

**Tuesday, December 19, 2023**  
**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, Acting Town Manger (PD)  
Katie Lang, Executive Assistant (KL)

Pat Costello, Town Counsel (Zoom)  
Nina Freus, Attorney for Nirvi Inc.  
Mukesh Patel – Owner of Nirvi Inc & Manager of Record  
Anil Patel – Owner of 2 Washington Street  
Fire Chief Michael Kelleher  
Deputy Chief Tom Buckley  
Deputy Chief Dave Laracy  
Deputy Chief Kenvin  
Christina LaRose  
Police Chief Michael Grace  
Scott Shippey, Building Commissioner  
Matt Brennan, Director of Public Health  
Paula Maloney, Treasurer/Collector

**All Select Board meetings are recorded and broadcast by Foxboro Cable Access on Government Channel 22/38 and at [FCATv.org/live](http://FCATv.org/live)**

1. 7:00pm - Citizen's Input

9. 7:01pm – Action Items

9.1 Lakeview Pavilion - Extended Hours Request for all Sundays in 2024 to being alcohol service starting at 10am

**Motion to approve the Extended Hours Request for all Sundays in 2024 to being alcohol service starting at 10am for Steve’s Lakview, Inc DBA Lakview Pavillion at 45 Lakeview Road by L. Gibson, 2<sup>nd</sup> by S. Ferguson.**

**Approved. 5-0**

9.2 Council on Aging/Human Services - Accept Donation of \$1000 for senior programs on behalf of Joseph Prew & Jenny Flemming

**Motion to approve the donation of \$1000 for senior programs on behalf of Joseph Prew & Jenny Flemming for the Council on Aging/Human Services by L. Gibson, 2<sup>nd</sup> by S. Ferguson.**

**Approved. 5-0**

9.3 Boyden Library - Accept Donation of \$2100 to purchase Chromebooks for kids coding club from the Rotary Club of Foxboro

**Motion to approve the Donation of \$2100 to purchase Chromebooks for kids coding club from the Rotary Club of Foxboro for the Boyden Library by L. Gibson, 2<sup>nd</sup> by S. Ferguson.**

**Approved. 5-0**

9.4 Foxborough Fire Department - Accept Donation of \$200 from Thomas & Linda Buckley.

**Motion to approve the Donation of \$200 from Thomas & Linda Buckley for the Foxborough Fire Department by L. Gibson, 2<sup>nd</sup> by S. Ferguson.**

**Approved. 5-0**

9.6 Select Board - Approval of Minutes from meeting on December 5th 2023

**Motion to approve the Board of Selectmen Meeting Minutes of December 5th 2023 by L. Gibson, 2<sup>nd</sup> by S. Ferguson.**

**Approved. 5-0**

9.5 Town Property Bench Policy - Select Board - Approval of two new gift accounts - "Memorial Benches" and "General Bench Fund"

**Motion to approve two new gift accounts - "Memorial Benches" and "General Bench Fund" by L. Gibson, 2<sup>nd</sup> by S. Ferguson.**

**Approved. 5-0**

#### 8. 7:03pm Selectmen's Update

8.1 New Business - The Annual Town Meeting (May 13th 2024) Warrant is now open. All article submissions sent to the Town Managers Office. Close date is end of business February 15th 2024. Congratulations to the Girls Varsity Basketball Coach, Coach Lisa Downs on being named Coach of the Year. Assign Board liaison to work with John Mahoney.

ME – John Mahoney did come in last meeting for citizens input to see if a Board member would work with him on a few items for Town Meeting. Seth will be the Select Board member to work with Mr. Mahoney. Katie will connect them.

8.2 Old Business - Army/Navy Ball Run recap.

ME – Amazing showing from the Town. The Army/Navy game went off like clockwork. All the planning clearly paid off. Very patriotic. A wonderful event for the town.

SM – Congratulations to Coach Downs on Coach of the Year! Not sure we have had two major teams win back to back. Team is in it every year. Lisa has been involved in the program for quite some time.

#### 2. 7:05pm - 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

**Notice is hereby provided pursuant to G.L. c. 138, §§ 12, 16A & 64, G.L. c. 140, §9, and the Rules and Regulations For Holders Of Alcoholic Beverages Licenses In The Town Of Foxborough ("Rules and Regulations") that a public hearing will be convened before the Foxborough Select Board ("Board"), in its capacity as Local Licensing Authority, on Tuesday December 19, 2023 at 7:05pm relative to the renewal and alleged violations of the Restaurant All-Alcoholic Beverages License and the Common Victualler License (the "Licenses") issued for the premises identified as Olive and Mint/ Ambrosia, located at 2 Washington Street in Foxborough (the "Premises"), which occurred at, or with respect to, said licensed Premises during the term of the calendar year 2023 License. The public hearing will take place in the Gala Meeting Room at Foxborough Town Hall, 40 South Street, Foxborough MA.**

**Motion to open the public hearing.**

PC – So we have before the board tonight, number one, the renewal of the restaurant, all alcoholic beverages license, and number two, there have been complaints asserted with respect to the premises during the past calendar year. Thus, the board has an opportunity at this hearing. Should I choose to do so to suspend or revoke the subject license for the remainder of the calendar year? As you know, these annual licenses expire on December 31st each year, and the applicant is required to submit the package for renewal of the license in November, which I understand has been properly completed. The hearing here tonight is going to address, as I noted, both the remaining term of the present year's license for another week or so, and then the renewal of the license is very important to note, as has been discussed with town officers that the renewal of a license is de facto subject to approval unless the board has caused to deny or reject the renewal application. So you should treat the renewal hearing in this. Particular case in the same manner that you would a hearing relative to an inserted violation of a license. The burden of proof will be the same. The board will have to establish just cause for denying a renewal in this particular instance. And I understand that present here tonight, as I could see in the, in the audience are various town officials who will offer testimony and evidence to the board. The select board can certainly consider the conduct of the operation under the existing license over the past twelve months. And both the determination, whether to suspend or revoke or impose as a fine with regard to the violations and or whether or not it chooses to renew the license the all alcohol beverage license for the subject premises. Now in conjunction with the renewal of the alcoholic beverages licenses the restaurant license there is also an application pending before the board to renew the common victual is licensed which goes hand in hand with the alcoholic beverage license and the provisions of general law chapter 138 and chapter 140 provide that when a select board in its capacity as local licensing authority is considering a revocation/suspension and or renewal of an alcoholic beverage license that has been issued to a license holder who also has a common victual as licensed the two go hand in hand action should be taken in conjunction with one another with regard to both licenses so the first matter I would suggest that the board addressed this evening would be its action with regard to the alcoholic beverage licenses number one and whether or not it deems any penalty or suspension or revocation to be appropriate for the remainder of calendar 2023 and then secondly whether it chooses to renew that license for in calendar year 2024. Happy to answer any questions all right uh any questions

DK – I have eaten there of course when it was at full compliance. I always wondered why they have not drawn more business. Attractive establishment. I wondered why it didn't do more business. Wondering what you think will be different of the guests that might come should you be approved.

ME – I think we can hold on that.

LG – Just to make sure we have it correct. First discuss alcoholic beverage license and then the common victuallar.

