

Tuesday, April 13, 2021
Board of Selectmen Meeting Minutes
Virtual Meeting
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
Mike Johns, Assistant Town Manager
Christina Metcalf, Community Info. Specialist
Katie Lang, Executive Assistant/License Coordinator*
*Attended remotely

1. 7:00pm Kraft Sports and Entertainment LLC - Approval of Annual Entertainment License for the 2021 New England Revolution, New England Patriots and Lacrosse Events at Gillette Stadium – Jess Enos* - Kraft Group, George Bell* – Stadium Advisory Committee

Reading of Public Hearing notice

Jess Enos – This a new process with the universal event license. This document is the industry standard, also done for Fenway and Xfinity Center and the Town of Mansfield. This outlines the venues plan for the course of the year and then add events as needed if other events get scheduled. We are asking for 3 event on this license, nothing that we are asking for now that would supersede the Governor's orders. The rules are 12% right now and we hope to have a full stadium event for the first Patriots game in the fall this year.

To go over the licenses, we are starting with the Premier Lacrosse League. The only difference between the PLL event we held previously in 2019 and will hold this year is that it will be 3 days of matches instead of 2 days. Premier Lacrosse merged with Major League Lacross, as those leagues merge the Boston Cannons went from MLL to PLL. The schedule will be announced tomorrow and tickets on sale tomorrow. The tickets being sold for this event is projected to be below the allowed 12%. The events are on June 4, 5 and 6. The document is streamlined and lists not only the dates and start times, gate times and times at which the stadium will be vacated.

The Revs will start on April 24th and will be our first event. The stadium will be set up to be Covid compliant with regards to seating, social distancing, etc. We will be able to accommodate our season ticket holders and be able to have some other ticket sales as well. We will continue to follow the state mandates as they evolve.

The biggest change in the Patriots season is that one of our preseason games has become a regular season game. We do not have the schedule for games and won't be until May. The stadium will open with 12% and increase as allowed.

George Bell - I want to say that our committee was very impressed with what the Town has put together. The annual licensing document was reviewed at the first part of our meeting including Deputy Chief's Noonan and Buckley as well as Director of Public Health Matthew Brennan. We were impressed of the scope of the annual license and the parameters it had. It does capsulize the outliers of events that we have had over the years.

LG – To understand the process moving forward, we'd get a sheet and will not have to do a public hearing and it would just be an action item?

BK – No, the Board would be notified, review the application and determine if we want to hold a hearing on it. A lot of events are pretty straightforward but the Board has the option to do that.

LG – To clarify for people at home we are issuing the license to the Stadium and they will be following the guidelines set by the state and we are not allowing the stadium to be packed with people.

Motion to close the public hearing by E. O’Leary, 2nd by C. Mitchell.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O’Leary- Yes, S. McGowan - Yes.

Approved, 5-0.

ME – Quick side note, you don’t get any classier than Julian Edelman and his retirement video he released last night.

CM – Congratulations to everyone who worked on the process. It streamlines everything, makes it easier for the Kraft group to do business and easier for the Board to be comfortable with knowing all the events.

Motion to approve the 2021 Annual Entertainment License for Kraft Sports and Entertainment Group for the 2021 New England Patriots Season and New England Revolution Season and Premier Lacrosse League Events at Gillette Stadium subject to the terms and conditions of the license contained therein and further subject to the conditions of the Foxborough Board of Health that all events will be in compliance with local, state and federal guidelines to manage the impacts related to COVID-19; and that compliance with such COVID 19 guidelines shall remain in place until such time that the current State of Emergency has been lifted by E. O’Leary, 2nd by C. Mitchell.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O’Leary- Yes, S. McGowan - Yes.

Approved, 5-0.

2. 7:10pm - Citizen's Input – No input.

