

Tuesday, February 13, 2024
Select Board Meeting Minutes
Gala Room, Town Hall, 40 South Street
7:00pm

Members Present:

Mark Elfman, Chair (ME)
Stephanie McGowan, Vice Chair (SM)
Leah Gibson, Clerk (LG)
Dennis Keefe (DK)
Seth Ferguson (SF)

Also Present:

Paige Duncan, Town Manger (PD)
Katie Lang, Executive Assistant (KL)
Marc Craig, Human Services Director
Bill Yunka, School Business Administrator
Marie Almodovar, Finance Director
Chief Mike Grace, Police
Scott Shippey, Building Commissioner
Matt Brennan, Public Health Director

Sonny Patel, Olive & Mint
Tom Miller, Counsel for Crazy Axes
David Kulikowski, Owner of Crazy Axes
Mark Ferezick, Historical Commission Chair |
Liz Click, applicant for Historical Commission

This meeting is being hosted webinar style and Zoom meeting. Only the select board and scheduled presenters will have the capacity to appear on camera and audio. If you are a scheduled presenter, please be sure your name is accurately shown so that FCA can elevate you to a panelist when your agenda item is up. If someone from the general public wants to make a comment, please return then to view only mode. Otherwise, attendees are off camera and listening. To raise your hand if you're on a computer, choose reactions, then raise hand. If you've dialed in by phone, dial *9 to raise and lower your hand. Please lower your hand once done speaking. Should you experience any technical difficulties during our session, our immediate guidance would be to log out and log back on. Should you need further assistance, please email Katie Lang, who's on at klang@foxborough.gov.

1. 7:00pm - Citizen's Input

2. 7:05pm - Continued Public Hearing Relative to Application for Renewal of an On-Premises All-Alcoholic Beverages License (No. LL-22) and Common Victualler License (No. CV-47) for Nirvi, Inc., DBA Olive and Mint/Ambrosia at 2 Washington Street

Discuss & Vote on application for renewal of an On-Premises All-Alcoholic Beverages License (No. LL-22 ABCC No. 04486-RS-0426) and Common Victualler License (No. CV-47) for Nirvi, Inc., DBA Olive and Mint/Ambrosia at 2 Washington Street.

Notice for that particular hearing was issued on December 8th, 2023. This is a continuance of that hearing. Olive and Mint team was out of the country during the January Board of Health meeting. discussing they did get through the Board of Health. That said, I can provide some update that as of today we checked at the very end of the day. February 1st taxes were not paid, so again we're back in a situation where in Foxboro permits cannot be granted unless people are up to date on their taxes. New Years Eve event did go smoothly. All departments reported no issues or concerns. Health has issued a temporary food permit provided they do specific things. All full-time employees need to be trained in food safety and service and during any event, there needs to be a food consultant staffed so they can provide a report. Town Counsel -Number one, they don't have a food permit today because they have not satisfied the training, the consultant that's needed, and then

also the taxes are not paid. Due to lack of commitment from the licensee and the work that is put on the Town the Board is recommending to not review the alcohol license, not even for a temporary time frame.

Move to close the public hearing by L. Gibson, 2nd by S. Ferguson; roll call.

Approved 5-0.

Motion to reject or deny the renewal for cause for the common victualler license for Nirvi Inc. doing businesses as Olive & Mint Ambrosia at 2 Washington Street, by L. Gibson, 2nd by S. Ferguson; roll call.

Approved 5-0.

Move to reject or deny the on premises, all alcohol beverage license for Nirvi Inc. doing businesses as Olive & Mint Ambrosia at 2 Washington Street, by L. Gibson, 2nd by S. Ferguson; roll call.

Approved 5-0.

3. 7:30pm - Change of Manager & Change of Hours Application for Crazy Axes Foxborough LLC dba Crazy Axes at 202 Patriot Place

Review & Approve the Change of Manager Application for Crazy Axes Foxborough LLC dba Crazy Axes at 202 Patriot Place from Adam Oliveria to David Kulikowski.

Review & Approve the Change of Hours Application for Crazy Axes Foxborough LLC dba Crazy Axes at 202 Patriot Place on Monday through Thursday 11am to 11pm, Friday to Saturday 11am to 12am and Sunday 10am to 11pm.