PC – That's what I would recommend that's how I would recommend that the board proceed this evening because in the event that the board does decide to revoke the alcohol license or not renew the alcohol license in in essence any action with respect to the common victual is licensed should be suspended until the appeal period before act for an appeal on the alcohol decision expires as you may recall under section 67 of chapter 138 the applicant the license holder has five days from the issuance of the board's decision to appeal it to the ABCC so the common victual is licensed and in fact remains suspended or in limbo during that period of time and isn't subject to further action by the board so by addressing the alcohol license first I think you'll have a much clearer picture procedurally as to where you go from there.

LG – And they are both covered under the same public hearing? And I can close all that at end?

PC – Yes.

NF – Nina Freus and I am an attorney who has been asked to represent the interest tonight of Nirvi incorporated as well as both these gentlemen here to my left who represent the ownership of the property as well as the management the current management of the property and so to go to the question that was put before my client is what's going on with the business and why is it sort of quieter now than it used to be. I do want to let you know that this is somewhat short notice and I'm new to the facts of this case so I might at some point ask them to fill in but my understanding is that they've owned the property for seven years and the business for seven years but after Covid has so many businesses had to they closed the restaurant portions some of the restaurant portion so it's a restaurant as well as a function space the

actual restaurant that portion of the property has been closed since Covid but they still do use the function hall for cultural events, weddings, baby showers, you name it and so that portion of the business is what their main revenue is. A few years ago I believe they had entered into a tentative agreement to sell because they have a large parcel of property and they were trying to sell that property to develop it and they were going to completely get out of the restaurant business well that didn't happen and so they that that's what caused a sort of a snowball effect. Falling behind on taxes and not paying fees not keeping up with things because their thought was we're moving in a different direction moving away from this whole food operation and we're selling and developing this property well they've had to start over again essentially come back from that and now they're saying okay we're going to actually make an action plan where they're going to bring in professional management they understand that there were a few events um where there were too many cars there were not police detail to make sure a safe. They have a large capacity at that event space and so when you have that many cars um it just didn't go well and so now they've actually worked with the town police which I believe they'll be able to testify to that at least the most recent event things were orderly and expeditious and people got out fine but the noise was in the parking lot people afterwards that having the police officers there that's not going to happen and that's something that could be remedied. Regarding the alcohol license, they have never been cited for any underage drinking they've never been cited for over serving I mean the really dangerous aspects of an alcohol license that really are I think a menace to the community their issues here it seems more like parking issues and people in the parking lot issues which can be remedied by proper security personnel and they're willing to do that going forward. I mentioned that they they're partnering they recently secured funding to partner with a professional company that does hospitality they're well trained on all aspects of hospitality and going forward. They don't want to be having these problems with the town it's not what they want they want to be on the good side of the town they want to be able to employ people and bring business to the town and actually be on board with their taxes I believe they made the final payment today they are really trying to remedy these situations and maintain their license and have it renewed and maintain it for this year as well as have it renewed into next year. Being so close to the end of the year and just receiving all of this notification now it doesn't give them a lot of time to prove there are good intentions going forward and the only way to actually show this town what they're planning to do is to actually allow them to try and do it. This would allow which would really require you guys to take a leap of faith in that in that regard. As far as the sanitation standards and other issues that were determined I believe that the fire department and other officials will be here to speak regarding that my clients are willing to do what is required there are certain fixes that were very easy according to the reports that I read several of them were things like moving things out of the way of the doors that's not a big deal there were others that were larger such as repairing roofs that they actually had someone come out and said you can't really do the roof repair right now because of the weather it has to be done in a different time so they have spoken to them and talked about doing a patch or a smaller repair until springtime when it's appropriate temperature I don't know much about rubber roofs but you know what I'm talking about so it's not a lack of will on their part I think the point was that they had moved away from this idea of doing this business and then their other plan their contingency plan fell apart now they're coming back and saying okay what do we have to do in order to keep this going so bringing in a new management company using the services of the fire department I'm sorry the police department for traffic control I believe this discussed for overflow parking with other businesses in the area being able to rent for overflow parking to alleviate those problems when they come up there are several points that that Nandish Patel the owner of Nirvi Inc he sent a letter where he just goes he just had three major bullet points that basically goes over the ideas that that we discussed that I have discussed. They want to fix it.

MP - Mukesh Patel – Owner of the business and manager of record for the ABCC.

AP - Anil Patel – Owner of the property.

LG – So a new management company?

MP – We are working to fix the property and then we will turn it over to them to run.

AP – They are working to bring the place back to a busy function hall. They will be there all the time.

LG – So if they were to bring in a new company, it would be their name on the license. How does that work?

PC – A couple of statements have been made that just raised some concern in my mind. Number one, the board is being informed tonight, I assume for the first time, that the restaurant is not in fact being operated. And the license, when it was initially issued, I believe contemplated that this would be, the alcoholic beverages would be served in a license, in a licensed premises, including a restaurant. It may include a function hall as well. But if the restaurant portion of the premises is not being utilized, that's something that the board should have been notified of promptly and the license should have been altered or adjusted by its terms accordingly. Now, secondly, I'm assuming that the license, that the manager named in the existing license, is going to continue to serve in that capacity. But again, we are hearing for the first time this evening that a management company is contemplated to be brought on board. Now, it's not clear whether that management company would merely be a contractor assisting the premises manager named in the license or whether they would be taking over that responsibility. These are all matters that I would suggest should be fleshed out.

LG – The lease was mentioned. More than just contractor.

NF – Has not been worked out at this time. To address Town Counsel concerns. There is a kitchen. Plan is to reopen the restaurant but have to address all of the violations first.

SM – Two liquor licenses for that property?

PC – No.

MB – Matthew Brennan, Director of Public Health for the town of Foxborough. Members of the select board, just to give you some history regarding the health department enforcement. I issued a notice of no further renewal to the owners of Olive and Mint on November 14th, 2023, due to multiple violations. Since that time, some things have been repaired, but not all. The first was pursuant to the town's bylaws and code. I can't issue a food policy. I can't issue a food permit due to the fact that, at that time, excessive amounts of back taxes was owed to the town. And to this day, I believe taxes are still owed to the town. So until that point, until those are paid, I would be unable to issue a food permit.

PD – Checks have been dropped off but they are personal checks and we have to wait till those are cleared. Still some outstanding water liens that will be due.

MB – Also, just in 2023, the health department permit, that I issued them, stated that they couldn't use the restaurant space. Now, I've talked to Sonny, the owner's son, regarding it. Sonny Patel. And, you know, their interpretation of the permit was they're not using it as a restaurant. My interpretation of it is you can't use the restaurant space. If you can see our building and health department reports that are in those packets, I mean, you could kind of see why. You know, the reports that we recently showed show water damage coming into the building, through the roof, roof damage, wall damage, evidence of mice, all things, which were against the permit and for some of the reasons why we asked them not to use that space. Also, on November 18th, I was made aware by the building department that it was overcapacity, which they've stated a little bit about that event today. Due to those circumstances, the building department reached out to the owner and stated he needed a certificate of inspection, basically a clean bill of health from the building department that all the violations or it is code compliant. Unfortunately, the building department and the fire department inspected it. And it didn't receive those, that certificate of inspection because it wasn't compliant because of the violations cited. On September 20th, another reason, on September 20th, 2023, I was notified by the town of Walpole that their board of water and sewer commissioners were planning on taking action against Olive and Mint, basically for non-payment of the sewer charges. On December 7th, 2023, the town of Walpole placed a lien on the property for non-payment of the sewer. So, that was obviously a concern without sewer, you know, they couldn't run the business. Also, lastly, in July of 2021, actually, when I first started this position, unfortunately, I had to suspend the, the permit of Olive and Mint and that was for not maintaining it in a clean and sanitary condition, failing to exterminate and for it to be free of rodents and failing to comply with building and fire department officials. So, much of those reasons why the suspension happened in 2021 are happening again in 2023. So, therefore, in terms of the health department, I don't feel that I can even, you know, until we're sure that all the taxes and all everything that's owed is paid. I can't issue a permit. Also, he needs to go in front of the board of health for a hearing. So I can't issue the food permit until the board of health signs off. This is something that was done in November due to the fact of the, you know, of what was happening at that time. You know, things have

changed. We'll be leaving it to the board of health if we're going to issue, a food permit at that time, as well as there's many violations, as you can see outlined in those that report that there's building code fire code violations that have to be addressed before occupancy of the building. At this time, we are not there. I recommend the board not take action.