3. 7:15pm COVID-19 Informational update – Bill Keegan

Foxborough remains in the yellow category and is in the moderate risk group. We have 75 current cases. On a nationwide level the numbers seem to be rising within the younger age groups. The new Covid variant is attributed to the spike in cases. Please continue to wear a mask, get vaccinated and social distance. The Mass DoPH has paused the Johnson & Johnson shot being administered due concerns with blood clots. All Massachusetts residents 16 years old will be eligible to be vaccinated on April 19th. There have been 4.5 million vaccinations administered in the State. We are in Phase 4 – Step 1 of the Re-Opening Massachusetts plan.

4. 7:20pm Clean Up Day Committee – AJ Dooley,* Tina Belanger,* and Jennifer Riggs*

AJ Dooley – Thank you for having us tonight. We are looking to push the Clean Up Day for 2021 to September. We are hoping that by the fall the Covid restrictions will be less and allow for us to do what’s best for the town and be able to pick up as much litter as possible. We are looking for September 11 or September 18 for this days.

CM – I think September 11th is the perfect day to have this, as it is a day of service.

Tina Belanger – Pushing it to September allows more people, including some kids, to be vaccinated by then. It should be safer and allow for greater participation and great to do it on the National Day of Service and bring the town back together after being apart for so long.

AD – We’ve had years with 180 volunteers and years with 400 volunteers. If we rush and do this next month, I feel like we won’t get enough volunteers and I really want to get 500 volunteers. I’m thinking that we stretch it out over a longer time period for more people to be able to attend.

Motion to approve Foxborough Clean-Up Day for September 11, 2021 by E. O’Leary, 2nd by C. Mitchell.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O’Leary- Yes, S. McGowan - Yes.

Approved, 5-0.

5. 7:30pm Review and Final Approval of the 2021 Annual Town Meeting Warrant

BK – This is the final opportunity to consider the warrant and it can be approved as reviewed or approve to moving the Citizen’s Petition article from articles 26 and 27 to articles 6 and 7. They were placed last because they came in the last day the warrant was open. Given the nature of the discussion that could take place it is important that we have as many people in the room to discuss those articles. It is your right as the Board to make the change and it has been cleared with Town Moderator for good measure.

EO – Those are just budgetary items that would go more with the warrant and expenditure issues.

BK – Yes, one of them is a very significant policy discussion. Given that the budget and CIP budget will be acted on early on in the meeting.

SM – In years past we’ve posted these in the paper we should, make sure seen this by everyone.

BK – The warrant has not been officially posted or advertised yet and is why we are having this conversation now.

Motion to approve, sign and post the 2021 Annual Town Meeting Warrant B by E. O’Leary, 2nd by C. Mitchell.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O’Leary- Yes, S. McGowan - Yes.

Approved, 5-0.

6. 7:45pm Shovel Town Public Hearing Continued

ME – I think it's important to summarize the actions taken to date since a few things have occurred during that span of time. The case is Shovel Town Brewery d/b/a A Taste of Foxborough. They are proposing to create outdoor beer garden and serve craft beer and wine and also serve a limited food menu on the site located at 25 Chestnut Street. They present that the intended use is consistent with the spirit and directions set forth by Governor Baker series of executive orders that were intended to help promote outdoor dining and entertainment opportunities during the Covid-19 crisis. As such the Governor EO provides temporary zoning and use restriction relief to help promote this type of activity throughout the Commonwealth. The proposed site is an empty parcel of land owned by Doug King Builders that is located adjacent to the Chestnut Green. Chestnut Green is a multi-use commercial parcel located next to the residential homes and across the street from Foxborough Public Safety building. Initially the applicant it propose to do an Alteration of Premises application and had asked that the Board for permission to use that Farmers Pourers license from their established location in Easton, as an extension of that premises for use here in Foxboro. Shovel Town proposed a temporary beer garden on the property that would effectively start on Memorial Day weekend 2021 and extend to Halloween weekend in 2021 or approximately 5 months. The applicant appeared before the Board of Selectmen to properly post a public hearing on March 30th to begin the review process. A healthy discussion ensued among the Board members and public comment was accepted throughout the meeting. The Board have several questions that cannot be answered that eventing and the Board elicited the assistance of the Planning Board to determine if certain changes could be proposed that would help to mitigate some identified impacts that were raised by neighbors. Following the initial application meeting and upon further review and consideration by towns alcohol licensing attorney and have to close consultation with the Alcoholic Beverage Control Commission (ABCC) see the town's attorney opined that an extension of the Farmers Pourers license could not be accomplished for this proposed use alternatively the ABCC made suggestions on how the premises might be licensed for its intended use. One of those suggestions was to have the applicant apply to the Board of Selectmen for a series of one-day beer and wine licenses for their proposed use. A review of similar type of proposals throughout the state has revealed at this type of license in the most commonly apply for license for uses of this nature. As such, the applicant was contacted by our office that the more appropriate license application should be for a series of one-day beer and wine licenses that could be considered by the Board of Selectmen. One-day licenses