David is a U.S. citizen. He is TIP certified. He has experience in the food and beverage industry. He has been with this licensee since prior to opening for its entire existence. He is familiar with the laws of the Commonwealth, the rules of the ABCC and the town for the sale and service of alcohol. He is a qualified and experienced manager. We feel he meets the requirements and will continue to operate this licensee in the manner in which the board has become accustomed and the community has come to enjoy. In addition to that application for a change of manager, we have also applied for a change of hours to allow them to open at 10 a.m. on Sundays. This application for the change of hours comes at the request of their customers who want to access and enjoy food and beverage prior to their previous opening time on Sundays at one in the afternoon.

Move to approve the change of manager application for Crazy Axes Foxborough LLC dba Crazy Axes at 202 Patriot Place to appoint David Kulikowski as Manager of record, by L. Gibson, 2nd by S. Ferguson; roll call.

Approved 5-0.

Move to approve the change of hours request to open on Sundays at 10am for Crazy Axes Foxborough LLC dba Crazy Axes at 202 Patriot Place, by L. Gibson, 2nd by S. Ferguson; roll call.

Approved 5-0.

4. 7:35pm - Permanent Municipal & School Building Committee - Taylor School Statement of Interest (SOI) Submission

Review & Vote on the 3rd SOI for the Taylor School to the Massachusetts School Building Authority.

This is our third attempt at this. The MSBA requires that each time you put in an application for a project that there is a vote of both the school committee, which has already taken place in our last meeting, which they

voted to approve and support the renovation and expansion plan for the Taylor School. And so this is a similar vote that we're asking that the board take to support the project. It doesn't commit the town to financial obligation at this point. It just says that everybody is in line and understands that this application is being placed. If and when they do vote to approve it, which would not be until December of next year. At that point, then you have a decision relative to the financial side of it. And the town has a decision to make as far as moving the project forward. So at this point, it is strictly a vote of confidence, I would call it. And that you understand that the project is similar to the borough in that it's a full renovation of the building and a potential expansion to correct the issues with the gym that we currently have on the layout.

Motion to approve the 3rd SOI for the Taylor School to be submitted to the Massachusetts School Building Authority, by L. Gibson, 2nd by S. Ferguson; roll call.

Approved 5-0.

5. 7:40pm - Community Center Discussion

Discuss & Possible Vote on proceeding with purchasing 76 Main Street for a new Community Center.

former Church of Latter-day Saints that they have vacated the building. It's about a 17,000 square foot building. Toured by all Town Departments and next steps will be for the Select Board to tour and then meet in executive session to discuss.

6. 8:00pm - Discussion of Disposition of Real Property (14 Community Way- former Pratt School Property)

Discussion & Possible Vote on the Approval of Disposition of Real Property (14 Community Way- former Pratt School Property).

An agreement has been made and the next steps if for the deed to be signed and for the property to be turned over to the buyer and the Town to receive the funds.

Move that the Board approve and execute the Quitclaim Deed prepared by Town Counsel transferring the Town's interest in the real property identified as 14 Community Way, Foxborough (Assessors Map ID 097-Lot 10) to Joseph J. Derba for consideration in the amount of \$85,002.00, and to authorize the Town Manager to execute any additional documents necessary to effect the closing of this transaction, by L. Gibson, 2nd by S. Ferguson; roll call.

Approved 5-0.

7. 8:05pm - DPW Department Update - Postponed Due to Weather - CANCELLED

National Grid Representative Bob Moran to give a review of the last year and outlook for 2024.

DPW Director Chris Gallagher, Assistant DPW Director Lance DelPriore and Water Superintendent Bob Worthley to give update on the DPW Department including Highway, Tree & Park, maintenance and Water & Sewer.

8. 8:25pm - Town Manager Recommended Budget Presentation

Select Board endorsement on recommended budget.

See presentation from the Finance Director. Available on the Town website.

9. 8:45pm - Town Manager's Update

Weather – Today's snowstorm. Town Hall was open.

- National Grid – Postponed to future meeting due to weather. Date TBD
- MBTA Communities – public hearing scheduled for February 22nd.
- World Cup - FIFA just announced that we were awarded five group stage matches on the following dates (by my count, five group stage matches are the maximum any city received):

1. Saturday June 13
2. Tuesday June 16
3. Friday June 19
4. Tuesday June 23
5. Friday June 26

We were also awarded the following Knock Out round matches:

- o Round of 32: Monday June 29
- o Quarterfinal: Thursday July 9

· Foxborough Youth Police Academy July 22nd to August 2nd, 2024 (8:30am-2:30pm) Officer Joseph Godino, Phone 508-543-1221, Jgodino@foxboroughpolice.com

Human Resources Updates:

- Current Open Positions - interviewing
 - o Director of Land Use and Economic Development
 - o Water Tech
 - o Veteran's Services Officer
 - o Payroll & Benefits Administrator
 - o PT HR specialist
 - o Lifeguard, summer junior camp counselor, summer rec counselor

Miscellaneous Updates: Construction Updates

- South Street and Cedar Street Raw Water Main - Sprague Road to Witch Pond – PJ Hayes is slowly completing the pipe install between snow and rain. Will have to wait until spring to complete the portion in the 495 Overpass.
- MassDOT - Has JH Lynch under contract to do sidewalk, curbing and paving work on Route 1 in 2024/2025. Work will start in the spring.

Around Town: Boyden Library StayFit! Bollywood Style Dance Classes on the Town Common on May 22nd & June 26th 6pm to 7pm. Jaycees Vendor Craft Fair on Saturday May 4th with a rain date of May 5th 9am to 3pm.

10. 7:55pm - Select Board Update

11. Action Items

Town Clerk - Approval of 2024 Presidential Primary Warrant.

Motion to approve the 2024 Presidential Primary Warrant., by L. Gibson, 2nd by S. Ferguson;roll call.

Approved. 5-0

Historical Commission Appointment - Appoint Liz Click as an Associate Member as Jonathan Glover has resigned. Term end date of May 31st 2027.

Motion to appoint Liz Click as an Associate Member to the Historical Commission for a term end date of May 31st 2027., by L. Gibson, 2nd by S. Ferguson; roll call.

Approved. 5-0

Foxborough Cultural Council Appointment - Appoint Joseph Sanders as a new member. Term end date of May 31st 2027.

Motion to appoint Joseph Sanders as a new member to the Foxborough Cultural Council for a term end date of May 31st 2027., by L. Gibson, 2nd by S. Ferguson; roll call.

Approved. 5-0

Select Board to disband the Playing Fields Committee per recommendation of the committee & Town departments.

Motion to approve the request to disband the Playing Fields Committee, by L. Gibson, 2nd by S. Ferguson; roll call.

Approved. 5-0

Select Board to approve nine One Day Beer & Wine Licenses for Normandy Farms Food Truck Festival/Brewfest 2024 Season: April 13th, April 20th, April 27th, May 18th, June 1st, June 22nd, September 14th, September 28th & October 5th at 72 West Street.

Motion to approve nine One Day Beer & Wine Licenses for Normandy Farms Food Truck Festival/Brewfest 2024 Season: April 13th, April 20th, April 27th, May 18th, June 1st, June 22nd, September 14th, September 28th & October 5th at 72 West Street, by L. Gibson, 2nd by S. Ferguson; roll call.

Approved. 5-0

Select Board to appoint Paige Duncan, as Town Manager to the following Boards/Committees: Capital Improvement Planning Committee, Municipal Hearing Officer, and SEMRECC Board of Directors as a Director all with a term ending May 31st 2024.

Motion to appoint Paige Duncan, as Town Manager to the following Boards/Committees: Capital Improvement Planning Committee, Municipal Hearing Officer, and SEMRECC Board of Directors as a Director all with a term ending May 31st 2024, by L. Gibson, 2nd by S. Ferguson; roll call.

Approved. 5-0

Select Board - Approval of Minutes from meeting January 30th 2024.

Motion to approve the Select Board Meeting Minutes from January 30th 2024, by L. Gibson, 2nd by S. Ferguson; roll call.

Approved. 5-0

12. Adjourn

Adjournment

Motion to adjourn, by L. Gibson, 2nd by S. Ferguson; roll call.

Approved. 5-0

Agenda documents:

Zoom Meeting Opening

Olive and Mint Tax Statement

Pratt cert 2024

Pratt School Property Deed (draft 1-24-24)

Purchase Sale Agreement - Pratt School Disposal (2023.12.11) - Derba signed (002)

Joe Sanders Request for Appointment

5001536-251_Foxboro As_Built_A

5001536-251_Foxboro_B

Plans

Normandy Farms 2024 Season Application

Letter to Selectmen 01.24.2024

2024 Pres Primary Warrant

Carzy Axes Foxborough LLC Application 2.2.2024 SB

050424_Jaycees_Vendor Craft Fair License

Boyden Library_BollyX Dance_Two Dates License

Resolution - SOI BOS 01-31-24

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Olive and Mint Inspection 12292023 - Follow-Up (1)

Olive and Mint Inspection 12292023 - Follow-Up