LG – They have a permit for 2023 but need a hearing for 2024. Until a hearing before the Board of Health.

MB – Yes, next available date would be January 22<sup>nd</sup> after the taxes have been paid.

SF – I just want to be clear that no action from, from the select board is a viable. It's an option that we can take as opposed to revoke or.

PC – Yes, there is a lot of information. With regard to the existing license which expires 2023. Starting Jan 1, they will not have a board of health food permit to operate. There is an option to take no action till mid-January. Board of Health could take their actions and then this board could review.

LG – IF we were to do that, there is a large scale event for NYE. Concern would be people are in a building that is unsafe between now and the end of the year?

PC – Yes that is a relevant factor.

SM – If we take no action and give them some time...your inspection is you don't feel you need to shut them down for the remainder of 2023?

MB – Based on the town bylaws, the taxes, everything, we felt that that was the way to do it. There are critical code violations there. I mean, we found those out yesterday. Um, but again, in the terms of what I already have in my permit, not using the restaurant area, I believe it would be fine. Unfortunately, we're finding out. Now that that's not really what's going on there. They do have large scale events. They are putting, they are using that as an overflow or a function area. And those are some of the concerns that we have with, with the permit. But if, if they are fall within the guidelines that we're trying to set, I mean, I would be comfortable until the end of the year.

SM – Bottom line, what do they owe in taxes?

ME – Will hold.

DK – So they function hall is ok but the restaurant space is not?

MB – It's a large space. This was a function of what was working at the facility. Restaurant area is the one that has the most concern.

LG – One that caught my eye was the bourbon event with cigar smoking. Are you using the restaurant for smaller scale events?

AP – Yes, it's closed from Covid. Not using patio.

MP – There was someone smoking in the wrong area.

LG – Just using the banquet.

MP – Yes.

AP – We did not change anything from when we bought it. When we bought it, it had problems with the roof.

MB – That was a permitted event. The permit did read, no smoking inside with the proper signage. Was another agency who got the permit through us.

LG – The smoking piece, did catch my eye.

DL – Deputy Fire Chief, wanted to clarify the inspections as there are different areas of the building. Whether you are using the building or not, we inspect the entire building. The entire building needs to be compliant with fire safety.

LG – Yes, whether using a particular area, it still needs to be complaint. Fire system and egresses have to work. Meet certain safety codes.

DL – All components need to be looked at, systematically from front to back.

PD – Today's inspection report, it stated that some doors are hard to open. Do you feel that is a concern for the NYE event?

DL – Yes, there were some doors that were too hard to open, we test with 30lbs of. Pressure. State code. Double doors were hard to open. Removal of one set of double doors. We look at the Station Night Club in terms of egress for when people are trying to get out. Their sprinkler report did come back and was good. The sprinkler report came back with deficiencies on the report. And one of the deficiencies were, were some of the parts of the system are required to be inspected every five years. The standpipes and hose connections are three years. Um, and then there were four heads in the, in the kitchen that had grease on them that they couldn't even tell. So we, we spoke to them. We, we, we usually, when we get deficiencies of that nature of, you know, overdue for the five year and three year, we do give people time. that it's a costly thing sometimes it's a surprise to get it on your report as well so we have a lot of reports that come in that way and we work with people we'll give them like 90 days to accomplish that inspection and get that done a lot of the area had like missing ceiling tiles discussion plates which are these covers that cover the sprinkle head and those don't seem like much but those hope those hold the hot gases into the room and don't let them escape it gives the sprinkler head time to heat up to activate so they're an important component of the sprinkler system so we when we walk through there was like the water and stuff like that I didn't get too involved that that's the Board of Health and building kind of handle that but the key things with me are egress emergency lights exit lights sprinkler testing fire alarm testing they did have their hoods done they just had those recently clean which is which is a big deal they had all their extinguishers service so they did make a pretty good effort into um the fire side of the inspection so the fire side of the inspection I think they made a pretty good attempt on you know trying to provide a safe place so if we if they fix the doors the egresses um you know and some travel paths and they're already working on the ceiling tiles um and then they have to get in the sprinkler you know to try and for that but I all that stuff would have to be fixed before we were to be okay with and those are simple that they would they really honest that they're simple things to be done as far as New Year's Eve extension you know extending the hours and having a party there probably wouldn't support it without a police and fire detail because of their last event they had they were overcrowded they had exits blocked you know the egress is blocked they're running power cords in. They took ownership of that. They took full responsibility. I was talking to them. They were pretty apologetic for it. We fined them. I'm not sure. Was that fine paid?

AP – Not sure but can verify.

DL – Want to have the correct crowd managers for this event.

LG – For a recap, seems like you feel comfortable with the event should some items be completed.

DL – Yes, if those get done, then we would be confident people would be safe.

LG – Who would in charge of this event?

MP – New management team.

Nina – Would be running the event together.

MP – Running but want the management company to help us.

LG – Would would be selling the tickets?

AP – It will be us.

MP – Want to see how they run the event.

DK – Are they local?

NF – It is essentially hiring a staff like a waitress/bartenders.

ME – All bartenders are TIPS certified?

MP – Yes, I can drop the certificates here tomorrow.

DL – So we've requested that we get a determination on the occupancy load of what that building holds for each room. So when they have an event, we truly know, we can identify how many people are supposed to be in that event and that's on the owners to provide that. So we do not know what the occupancy is. Architect needs to determine that. We need that before we can allow a party of 1000 people.

ME – So you want that before this event?

DL – Yes, we would want that done before they start selling tickets.

SM – There is a list of easy fixes, so is it possible that before this event takes place, that someone can get in there to do another inspection?

DL – Yes, we would do another inspection to verify everything with Scott, Building Inspector. I have been in conversation with Sonny, who has a team, who is confident that these items will be fixed.

DK – What is the entertainment?

Nina – DJ.

PD – To be clear, this event cannot take place until all town departments sign off.