are limited to 30 each year for each individual applicant, but the other managers within the organization can ask for it additional 30 1-day licenses. In this current instance in order to meet the proposed schedule of use, the applicant would apply on three separate occasions to possibly achieve the 5 month goal of temporary operation. The applicant has indicated a willingness change direction of pursue the one-day license approach. What that means tonight is that the continuation of the public hearing that occurred on March 30th is no longer needed since the application approach has now changed. At the appropriate time I will ask for a motion to close the public hearing since the application for use of the Farmer's Pouring license is no longer before the Board of Selectmen for consideration. It is important to note that the public hearings are not required to be performed for one-day license applications. Because it is prudent to have these matters vetted publicly, it will remain a public process with the Board has a right to hear comments from the public. However, the Chairman, myself, has the ability to set limits on that input particularly where the matter has already had a public input on two previous occasions. On April 8 of last week, the Planning Board had a public meeting on the proposed use at that site. Public comment was heard and received by the applicant, town staff and members of the Board of Selectmen. Since then we've received updated information from the applicant, a legal opinion from Town Counsel, and have all received an advisory letter from the Board of Health. Following tonight's review and discussion, the Board will consider the actions of the following items. An application from Shovel Town for 30 One-day beer and wine license, an application for Common Victualler license to serve food, and a 7-Day Entertainment License all for use at 25 Chestnut Street. In each of these licenses the Board has the right to conditions the license for approval. Is everyone clear as to where we are going from this point forward?

EO – This has expanded beyond the breadth of what we heard originally. The inclusion of a almost semi-permanent alcohol license of Beer & Wine is not what I had intended seeing a food truck operation to be. I'm not a proponent of this, we don't know anything about how they're going to manage both the alcohol and the food truck.

ME – We are closing the public hearing and the further discussing this. I'm sure your questions will be answered then.

Motion to close the public hearing as it relates to the approval of a Farmer's Pouring License as such application is no longer before the Board for consideration by E. O'Leary, 2nd by C. Mitchell.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O'Leary- Yes, S. McGowan - Yes. Approved, 5-0.

ME – The Planning Board met last week and one of the biggest subjects was is something like this allowed in the community. Paige would you review what you had sent us in that Planning Board letter?

Paige Duncan – I will be talking about the use with respect to the Town zoning. After the Planning Board meeting on April 8 last week we (Planning Board) offer the following recommendations and comments. The site is classified as R-15 it also falls with the the Chestnut Payson overlay district (CPOD) and a restaurant use is allowed by special permit under Section 9.6.5 subsection 7 of the Code of Foxborough Zoning Section 275. The project is located with in the old State hospital site.

ME – Paige, lets stop there and we'll talk about these things individually. Bill can you tell us what Town Counsel said.

BK – Summary of Town Counsel – As long as all licenses required for dispensing alcohol beverages and food have been issued by the Town, the provisions of Governor Baker's executive order as relevant to the expansion of outdoor table service would applicable. Order 50 provides that notwithstanding zoning provisions or any special permit variance or approval they are under, a town may approve expansion of outdoor table service including the change in description of licensed premises for the purposes of permitting outdoor alcohol service for any type of on-premise consumption license issued by the BOS. The BOS will establish a process for such requests. The process need not comply with the notice of publication requirements of M.G.L. Chapter 40a, section 11. Any approval under section 1 of Order #50 will remain in effect until 60 days after the termination of the Covid-19 State of Emergency or such early date as the town may establish in its approval of the request. Upon expiration of Order

#50 any new alcoholic licenses issued by the BOS shall be terminated and any amended license shall automatically revert back to its status prior to said license.

