wait until after school and reevaluate our plan mid-September. We are asking for a formal vote on that license. I want to highlight a few things. We have ongoing readiness exercises that we are doing on a regular basis and working with Public Safety to work on every step with the fan experience and what to do when we have someone experiencing symptoms. Tomorrow is an extensive training. It's truly been developed with public safety and we are ready for the worst case scenario in terms of public safety. The NFL set the decibel range between 70-90 will be playing the calls and music the presentation will be in full effect will have a noise dampening piece in conjunction with that. It will sound different on TV then in the stand. The noise component goes away with fans in the building.

GB – We had our meeting and were very impressed. The Fans in the New Normal plan was very well put together and extensive, the Board of Health (BOH) and Public safety was present. Once the Governor issues guidelines the BOH would work with them to interpret the regulations so they'll comply. We voted to recommend that the BOS approve. Based on the BOH and funding for public safety.

LG – If we approve tonight it means that it will go forward only when the Governor approves the Kraft Group.

SM – There were a lot of emails and Facebook. We recommend based on the experts in their field that give us their advice. With everyone on board and when the Governor permits this to happen. This was how I made my decision and things that were said about this Board were not fair.

BK – To add on to the comments, even though the Board approves this there will be no fans in the stadium until the Governor gives approval. We are trying to make it safe and we aren't trying to be the place that creates a small bubble of cases. There is no action tonight with the BOS that will have the Fans in the stand on Sept 13<sup>th</sup>. We will be looking at the reality of people attending games if this gets approved.

JE – The capacity numbers are currently proposed and ask to be is 14,000

LG – Maybe the public needs to understand how the minimum payment works for the stadium and to educate people on another night so people truly understand.

ME – This is a normal meeting and normal requests. Today we are approving the license to perform. The Fans in the New Normal plan was excellent and you wouldn't have had a 5-0 vote if it wasn't.

CM – For the first two games is there any plan in place for parking lots to for the games?

Chief Grace - We've had 2 Revolution games to practice with no fans and were able to do dry runs. There will be no tailgating but Patriot Place will be open. We would be dealing with people visiting Patriot Place.

CM – Have you seen an increase of people?

CG- The communication between the Kraft Group and season ticket holders has been all done before hand.

SM – Is there a plan in place if you do have an increase in spectator fans due to the Patriots?

CG – All the restaurants are adhering to all the regulations. It is private property and is well manned. We have a plan in place for most if not all contingencies. We will have a full complement of all law enforcement present.

**Motion to approve the use of Gillette Stadium by the Kraft Group for the 2020 New England Patriots Season with no fan attendance until approved by the State by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

5. 7:30 pm Kraft Group - Application for Temporary Entertainment License for Jurassic Quest drive through exhibit from Sept 4, 2020 - Sept 27, 2020 (excluding Mondays and Tuesdays)  
Jess Enos – This event will operation on the opposite side of the stadium Sept 4 – 20<sup>th</sup>. This group is traveling the country with animatronic dinosaur. We have dates from Sept 4- 20<sup>th</sup>. We hadn't entertained this before because it would be too hard to operate with Patriots Games. It is \$49.00 per car. It will take 70-90 minutes to go through the exhibit. Everyone is self-contained in their cars. Guided tour through radio and you roll through this entire eco system and is very accurate and will be a nice family friendly event. You can preorder merchandise and get contactless delivery.  
LG – We are approving throughout the 27<sup>th</sup> just in case it goes longer? And are their bathrooms?  
JE – Yes, in case we have high demand and for set up/take down and bathroom is emergency use only  
CM – What is the noise level?  
JE – Virtually silent

**Motion to approve a Temporary Entertainment License for the Kraft Group for the Jurassic Quest Drive thru exhibit from September 4th through September 27th, 2020, 9am-9pm, excluding Mondays and Tuesdays by the State by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