SS – Scott Shippey building commissioner um they actually stole my thunder um yes um I've we've been trying to work with them um there are some minor things and some major things that need to be done um like Deputy Laracy um attest to we do an inspection on the entire building no matter if it's going to be occupied or not I mean it's not just for the public safety it's for the first responders going into that building their lives are essential too so we have to make sure the entire building is safe for them to go and do their operations safely like matt alluded to there's water damage coming from the roof that are buckling the floors those are tripping hazards when you get that place filled with smoke these folks can't see that they're going to trip they're going to fall they can hurt themselves and injure themselves and when you do that in a fire it could be deadly um not saying it is deadly but I agree with both of them and I would not be comfortable extending the hours for that new year's um but I would be comfortable if they fix all those issues that we have in our reports and they have a detail from fire for that night so and that's all I have to add I mean how about the buckling floor that was one for me that's major I mean that's a tripping hazard is that fixable in 12 days yes and no I mean it depends on what the floor is if it's laminate floor yes they can cut it out and replace it with laminate the roof is a major thing because now that's um been who knows how long that's been leaking is the structural integrity compromised we don't know I mean they said that that hap that's been there forever well you bought the property you own the property you inherit that so you are you are um authorized I mean you have to maintain that building you maintain that building you have to maintain that building you maintain that building will out of business on the actual pre-set so not keeping it be no marveling building if we pull up specifically at that building we were not able to answer any of those corresponds you know we want to maintain everything on that building you bought the hazards basically so and we just got to get it corrected I mean we're willing to work with them I mean we don't want to put people out of business that's not our job a biggest job is public safety I mean and that goes for the public and it goes for the first responders going into that building doing that job.

LG – The buckling floor? Is that fixable in 9 days?

SS – Yes, depends on the type of floor. The roof is more of an issue. The roof has been an issue for some time, you bought the property so that problem is now yours. We want to work with you.

SM – The buckling floor, I'm a server. I have taken a fall. You add a small puddle and a leak and it's a huge safety hazard.



SS – you need to fix the leak first and then address the floor. Maybe a patch. Things have been done in the winter to fix roofs. I was not able to do the site visit yesterday but my teammate was on site and did a report. Want a joint inspection prior to this NYE event.

LG – Can we hear from Police?

SS – Need the occupancy load. Have been asking for a while. I need exact numbers as to how many can occupy each room at a time. We need to have a joint inspection.

LG – Do we have any occupancy?

SS – I believe it was 2500 but would have to go over the records. Some work has been done on the inside without permits that we can take care of later but the report spells out what needs to be done now. Could be 450 per room but I need exact.

SM – Do you do the occupancy?

SS – No an architect conducts the work and I verify.

MP – The architect has been over to take the measurements

LG – To be direct, it takes until a hearing that we get your attention.

SS – Previous owner did pass away and the previous manager came in and gave me a verbal. But I cannot use that as information.

LG – It used to work at some point with these large scale events. What has changed?

MG – Mike Grace, the police chief. Historically, if we go back to Funway and Demetrio and the building, what we had up there was people or owners and staff. Who worked the restaurant and large venue business? That was their bread and butter. Every aspect of the operation included parking attendance for coming in and for coming out, ensuring that we had people in the parking lot telling people how to park, where to park. So that way it wasn't a problem until it was a problem. Inside they had assigned staff, whether it be at the doors, they know crowd management. It's a science. The bartender, the owner, can't be doing all of that. And it's a skill. And right now we're challenged as we see collectively from all the department heads, we have a lot of small issues that have now come to the forefront. And what's being presented is that we have an operation that collectively I don't think we've seen any establishment with a liquor license in Foxboro with this many problems. I will say, though, to be the liquor issues or liquor violations are not there. We're not having crimes being committed in the parking lot. We're not getting 94 Js from the state for OUI's. But we're showing that we're on the cusp of having a problem. We really are because we're not prepared. We're not being, you're not presenting to the town or at least to me and my staff. That on event day that all of the i's are dotted, the T's are crossed, and we're going to have a smooth operation. If you would like, we have a couple of historical things and I would like to have attorney Costello also address that if there are violations within the town codes that trickles over to a liquor violation. So that should be noted. So if the fire department cites an owner for overcrowding, that triggers a liquor violation of the liquor license. And as we see with the different departments here, we have a pile of violations that are pending right now. If we go back to June of this year, I think it came to the forefront where we had an event where the Foxboro police. The Foxboro police showed up at like two o'clock in the morning and it was rather shocking to see that the parking lot was packed. There was people everywhere, mutual aid was needed from Walpole to assist with trying to remove people and have them leave. That prompted an immediate meeting between Lieutenant Burns and Deputy Chief Noonan with ownership to one, address some of the issues. One of the issues are under our regulation, there are mandatory notifications. That if you're going to have large events over a certain amount of numbers, especially in the S-1 district, you need to be notified in the police department within so many hours. None of that was happening. That communication is now much improved, but we're still getting calls for late night noise issues in the parking lot, people not leaving. And it's not necessarily the owner's fault that the people who went to an event just don't want to leave the parking lot. But it starts to paint a picture that the operation, the expectations of the guests coming in are unfamiliar with how it's going to operate. And when you come in

and when you leave, even Patriot Place that we run every single weekend with up to 3,000 attendees, that lot's gone by two o'clock and all of that responsibility is on the owner. The police department are not the parking team. We're not the ID checkers. We're there to enforce the law and support the staff. But the staff haven't been there. They're just not running it the way that a operation of that capacity should be doing it. Or they're not well versed in how to identify some of the shortcomings to prevent some of the problems. So it is a concern as we move forward. I think any of us sitting in this room or sitting at home would say, how are we allowing this to operate? If every business in Foxboro had these problems, we would be in trouble. So I think that's a question for the board and for council to decide. The neighbors have some complaints, but some of them before 11 o'clock, though they believe that it could be too loud. That's sometimes unfortunate because they have bought commercial property where that business is allowed to operate. But once we hit the two o'clock mark and the events have closed and the people aren't leaving and the cars are allowed. When we can't move these cars out, we get calls for service. We've had a couple of those. And as Deputy Chief Laracy identified, the incident which prompted the overcapacity, that obviously is quite concerning. And overcapacity should never happen. Within that event that occurred, we had parking at every other lot in the area, up and down Route 1. I'm quite sure there were no mutual agreements with any of the property owners. So if it's a ticketed event, there should be people counting people coming in, knowing what the headcount is, and then you shut the parking lot down. It happened many times up at Funway. Christina's, obviously, they had planned events. They knew guests. They had headcounts. They knew who was coming. They knew what time people were leaving. There's systems. Systems save you, and we're just not seeing that.

LG - Chief Grace, would you say that that would be a suggestion that they were much over headcount, whereas we hadn't seen that in the past? That the parking was that much of an issue? That it had to overflow like that, or had it?

MG - Well, absolutely. If you have, you don't have enough parking spots to put everybody.

LG - Right, so you're probably overcrowded.

MG - Well, I think the fire department responded upon, and they did their investigation, and photographed some of the egress issues as well as the capacity issue. But that's, so it's not all bad. The owners are trying. I, they're very receptive. We just seem like we're kind of like. A daily and a dollar short.

SM - Do you know or maybe the owners know, how many parking spots are there in that parking lot?

SS - 550 to 600. Would have to look at the site plan.

SM - Not sure if it was determined how people show up.

MG - But that falls on the responsibility of the owners. Once you hit capacity, you shut the doors. Your business model should dictate all of this. You cannot sell unlimited amount of tickets. It's an entire business, you cannot just wing it.

SM - A police detail for the event, as far as the people mingling afterwards, is that part of the detail for people to be pushed out or is that on ownership?

MG - Not asking for a 10pm to 2am detail because I am not sure if I can fill it. It is not on the detail to move the cars that is on the owners. We help manage the owner. It's a tiered operation.

LG - Is it a required detail?