ME – Before moving on, is everyone comfortable with the ability to use that site from Planning and Town Counsel point of view?

LG – To clarify, this is allowed under the Governor's order 50 and would be allowed under normal circumstances with a special permit for a restaurant.

BK – Important to note that it has a 60 day window, once the order is revoked, to shut down operations. This was done so it wouldn't have to close once revoked but had time to shut down properly and with some notice.

LG – To be clear the Farmer's Pouring License needed a hearing, we are moving past that now with the One-Day liquor license comes before this Board.

SM – I want to make it clear, it feels like we are stretching everything as far as we can. There is not a business in Foxborough yet and for me it's not an expansion that would be if we were Easton. I know they are going into the Fire Station but they are not an existing business right now. I feel like we are bending over backwards. The Governor's order talks about extending not creating. I think the 30 One-Day licenses will allow us to address anything that comes up.

LG – I think that gets back to the mixing of concepts. While this was talked about with the expansion and Farmers Pouring license. Now this under a One day liquor license. Under the One-day it's different and doesn't tie into the expansion piece.

SM – I'm clear now that we are done with Farmer's Pourers.

ME – Chief Grace sent us a letter about public safety with parking concerns and noise.

MG – When asked to look at this, it's not whether I like or want this what the police will enforce. As the Police department we have 37 regulations for liquor licenses and under the current rules that the town has I have all the enforcement options to manage that. Public Safety at the scene would also fall under these rules. The scene itself I have the authority to manage traffic and points of egress.

ME – You did your due diligence and called Easton PD, could you share your conversation with them.

MG – When you have other agencies opening new locations we can talk to other police departments and they have no violations in Easton or the ABCC and are a great partner to the Town of Easton, which indicates that they are adhering to all the liquor laws and would do so in Foxborough.

SM – If this goes forward, could you look at what this could do for game day?

MG – The traffic plan for Gillette I oversee is massive. We try to make sure that we keep secondary roads clean. We've made some modification to traffic plans. We have taken 50% of the highway now to make sure that our town and nearby is not affected. If we have issues, we have someone that can help who is posted at Chestnut and Payson.

SM – We'd have to consider if we'd want this open on a game day.

MG – If it is a 1pm game on a Sunday could impact. Traffic has been a better benefit due to Covid. We don't know the capacity for Gillette this year and depending on the capacity would or would not have an effect with this project.

SM – I wanted to bring it up now so that your team would be aware.

ME – I wanted to remind people that Shovel Town will have to come 2 other times before the end of the Halloween weekend. Those times we would be able to catch on up any issues and reevaluate the licenses.

LG – You have the ability to assign a detail if you need to and you talked about entertainment ending at 8:00pm, can you talk about that?

MG – We have to distinguish between a noise complaint versus a licensed event that the Town licenses. The Town and Building Inspections can regulate and measure that sound to ensure compliance. They have the authority and the town issues a permit and the business goes beyond the level of the license, the town can end it if they pull that license.

BK – The board retains the full review of the licenses.

LG – It's nobody's intent but we have the options in case things go awry.

CM – You don't see any issues with the exiting plan or parking inside of that footprint, entering or exit or walking on the side walk?

MG – We have walked the problem and the maximum is 54 cars and one way in and out. Traffic on Chestnut is regular. You're not crossing two roads. We took our data from traffic accidents from the stats and we don't have accidents in that area. I don't have concern with the parking. Believe it or not the crosswalks fall on the right side of the parking lot. We've had minimal complaints and people have been respectful.

ME – When Chris G. he starts repainting crosswalks, he should do that.