6. 7:40pm Department Update – DPW - Update from DPW Director Chris Gallagher  
CG – Here I'm giving and update on all DPW projects. Roadwork plans in place; we are reliant on our Chapter 90 funding and \$650,000 from State. We've just finished \$50,000 worth crack sealing, it seals those cracks and keeps water out to help prevent further deterioration of the road and extend the life of the payment. Next Tuesday we will do mill and pave work on Everett Lane, Meadowview, Heritage, Alger, Ledgeville, Community Way and Pratt Street see video. These are older neglected roads that need attention.  
BK – What was the rating of the roads in 2013 and what does the rating mean?  
CG – We were 63 and now we are an 84. We will be rated soon. 84 is one of the highest rating. My old town won an award for 83 so we can apply for this as well. Each street will get a ranking 0 is dirt and potholes. 100 is just paved. We've touched 80 miles out of 100 that we have since 2012. You do 10 miles a year to keep the cycle moving.  
BK – With this system and scientific approach it prioritizes the road by the conditions not by residents petitioning.  
CG – You won't go to the worse roads first because they are the most expensive to fix. The various treatments we are using stretches the dollar with a 5-7 year treatment. To allow us to not patch potholes 365 days a year and the pavement management plans has worked.  
SM – Any close to a 0 rating?  
CG – We have some in the 60 and the streets we are doing now are to be address we have coordination with the Water department to not pave and then have to have all torn up because we have to replace water main. I know there are concerns with North Street and that is another road that needs a water main repair. Some of these pipes are 70-80 years old.  
Design work this year on East Belcher Road going up to Spring Street in spots, it's only 12 feet wide and will be doing a widening there. Doing a level shoulder for pedestrian traffic. Lot of rock and trees to be removed. Poles we rely on National Grid for assistance.  
East and Cocasset there were concerns over the intersection and the safety of that. The approaches are difficult to see the traffic and improved by the LED flashing stop sign has help and want to redesign to make a true T intersection and make it safe.  
Complete rotary design on the north end of the Common. Will use Chapter 90 and we have Park Corp to design that and myself and Tim Thompson will be back here October 13<sup>th</sup> to present that.  
West Street Dam – We finalized our permits with Conservation and are waiting on a finalized permit from the state. The County will finalize the plan and will go to the 3 abutters and work them to take that land back. Anticipating the water main work will be in spring and dam will be in summer and culvert will be July

through September when allowed to do that work through the state. Looking at some options to straighten the curvature of the roads to help with the large vehicles and truck traffic to make safer. When doing that work on the culvert, we will be stopping traffic from both sides and working with the campground to notify their customers of the work and detour route.

CM – When Roger was here talked about intersections, the East Street/Cocasset and West/South Street, is that on your radar?

CG – It is, we can take a closer look at that. West Street rides pretty well and we paved it with a skim coat 6 years ago but we knew that we were doing the West Street Dam project which is why we did a skim coat.

Railroad tracks - In late July/early August Mass Coastal Railroad had been installing gates. Gates are not operational yet. In September they are coming back to replace the Mechanic and Cocasset Street crossing. It will be done starting on first thing Thursday morning through Sunday. Easy detours for both of those. With 3 previous crossings we did before were able to do before Monday morning commute. They are letting us work in between the middle of the rails. If you look at the Mass Coastal Railroad Facebook page they are doing on of these every weekend in some part of the state.

Water – We are nearing completion of pumping station road 4 brand new wells in the ground reading to pump water did a pump test 24-27 ran at total capacity which is 1,500 gallons per minute (gpm) and tested everything to work the way it was supposed to. The filters will remove the black manganese and getting clean water samples. The test was successful. The engineer was happy with the way the plant operated.

Ricky, our treatment plant manager, was there watching learning and all of our water technicians are trained on everything. It's a mirror of Oak Street with minor differences. We have a DEP inspection on 9/9/20 and will look at everything in the plant clean bacteria samples and plant is safe to operate. We pulled back a week to make sure that we have everything is fined tuned for inspector and everything labeled properly and we are expecting on Sept 14<sup>th</sup> to be able to use the treatment. That comes 2.1 million per gallons a day. We are going to double our ability to pump water out of the ground we are permitted to use 3.16 million gallons per day. This ensures we protect the streams and wildlife. We are the high point for other streams and rivers and this allows. DEP has asked to reduce and we have pushed back. It likely won't increase. If there is development in town we will need this resources.

CM – What does that do for people to water their lawns?

CG – The full water ban will go away. We are in a stage 2 significant drought, it doesn't allow 2 days of watering but it will allow for 1 day. It limits hand held hoses before 9am and after 5pm on 1 day a week, doesn't say what you can water.

ME – It's the State not the Town that is putting the water ban.

CG – We are approved by the state to pull a certain amount of water. When we go to add water they put in restrictions in 2008 we did and they added the 2 days a week. This year was the Town adding the water ban and came from myself on Bob Worthley. We can reverse it, but we are in a stage 2 drought. If we are not at a stage 2 drought and get approved, they come out with Tuesday the new report and we can start September 14 or 15 to use the new source. We are working on new wells on Oak Street had 4 wells and have 2 new ones and replaced 2 and will replace Well 7. Going out to bid for those well and hopefully by Memorial Day in the spring of 2021.

CM - How deep is the average well?

CG – 50-60 feet, those sit over by Gavin's pond area. We have 3 wells at Sprague Road that are deteriorated. We are currently designing pipeline to take those over to Witch Pond and put those through the treatment plant and use all summer long. We will coordinate with West Street project.