MG - S1 district after 400 people, it is up to the Police Chiefs discretion depending on the crowd.

LG - Have the owners notified Police of this upcoming event?

MP - Yes. We have private security coming.

MG - It has been indented. Because of the back taxes, we have required them to pre pay for the detail.

DK - How many events of this size how you both managed?

MP - I used to own the Days Inn and Best Western in New Bedford. Banquet, restaurant. And the Best Western in RI.

LG – Are you responsible to the North Attleboro or is someone else on the license?

MP – Someone else.

SM – How big was the banquet space in each of those?

MP – 700.

MG – This is three times plus what you have managed before.

AP – We have taken a crowd management course.

PM – Treasurer/Collector. Taxes have been taken care of. Not bank checks so we do need to make sure those are cleared. Everything has been taken care of.

LG – Have the \$7500 monthly payment plan up to date. Was that on track?

PM – They were making every payments pretty regular. Second half of the agreement was not up to date. Not this year but the first year, it was consistent.

PD - Come February, another bill will be due so we will see if that will stay on track.

AP – We will pay. We don't want to create any problems.

MP – Covid really hurt us.

DK – Have you considered private security?

MP – We have the private security and we ask the Police Department if they can help too. We also pay our bills.

DK – I'd feel more comfortable with a Police detail there.

LG – Any public comment?

PD – To clarify, the tax bill will be about \$40K each quarter.

PM – Due in February and May.

LG – What was paid today?

PM – About \$200K.

PD – From the staff perspective, we are into economic development but everything is a chase and at the 11<sup>th</sup> hour. There is a tremendous amount of concern. None of us want to be involved. It's a lot for us to feel comfortable. There is no track record. Difficult. Years of lack of performance.

SM – You need to decide if this is the business you want to be in. If this circles back again, I would be a flat no. This would be the last shot.

LG – We talk about this. And it's kind of the same thing every year. So it's not, you know, my first time. It's the first time maybe reviewing it at this level. But it's kind of the same story every year. And quite frankly, I found it a little tone deaf and almost offensive to come to the board and ask for liquor service until 2 a.m. to enhance the experience of those that are here. Not only for this board, but everyone that's sitting out here. You know, you don't have your house in order. So to come and ask this board to let you stay open later with everything that's going on. So the whole thing that you have going on makes me question, sir, if you understand the severity of what's going on and the business that you're in. You know, the timing, the requests, the way it's noted, you know, you're looking forward to the positive response. It just doesn't sit with me that you guys get where we're at right now with everything that's just been laid out to kind of come to us with that request.

MP – To sit in front of you guys right now, we have learned a lot. We do not want to repeat our mistakes.

AP – We are moving forward and have a plan to increase revenue. Covid really hurt us.

ME – To summarize our options. I am looking at this for the NYE event and moving forward to 2024. I want to see the NYE plan. I want to see the new plan moving forward.

MB – Remind the board, when you make this vote, as of January 1, 12:01am, they do not have a food permit until all violations have been corrected. That is upon all violations are corrected and going in front of the Board of Health to get the permit back.

ME – I would like to see the business plan with the partnership. My opinion for the 31<sup>st</sup>, there is a lot of mitigation with everyone signing off. I am comfortable with the 31<sup>st</sup> with a lot of caveats, with all town departments signing off. Would need to come up with a list that needs to be done before the 31<sup>st</sup>. I would want to put this on hold until later in January to review.

LG – For me, would need to have sign offs before the weekend and not a fire drill. Friday before.

SF – I do not know how you are able to hold an event if you are not able to sell ticket until sign offs. This seems unworkable.

SM – When you say 12am. Is that people out of the building or liquor service stops.

MG – If health is not offering a permit a midnight, you cannot have liquor service. They cannot operate until BOH gives sign off.

PD – Need food with drink.

ME – 11pm?

MG – 1am January 1, 2024.

SM – Put in a restriction.

PC – The December 31st date imposes a lot of... Restrictions here. It's the end of the existing license period. As the chief noted, there's a presumption that the renewed license remains effective until and unless the board decides otherwise. So they would have the benefit of the liquor license. However, if they don't have appropriate approvals and permits from the Board of Health to offer food as of 12.01 a.m., they can't serve. They can't serve liquor at that point in time, in my view. Because the two go hand in hand. They're required. So it being New Year's Eve, 12 o'clock is a very significant time. So it creates a very significant problem for the property owner, or the operator, in my perspective. But certainly nothing that the town has created. I think the board's expressed a clear willingness to work with these folks and to be, quote, unquote, business friendly. On the other hand, there are so many loose ends here right now, it's difficult to get a hold of things. And to your point, Mr. Chair, I think your approach is sound. Let's look at the New Year's Eve party. By the way, is that the only event that's scheduled between now and the end of the year, or are there other events as well?

MP – No. Only event.

PC - So that's the only event we have to focus on. And, you know, the license holder has been given a list of tasks to accomplish prior to that event. I think he knows very clearly what they are. He knows what the expectations are. And as I believe Deputy Laracy noted earlier, I mean, if FIRE does not approve or does not indicate compliance with all that, if the building commissioner does not indicate that the building is compliant with all applicable building codes, they're not going to be able, they can shut the operation down then and there. They can issue a cease and desist order. So they would have independent authority to do that, notwithstanding the status of the license. But I think from what I'm hearing, I would suggest that the board refrain from taking action with respect to the current year's license. By action, I mean suspension revocation. And let that expire on its own as of midnight on 12/31. And then perhaps we could continue this hearing to a point at some, perhaps in mid-January, when the license holder has been given an opportunity to complete the significant tasks that have been addressed here tonight and come back to the board with an answer. With an update, and I could perhaps even work with council in the interim to come up with a game plan for a presentation to the board that would

include certain conditions that the board could impose to the license going forward to address the issues that have been raised. , I think the license may need to be amended to some degree if it's not a full restaurant operation as, as it was when it was initially issued. I could be wrong there. But we'll look at that issue. And, you know, I think the taxes being paid is a very significant step. And let's hope everything's okay there. I understand what folks are saying about concerns going forward. But we can't consider that at this point in time. The only thing our bylaw and the law allows us to consider is whether or not there is presently a delinquency in taxes and charges owed to the town. There apparently does not appear to be. That's a major step forward as far as the license goes, in my view. So I would suggest, Mr. Chair, that we impose certain conditions here tonight on the license holder for the event on New Year's Eve. Obviously, the closing time will be addressed by the board pursuant to their request. But inspections will have to be done. Certain repairs taken. Place in the interim period of time. And we'll leave it up to the inspectors to, you know, as of Friday prior to the New Year's Eve event to report, you know, to do their inspections, initial reports and see where it goes. But the renewal of the license for next year, it seems to me there are still a lot of open questions, a lot of answers that are going to have to be had. And perhaps some conditions. That will have to be imposed by the board on the license for 2024 to assure continued compliance with all of these requirements.

SM – What does the 12am license mean? No more service, out of the building?

PC – The license does not have any stipulations but it means that service would need to be shut down.

SM – So what they have been served before 12am and they can still consume.

PC – Yes.

LG – As far as the motion of the renewal and I rejecting or until a date certain?

PC – I would suggest that what we do is continue this hearing on the renewal to a date certain in January. And in the interim. The license will be deemed renewed under chapter 1, 38, section 12, a, there's a presumption that it continues on its present terms, but the board can obviously. When the hearing resumes. Here for the testimony, discuss it further and impose whatever conditions it wants upon a renewed license at that point in time. So we could do that.