LG – The sign as Payson needs repainting.

ME – Onto the public health concerns, we go a follow up from Matthew and the BOH concerns, they were corrected or plans were submitted to update. Matt could you add any concerns or thoughts.

Matthew Brennan – The Shovel Town team has worked with the department conceptually and we won't issue the permits until they submit the plan. We'll work with them and report to the BOS if there are any complaints.

LG – Does the food have to be made on premises?

Frank Altieri – All food will be prepared on site. What is getting confused is that we would allow other vendors to provide food under BOH Health permitting and wanted to partner other business in Foxborough. We are able to provide all the food if you want.

LG – There is a lot of stuff out there, can we have written summary of what is decided here tonight? That way all of us, including Shovel Town will be aware of what we are allowing them and what they are agreeing to tonight.

BK – This would be in the motion that they would have approval based on the conditions the Board sets.

SM – In all fairness to Shovel Town, when hearing concerns from the town, this is standard for any business that is opening.

PD – I did talk today to a group of Planners and was telling them about this project. The Town of Medfield is having a brewery that is going up on town property. We are seeing brewery pop-ups with food going to various locations like Ashland and Medfield. From economic development perspective, I said last year that it wouldn't work and now we have the experience and the order and we are living in a pandemic and expanding outside the box. These breweries are going into other town. This is a mixed use property and Shea lane residents. From a staff and EDC development and have heard from many people in town that want a place to go. We've talked about

having restaurants on the Common. We have Patriots Place, which is regional where this could be just local and walkable as Chestnut Green is right there.

SM – Thanks for that information Paige, I just want to make sure that we as a Board do our due diligence.

ME – It is important for us to do our due diligence. Thank for that info Paige and that other communities are doing it and on Town owned land.

BK – Norwood and Medfield are doing this through One-day liquor licenses.

ME – The Chief talked about parking and do any of you have questions?

CM – Yes, Bill Buckley can you go over what the safety will be inside of that area and review the safety measures.

Bill Buckley – Just going over what we have modified for the Planning and Selectmen. We have added concrete blocks instead of the small barrier. This creates a significant barrier. It's really no different than a parking area than from down the street. There are 300+ parking space in the municipal lot. We also put bumpers along the parking spaces on the inner area as well as on the exit side so nobody would drive across the grass.

CM – Can we keep this up and talk about the fencing?

BB – We initially had a 6 foot high arbor vides and the Planning Board asked for a solid white 6 foot fence along the back instead of the trees. We'll now put the trees along the exit side of the property as it abuts King Property. Another change we made we now have a 2 foot high berm buffer.

LG – Having seen Shovel Town Easton outdoor dining and what they have done and if they do similar it would make me feel confident.

ME – The solid fence would prevent the trash and could buffer noise and trash.

LG – Where's the dumpster?

BB – The dumpster is near the entrance but it is as far away from any resident.

MB – Zoning issue, but as long as it has a hard surface and has it baited properly it meets the BOH code.

ME – At the exit sign, facing the people that are leaving we could put a sign up to direct them to correct parking and not on Shea Lane.

BB – We'll have signs up to direct people to parking and if the Board wants us to put up signs no Shovel Town Parking, we can.

PD – They could just put it up when they open. What the Planning Board does is that they have the decision be binding based on the plan. Shovel Town can do a proposed plan and then we can do a parking plan.

SM- Thanks Bill Buckley for addressing the concerns. My other concern for parking is to make sure that Conrad's is taking from Conrad's, Mai Pearl, etc.

LG – The site condition, can you include language about the site when not in use on their off days?

FA – We would leave the tables and food trailer would be secure and fully assembled.

LG – You can't leave the alcohol on the site, under the 1-Day licenses.

ME – The next issue is if there are noise complaints (come under the Building Commissioner) Frank please tell us how you've addressed this.

FA – We have talked to our entertainers. Besides music we have talked to dance groups, cheerleading groups, a movie night and even the high school band. In the licensing application, music would end at 9pm, last call at 9:30pm, and we close at 10pm.