BK – Lot of this is Roger Hill's legacy and Chris has taken those projects on and will complete it.

CG - Designing a water storage tank, we have one on High street on Dudley estates. There is no redundancy at the moment. We did some pipe work and what we missed is that we have no redundancy right now for this side, we can't drain the tank for inspections until we have the redundancy. We are working with Planning and Building to do the right way and do a public meeting with abutters that will be impacted.

CM – That 3 million gallon tank that is there now, what is the capacity on a normal day.

CG – The elevation of that tank we get 20 of the 38 feet is usable water. We are looking to add a booster station for that piece of the neighborhood which would allow us to use all 3 million gallons of that tank.

7. 8:00pm Town Manager's Update

- Mike Johns will hopefully be back in Town Hall by the middle of this month or a week later.
- I've been working the TRUCK Binder and will work on the charter vision and work on that line by line and will have a draft by the next meeting.
- The budget milestone calendar will come out soon. We haven't heard anything about State Aid. This would impact our need to have a meeting. The only other items we would have would be contracts
- The schools are doing a hybrid model.

BY – they have evaluated all the building and have passed with very high marks.

LG – Is the report available?

BK – Not sure. We are tracking our revenues and believe we will have a positive free cash position and we are tracking our revenues on a month to month basis about the past 2 months compared to last year. I'm also tracking building permits.

Conversation with MIIA Board yesterday and how things are looking with health insurance costs. Property insurances cost have gone up. The Exec Director that FY22 could be a challenge for communities. Hopeful that FY22 will start to reengage and potentially be okay. Especially if Gillette stadium can go back to full operation. Restaurants have been used including patriots place and down town.

Hotel & motel revenues remain low but are tracking.

Demo permit issued for Lafayette house but there is no plan of what will be happening.

LG – Historical signed off because there is no historical value left.

8. 8:10pm - Selectmen's Update

8.1 New Business

LG – What is going on with Mai Pearl?

BK – We'll reach out to them and get a status report from them.

8.2 Old Business

9. Action Items

**9.1 Motion to approve a \$25.00 donation to the Fire Department by an anonymous donor by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

**9.2 Motion to approve a \$100.00 donation to the Fire Department donation by an anonymous donor by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

**9.3 Motion to approve a \$50.00 donation from Gayle LaKin for COA programming to the Council on Aging by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

**9.4 Motion to approve a \$2,500 donation from the Friends of Foxboro Seniors Inc. for programs under the new tent by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

**9.5 Motion to approve a \$25.00 donation from Millie Greene in memory of Wendy Kastrenos for programming and services at the Senior Center by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

**9.6 Motion to approve a \$50.00 donation for the Council on Aging Lockbox program by an anonymous donor by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

**9.7 Motion to approve a \$300.00 donation for the Recreation Department from Patrick Bowers to fix the hockey rink by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

**9.8 Motion to approve tuition reimbursement in the amount of \$3,450.00 for Ofc. Charles Gallagher by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

**9.9 Motion to approve a donation of \$100 from Janet Kennedy to the K9 Unit of the Police Department by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

BK – A quick note, our K-9 Drax is terminally ill and the current handler will take ownership and also be training the new dog. There will be an item on the agenda next week.

**9.10 Motion to approve a Sunday Entertainment License for Bar Louie to expire December 31, 2020 by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

**9.11 Motion to approve extended hours for CBS Sporting Club on September 26th to include food service until 2:00am. Alcohol service to remain as in existing license by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

**9.12 Motion to approve extended liquor license hours for Splitsville & Howl at the Moon at Patriot Place for September 13, September 27, October 11, and November 29, 2020 for brunch alcohol service to begin at 10:00 am by S. McGowan 2<sup>nd</sup> by C. Mitchell.**

Discussion: LG – Would like to look at Davio's letter, it seems like a pre-game experience and there are no fans in the stadium. Also wondering why some want it all Sunday and others just want it on Patriot game day Sundays.

CM – I'd like to confirm that they will have food and brunch. Encourage and ask if they want to do it every Sunday.

BK- There are no games but some people might go to have some sort of fan experience.

**Approved, 5-0.**

**9.13 Motion to approve extended liquor license hours for Davio's Northern Italian Steakhouse at Patriot Place for Sundays starting September 13th 2020, until December 27th for brunch alcohol service to begin at 10:00 am by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

**9.14 Motion to approve June 9th 2020 Board of Selectmen Meeting Minutes by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

**Motion to approve June 15th 2020 Board of Selectmen Meeting Minutes by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**

9. Adjourn

**Motion to adjourn by S. McGowan 2<sup>nd</sup> by C. Mitchell. Approved, 5-0.**