LG - The motion tonight could be just to continue the hearing to a date certain and we'll, we'll keep the wheels rolling in the interim and Matt said his meeting is January 22nd, which is a Monday and our next meeting is January 30th. So, although we meet on January 16th, that board of health meeting would not have happened yet pending that the checks clear again, because that is a key piece to that. And then I would continue this public hearing to a date certain January 30th.

PC – Yes.

NF - If in the interim, my client's licenses to be, it's to be deemed renewed until. That time, what does that mean in, in terms of this event on the 31st? Can be on the premises but not serving alcohol.

ME – Yes.

LG – You said to be successful, you would want to be open till 2am so you will need to decide if this event is worth it.

MP – Yes, no more serving alcohol.

LG – Can get two drinks at the bar before last call and then drink them after midnight?

PC - I can go up and double fist up to the beer up to the bar I mean that's that is a point of clarification I don't know about well the what the license does is permits the sale or dispensing of alcoholic beverages up until the deadline set forth in the license and let me take we can take a quick look at the license here.

MP – 11:45pm is the last call

SM - Just remember just because if people get aware of that you know you're allowed to do that.

DK – Security will be key.

MP – We have hired 20 security for the event.

ME – Potentially no action on the current license pending approvals from all Town departments. Need to be done by Friday.

NF – They do understand. If things are not fixed, they cannot hold the event. Everything else needs to be handled before the 1/22 date for 2024.

PC - And I believe that Deputy Laracy noted a potential need. They'd feel comfortable signing off on it. I think they understand that if they're not, if the things are not fixed, then their event cannot go forward. And then the next thing will be the hearing before the board on the 23rd.

DL – Two fire details from beginning till end. Pre-paid.

**Motion to continue the public hearing to January 30<sup>th</sup> 2024 for the All Alcoholic Beverage License and the Common Victullar, Time TBD, by L. Gibson, 2<sup>nd</sup> by S. Ferguson.**

**Approved 5-0.**

Discuss & Vote on Extended Hours Request for December 31st 2023.

**Move that the request from Nirvi, Inc. D/B/A Olive and Mint/ Ambrosia for the premises located at 2 Washington Street in Foxborough to have extended alcohol service till 2am on December 31<sup>st</sup> 2023 be rejected by L. Gibson, 2<sup>nd</sup> by S. Ferguson.**

**Approved 5-0.**

### 3. 7:25pm - Update Special Employee List

Discuss & Vote on updating the Town Special Employee List to include Substitute Librarians

Paige Eppolito, HR Director. Asking for approval to add the part time librarian for the schools to be on the Special Town Employee list as we have part time work available at the Boyden Library. The positions are considered two roles but if they are added to the list, they would be able to help with the part-time work.

LG – Industrial Development Committee to Economic Development Committee.

**Motion to approve the updates Town Special Employee List to include Substitute Librarians and update the name of the Economic Development Committee, by L. Gibson, 2<sup>nd</sup> by S. Ferguson.**

SM – This is not creating a new position?

PE – No, there are part-time substitutes at the schools and we need the part-time help at the Boyden Library.

**Approved. 5-0**

### 4. 7:30pm - Fire Department Update

4.1 Fire Chief Michael Kelleher, Assistant Fire Chief, Thomas Buckley, Deputy Chief EMS, Thomas Kenvin & Deputy Chief Fire Prevention, Dave Laracy to give Fire Department Update

See presentation for all details.

DK – Increasingly impressed of how you are changing the department. Just a function of continued care. Pushing the envelope more towards a clinical orientation and changing for the better of what a fire department is for the residents. Just overall improvement of care. Very impressive.

LG – Words cannot express how much you all do for the community.

4.2 Chief Kelleher to review Foxborough Fire Department FY25 additional personnel requests

## 5. 7:50pm - 2024 License Renewals

5.1 Select Board to vote on the 2024 license renewals including Alcohol, both on and off premises, Common Victualler, Entertainment, Auto, Movie Theater, and Limo/Taxi/Livery (List of renewals is attached to the Agenda)

KL – 211 licenses total for 2024. \$147,372 which is up \$5,300 from last year. Which is largely in part by Achilitos and Axel & Byrne bringing in alcohol. I've collected 16 Sunday Entertainment licenses on the behalf of the Commonwealth, so that's \$1,600. And just, I'd have to say this is our most collectible. This is our most collaborative year yet, partly due to permit eyes. Thank you, Paige. The way that I can talk to building and I can talk to health and just all three of us together, building has attached, you know, their reports for their inspection, which is in conjunction with fire. Health has signed off on those common vitriol licenses. Scott has one remaining inspection, which is due for Thursday, so that will be, obviously, renewal conditions. Obviously, renewal conditional of Scotch's and Fire sign off with their CI. And then, for finance, there are two businesses that are just waiting for them to pay invoices. Sometimes that is really linked to the landlord needs to pay their real estate taxes, and it's not up to the business owner. So, there's just a little bit of a spot there. But we will, I'll make sure that those are collected before the licenses are issued. So, let's just kick it off. So, the report that is on the screen was posted with the agenda, and how it reads is when the actual license was processed through our system. So, October 2023, these are going to be common vitriol licenses.

Dunkin Donuts at 30 Commercial Street,

Normandy Farms Campground at 72 West Street,

Dunkin Donuts at 28 Patriot Place,

Dunkin Donuts at 263 Main Street,

Dairy Queen 122 Main Street,

Foxborough House of Pizza, 34 Central Street.

Entertainment license, Normandy Farms, just to make note, they did overpay by \$100, but that's why you'll see a negative \$100 on page five.

Normandy Farms Campground at 72 West Street,

Foxborough House of Pizza, 34 Central Street.

Liquor license, Shaking Crab, 4 Foxborough Boulevard,

The Country Store, 212 North Street.

Normandy Farms Campground, 72 West Street,

Bangkok Cafe, 10 Foxborough Boulevard,

Foxborough Wine and Spirits, 14 South Street.

Foxborough House of Pizza, 34 Central Street.

These are class one, two, or three auto licenses.

Normandy Farms Campground, 72 West Street,

Foxborough Auto Sales, 140 Washington Street,

Central Street Garage, 385 Central Street,

Dazell Brothers, 157 Washington Street.

Now, we'll move to November 2023.

Farmer Series Pouring, Station 1 by Shovel Town Brewery, 1 School Street,

Wormtown Brewery, 250 Patriot Place, Common Vitriolar,

Sweetness and Honey Bakery, 46 Central Street.

The Lafayette House, 109 Washington Street

Tropical Smoothie Cafe, 6 Foxborough Boulevard,

Tropical Smoothie Cafe, 22 Patriot Place.

Union Straw, 8 Mechanic Street.

Showcase Cinema, Deluxe Patriot Place, 24 Patriot Place.

Fat Tuesday, 26 Patriot Place.

Gillette Stadium, 1 Patriot Place.

Foxborough Realty Associates, 1 Patriot Place.

Muse Paint Bar, 217 Patriot Place.

The Olive Garden Italian Restaurant, 392 Patriot Place.

Maryland Ford, Maryland Rodman Performing Arts Center, 1 School Street.

Davio's Northern Italian Steakhouse, 1 Patriot Place.

Mandarin Chef, 34 Mechanic Street.