LG - For weeknights on Thursday is the music too late?

CM – I think the music would be the loudest being over at 9pm, it wouldn't be an issue.

EO – Some senior citizens may have a difference of opinions.

ME – What is the handicap accessibility?

BB – We have handicap parking spaces and the gravel is compacted gravel which is ADA compliant as well as the bathrooms. The gravel is very fine and packs very hard with the amount of traffic we would use a water down to address the dust.

LG – Working off a reservation system to start potentially would be a good idea. I'm reluctant to say just come and reserve.

FA – We have a system that texts people and could use it here. There is a reservation system for a business owner is a double edge sword, sometimes we get walk aways. We can do a reservation system to start and once we go the feel of how to best operate the site that we do that. And would like to have that opportunity to determine that for ourselves.

CM – We need to leave that up to the and we've never mandated anyone in this town of how to run their operation. From a capacity standpoint, they would have to close it off and some point and we have a 30 day window with this license and don't want to put more on them.

SM – I think the Resy system is good but I think I would have your staff park off site.

ME – Shovel Town has already presented that they would.

EO – Are the staff going to be TIPS certified and checking IDs? It seems from my perspective it seems like this is moving fast for the issues with an entity that has no history with this town.

CM – We have done it, in my early days on the Board, we've issued One-Day licenses to outside entities. An per our regulations they have to be TIPS certified.

FA – All our staff is TIPS certified, and we go over checking IDs and making sure we aren't over serving. We haven't had an alcohol infraction. We've had stings and we've turned them away. We understand that part of the business.

ME – Are you aware of Fox Cares?

CM – Fox Cares is group liquor license establishments in town that go over best practices. We strongly recommend you become involved with them.

BK – It's a good idea for this and as a future potential permanent liquor license holder.

Motion to withdraw the consideration for the Farmer's Pouring License by E. O'Leary, 2nd by C. Mitchell.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O'Leary- Yes, S. McGowan - Yes.

Approved, 5-0.

ME – At this point I'm going to open it to 4 Shea Lane residents.

BK – It's a good idea to set some ground rules because this is no longer a public hearing and that anything that is said should be new comments.

John G. – I believe that the other towns who were discussed as doing a similar event are true one day pop-ups and not an establishment that has toilets and going into the sewer system. The biggest issue is that this has never been picked as an outdoor venue. Most other brewery pop ups are on the outskirts of town and are not near residential areas. I appreciate all the efforts to listen to but I think you are not considering how close the properties are to the site.

Curt Fauth – Thanks for the discussion and it seems the project will go through. It seems like it will go through and it seems like all our concerns have been taking to account. The solid fence is better along with the arbor vides as well. The signage is good on Shea Lane is a step in the right direction. Is there anything further besides water to control the dust, like putting down some white lining.

Richard Decoste – As I have said before, nobody is opposed to Shovel Town just the location. We've posed specific questions and got no answers back.

ME – We have addressed those concerns in the past few meetings.

RD – We asked about the noise from refrigerator unit and got no specific answer. Also, has anyone talk to the owner of the treatment plant and if they have the capacity.

BK – The license to tie into that is a private consideration with the license holder and plot owner. There is excess capacity to accommodate the need.

RD – We didn't receive Town Counsels opinion on the site. It was discussed earlier but I didn't hear in the actual lanuge of the state regulations and of the town regulations. The regulations talking about the expansion. I don't believe that is what is happening here.

CM – Are you referencing order number 35 or number 50? Order number 35

RD – A little bit of both. We just didn't get the information to be able to know correctly or incorrectly.

CM - I was hung up on this point as well. If you read Covid order #50 it is superseded by number #35.

Bk – We can send the opinion to the Shea Lane residents. We don't usually respond to individual questions as it exceeds the expectation that we normally do for anything.

RD – Paige referenced all the different pop-ups. These are all one days, this is going to be 6-8 months of on-going issues. It was also referenced that one of the other pop-ups would be on town property. Has anyone looked at putting the whole pop-up on the auditorium site? This would get rid of the traffic, have parking and not be near residents.