Pizza Time, 121 Main Street.

Saga Hibachi Steakhouse, 295 Patriot Place.

Bangkok Cafe, 10 Foxborough Boulevard.

Axeland Burn Barbecue, 267 Patriot Place.

Howe Sushi, 70 Central Street.

Still continuing with Common Vitriolar.

Station 1 by Shovel Town Brewery, 44 School Street.

Lakeview Pavilion, 44 School Street. 45 Lakeview Road.

Dunkin Donuts slash Baskin Robbins, 127 Main Street.

Jake and Joe's, 25 Foxborough Boulevard.



Dunkin Donuts, 16 Washington Street.

Foxborough Country Club, 33 Walnut Street.

Omega Pizza, 126 Main Street.

My Pearl, 121 Main Street.

Ice Cream Beach Club, 10 Mechanic Street.

Foxborough VFW Post 2626, 337 Cocasic Street.

Renaissance Hotel at Patriot Place and Hilton Garden at Patriot Place, 28 Patriot Place.

The Heart Patriot Place, 200 Patriot Place.

Six String Grill and Stage, 275 Patriot Place.

99 Restaurant & Pub, 4 Fisher Street.

Foxborough Mandarin Restaurant, 10 Foxborough Boulevard.

McDonald's, 212 North Street.

Xtreme Craze, 30 Commercial Street.

The Scorpion Bar & Mexican Cantina, 253 Patriot Place.

Pappagino's, 211 North Street.

Splitsville Howl at the Moon, 220 Patriot Place.

Pappagino's, 8 Commercial Street.

Tavolino, 274 Patriot Place.

Citizen Crust, 229 Patriot Place.

Menchie's Patriot Place, 268 Patriot Place.

Foxborough Sports Center Cafe, 10 East Belcher Road.

Rally Point Inn & Pub, 9 Mechanic Street.

Wormtown Brewery, 250 Patriot Place.

Curry Leaf, 29 Washington Street.

Conrad's, 121 Main Street.

Gunther Tootie's, 42 Central Street.

Sonesta Select, Boston, Foxborough, 35 Foxborough Boulevard.

Shaking Crab, 10 Foxborough Boulevard.

The Commons Eatery & Cafe, 20 Central Street.

Starbucks Coffee, 59326, 74 Washington Street.

Bar Louis Tavern & Grill, 232 Patriot Place.

Fusion 5, 105 Washington Street.

Foxborough Nutrition, 50 Central Street.

Antonia's Italian Cuisine, 10 Foxborough Boulevard.

Crazy Axe's, 202 Patriot Place.

Uncle Buck's Snack Shop, 1 Bass Pro Drive.

Five Guys Burgers & Fries, 374 202 Patriot Place.

Hampton Inn & Suites, Foxborough-Mansfield, 2 Foxborough Boulevard.

Skip Jack's, 226 Patriot Place.

Archilito's Taqueria, 265 Patriot Place.

Starbucks Coffee, 47754, 4 Foxborough Boulevard.

Cupcake Charlie's, 262 Patriot Place.

Lovely Pizza, 6 River Road Ave, Bird Street.

Red Robin's, America's Gourmet Burger & Spirits, 201 Patriot Place.

South Street Pizzeria, 16 South Street.

Helix Esports, 23 Patriot Place.

Crumble Cookie, 22 Patriot Place.

Chickie Flynn's, 94 Washington Street.

Subway, 18 Central Street.

Bon Mioj, 8 Wall Street.

Moving to Entertainment Licenses.

The Lafayette House, 109 Washington Street.

Skipping the one that says minus 100, that's the Normandy Farms credit.

Fat Tuesday, 26 Patriot Place.

Union Straw, 8 Mechanic Street.

Foxborough Realty Associates, 1 Patriot Place.

Gillette Stadium, 1 Patriot Place.

The Olive Garden Italian Restaurant, number...1808, 392 Patriot Place.

Showcase Cinema Deluxe, Patriot Place, 24 Patriot Place.

They double paid their annual entertainment license.

That's marked as a double payment.

Marilyn Robin Performing Arts, 1 School Street.

Shaking Crab, 4 Foxborough Boulevard.

Dabio's Northern Italian Steakhouse, 1 Patriot Place.

Saga Hibachi Steakhouse, 295 Patriot Place.

Bangkok Cafe, 10 Foxborough Boulevard.

Showcase Cinema Deluxe, Patriot Place.24 Patriot Place.

House Sushi, 70 Central Street.

Axle and Burn Barbecue, 267 Patriot Place.

Station One by Shovel Town Brewery, 44 School Street.

Lakeview Pavilion, 45 Lakeview Road.

Jake and Joe's, 25 Foxborough Boulevard.

Foxborough Country Club, 33 Wall Street.

My Pearl, 121 Main Street.

Ice Cream Beach Club, 10 Mechanic Street.

Six String Grill and Stage, 275 Patriot Place.

Renaissance Hotel at Patriot Place and Hilton Garden Inn at Patriot Place, 28 Patriot Place.

The Heart Patriot Place, 200 Patriot Place.

Foxborough VFW Post, 2626, 337 Cocasset Street.

Foxborough Mandarin Restaurant, 10 Foxborough Boulevard.

99 Restaurant and Pub, 4 Fisher Street.

Extreme Craze, 30 Commercial Street.

Scorpion Bar and Mexican Cantina, 253 Patriot Place.

Pappagino's, 8 Commercial Street.

Pappagino's, 211 North Street.

Splitsville Howl at the Moon, 220 Patriot Place.

Tavolino, 274 Patriot Place.

Citizen Crest, 229 Patriot Place.

Conrad's Restaurant, 121 North Street.

Rally Point Inn and Pub, 9 Mechanic Street.

Sonesta Select, Boston, Foxborough, 35 Foxborough Boulevard.

Wormtown Brewery, 250 Patriot Place.

Crazy Axe's, 202 Patriot Place.

Fusion 5, 105 Washington Street.

Starbucks Coffee No. 59326, 74 Washington Street.

Hampton Inn Suites in Foxborough slash Mansfield, 2 Foxborough Boulevard.

Skip Jack's, 226 Patriot Place.

Achiilitos, 265 Patriot Place.

Bar Louie Tavern and Grill, 232 Patriot Place.

Starbucks Coffee No. 47754, 4 Foxborough Boulevard.

Curry Leaf, 29 Washington Street.

Chickie Flynn's, 94 Washington Street.

Uncle Buck's Snack Shop, 1660 Bassboro Drive.

Helix Esports, 2 Patriot Place.

Red Robin's, America's Gourmet Burgers and Spirits, 201 Patriot Place.

Foxborough Sports Center, 10 East Belcher Road.

This is Taxi Cab Limousine Livery is Maurice Cab of Foxborough.

This is liquor licenses moving to Showcase Cinema Deluxe at Patriot Place, 24 Patriot Place.

The Lafayette House, 109 Washington Street.

Trader Joe's No. 528, 350 Patriot Place.

Fat Tuesday, 266 Patriot Place.

Union Straw, 8 Mechanic Street.

Gillette Stadium, 1 Patriot Place.

The Olive Garden Italian Restaurant No. 1808, 392 Patriot Place.

Muse Paint Bar, 217 Patriot Place.

Marilyn Rodman Performing Arts Center, 1 School Street.

Davio's Northern Italian Steakhouse, 1 Patriot Place.

Saga Hibachi Steakhouse, 295 Patriot Place.

How Sushi, 70 Central Street.

Foxborough Mandarin Restaurant, 10 Foxborough Boulevard.

My Pearl, 121 Main Street.

Stadium Mobile, 20 Washington Street.

Lakeview Pavilion, 45 Lakeview Road.

Jake and Joe's Sports Grill, 25 Foxborough Boulevard.

Express Mini Mart, 126 Main Street.

Foxborough Country Club, 33 Walnut Street.

99 Restaurant & Pub, 4 Fisher Street.

Red Robin, America's Gourmet Burgers, 201 Patriot Place.

Sonesta's Select, Foxborough, 35 Foxborough Boulevard.

Renaissance Hotel at Patriot Place and Hilton Garden Inn at Patriot Place, 28 Patriot Place.

Six String Grill & Stage, 275 Patriot Place.

Tavolino Restaurant, supposed to be 1 Patriot Place, excuse me.

Route 1 Liquor Mart, 29 Washington Street.

Quick Stop Beer & Wine, 79 Summer Street.

Citizen Crest, 21 Patriot Place.

Sonesta's Select, Foxborough, 35 Foxborough Boulevard.

Hops & Grapes Variety Store, 30 Commercial Street.

Foxborough VFW Post, 2626, 337 Cocasset Street.

The Heart Patriot Place, 200 Patriot Place.

The Scorpion Bar & Mexican Cantina, 253 Patriot Place.

Splitsville Howl at the Moon, 220 Patriot Place.

Axe Glen Burn Barbecue, 267 Patriot Place.

Conrad's Restaurant, 121 Main Street.

Rally Point Inn & Pub, 9 Mechanic Street.

Bar Louie Tavern & Grill, 232 Patriot Place.

Angelito's Taqueria, 265 Patriot Place.

Fusion 5, 105 Washington Street.

Crazy Axes, 202 Patriot Place.

Skip Jack's, 226 Patriot Place.

Hampton Inn & Suites, Foxborough-Mansfield, 2 Foxborough Boulevard.

Chickie Flynn's, 94 Washington Street.

Helix Esports, 23 Patriot Place.

Moving to Class 1-2-3.

Autos, Allianz Rental Group, 3 Phelps Drive.

Auto East, 59 Washington Street.

Rodman Ford Sales, 45 Washington Street.

Jadco Auto Sales, 58 Leonard Street.

Rodman Ford Sales, 101 Washington Street.

Auto Rescue Towing & Recovery, 131 Moore Street.

Foxborough Auto Gallery, 130 Washington Street.

Foxborough Automotive, 10 Main Street.

D. Rounds Trucking, 1 Springbrook Road.

Al's Motor Company, 105 Main Street.

Congdon Auto Center, 6 South Street.

Mom's Foxborough, 1000 Washington Street.

Movie Theater, Showcase Cinema Deluxe at Patriot Place, 24 Patriot Place.

These are now December 2023.

Common Vitar, Olive & Mint Ambrosia, 2 Washington Street.

Everything Bagel, 211 North Street.

Entertainment, Olive & Mint Ambrosia, 2 Washington Street.

Liquor License, Olive & Mint Ambrosia, 2 Washington Street.

Class 1, 2, 3 Autos.

Booth Unleashed, LLC, 16 Windsor Drive.

Auto Express, 95 Washington Street.

Bernat Auto Works, 29 R Wall Street.

**Motion to approval all 2024 License renewals for Alcohol, Common Victualler, Entertainment, Movie Theater, Autos Class I, II, III, Automatic Amusement and Arcades except for the licenses for Nirvi Inc, dba Olive and Mint, by L. Gibson, 2<sup>nd</sup> S. Ferguson.**

**L. Gibson requested for Union Straw and Ice Cream Beach Club.**

**Approved 5-0.**

#### 6. 8:00pm - Town Manager Search

6.1 Town Manager Search Committee held interviews December 11th at the Boyden Library in the Community Meeting Room. Finalists that the Select Board will interview to be named January 3rd 2024 at 6pm in the Gala Room/Zoom.

#### 7. 8:05pm - Acting Town Manager's Update

PD - So obviously there was a major windstorm yesterday from SEMREC. We got some interesting stats. Between 600 and 1,600 hours on Monday, CEMREC staff answered 672 911 calls, 21 of which were rolled over from a neighboring emergency communications facility who could not answer due to call loading. SEMREC rolled zero calls. For perspective, a typical day yields an average of 90 911 calls, and they got 672. So it was a little busy. Needless to say, public safety was extremely busy. From DPW, DPW cleanup efforts are going on. The wind gusts ranged from 50 to 90 miles per hour, and the rainfall was between 2 and 3 inches. Most roadways have been made passable. I hear Walnut Street has been cleared while during this meeting. I got a text from Chris. But still they're advising caution for motorists. And there was still a closure of Water Street at the dam and Mill Street near the skate park area. Please be advised that public safety is not a priority. Public works does not have the capacity to collect fallen trees or branches from private property. So please don't place any branches on the side of the road because they will not be picked up. We are opening the compost site on Thursday and Friday from 8 to 4, and no sticker is needed. So if residents need to bring their branches there, that's where they should go. Common cleanup, I know everybody's seen the big branches from the tree coming down. That's probably not going to happen until next week because they really have to focus on that. They're going to focus on the roadways

and the more safety issues. But they will be managing that next week. If residents observe any downed wires, please avoid them while they wait for National Grid. DPW is going to come in on January 30th, and we will be asking National Grid to come in and talk to the board again to talk about issues.

7.1 Around Town: Lt. Governor Walnut Street project visit - \$25 million in funding, MBTA Communities & Auditorium discussion at the January 4th 2024 Planning Board meeting as well as Auditorium zoning, World Cup preparations, Memorial Benches & Trees on Town Property initiative has launched.

7.2 Town Clerk Office Updates: Dog licensing is now open - due March 1st 2024, Census being mailed within the next two weeks - return as soon as possible, Nomination papers for boards and committees will be available January 16th 2024 and due March 18th 2024.

7.3 Human Resources Update: Current Open Positions - Communications Director & BOH Health Inspector. Made an offer and it was not accepted.

7.4 Miscellaneous Update: Town Hall will be closed December 22nd and 25th 2023 and January 1st and 15th 2024. IT Upgrades – Microsoft 265 and mutli-factor authentication. Construction Updates.

## 10. Adjourn

### 10.1 Adjournment

Motion to adjourn.

Agenda documents:

120823\_Olive and Mint Hearing Notice

Olive and Mint incident report 11/4/2023

07232021 Full Inspection Report

Olive and Mint – 120522

Olive and Mint – 080123

Taxes Owed

Olive and Mint\_Tax Letter\_110920

Olive and Mint owed 12-19-23

121923-Olive and Mint License Hearing Outline

121923\_Olive & Mint CV License Hearing Outline

Olive and Mint – Photo Log 12182023

Olive and Mint Inspection 12182023

Certificate\_of\_Inspection\_2\_Washington\_Street-874

Foxbororough Town Hall Letter\_NYE Request

Special Employee List

Selectmen Meeting 2023\_Fire

License Renewals\_Final

2024 Lakeview Letter for Sunday 10am Open

121923\_COA\_Joseph Prew and Jenny Flemming Donation

Library Gift 12.8.23

121923\_Fire Department Donation

120523 Select Board Meeting Minutes