ME – It's not the Town's responsibility to put this on town land but it is the repsonsibility to vet the proposal when it is brought to the Board.

RD – If it was vetted properly...

ME – It has been vetted and we are in week three of vetting this plan and have been totally open for discussion.

RD – Paige set it wasn't an appropriate use when it first came up. Why didn't they look for alternate sites then?

ME – It was a year ago. You are coming back with the fact that we are placing the establishment and that is not our job.

RD – The only reason it's this spot is because it's owned by King and they want to make some money. One of the other things to discuss is traffic and parking and speak of it like a static issue, it is not. Do we have any incident or accident reports for this area?

MG – If we have a spike in last calls for service with any liquor establishment we immediately address that. This particular owner has no history of any liquor violations. We have a pattern in a community very similar to ours and that is a good thing. With the pattern of traffic, all the roads and intersections are designed to be able to handle the flow that is anticipated normally and with A Taste of Foxborough. The fire department can respond to calls and will not impact the ability to respond.

ME – Do we need to address anything else?

LG – We should put the list together of conditions and make sure we are all on the same page.

BK – You've all heard different response and heard information. Send it to us and we'll put it all together and we can finalize it at our next meeting.

SM – Is there a cost to Shovel Town tying into to sewer?

BK – Yes.

PD – To clarify, that is a private sewer system and is not under the town.

SM – Is there a fee for one day licenses?

BK – Yes, it's a \$50 a day. I think the fair fee for the series would be \$1,500. A business usually pays \$5,000 for a yearly liquor license so to charge \$4,500 total for the One-day seems is a bit unfair and we want to make this a fair thing for both the town and the business.

SM – I think it should be the \$50 a license and let Shovel Town make their decision.

BK – We have a unique situation here and have never done more than thirty 1-day liquor licenses.

CM - It has been spread out through an entire year in the past.

SM – Who decides the fee?

BK - You do and it is already set. It is a unique set of circumstances right now.

LG – We are getting ahead of ourselves and don't want to talk about anything past 30 days.

BK – It was a question that was raised with us by Shovel Town.

SM – I want all the Shovel Town residents to know that unfortunately that is a commercial use of property and what is allowed.

LG – Looking back on the last three year we've always been talking about this and we've been working together on this and want to say thank you to everyone involved.

ME – Frank, what is your time frame for getting up and running for Memorial Day.

FA – We need to be up and running the best days of the summer to make this a viable opportunity for us. One of the concerns we've had is the re-issuances of the licenses. We'd like to get a commitment based on performance measures for the licenses. This isn't profitable in 30 days with what we are going to invest in it.

James McSherry- We need a commitment to hiring people and hiring as many people as we could from Foxborough.

LG – I understand that but this new and I'm not going to commit to something beyond the 30 days.

CM – The intent is to issue the next 2 sets of licenses.

Richard Decoste- If you go to the zoning map it is zone as R-15 not commercial and can we talk about the process for complaints and can that be addressed as part of the documents put together.

ME – Complaints would go to the appropriate board that handles the complaint?

Paige – All of us at town hall are committed and work and don't try to do anything under handed and look at the best interest for the community. Putting on EDC hat, as a business we don't owe them anything, but this is a one-time thing and a one summer thing and to charge \$4,500 instead of \$1,500 is a deal breaker and cost prohibitive. Maybe we do have performance standards because everything is subjective. Let's think of this as it's beneficial the community and get people to gather. How do we measure performance standards objectively.

SM – It would have to be something really not working for the Board to not issue new licenses.

BK – If I heard Paige correctly, ultimately the Board maintains full control over the license which means we can stop them and revoke licenses if it is an egregious issue. Paige is suggesting that we show them a level of commitment.

ME – It seems like to me we are committing to you and mitigate issues if they come up.

CM – I get Paige and with Frank with investment they will make will be staggering. Why can we approve all 3 licenses with 30 days reviews.

LG – I don't think we are approving this tonight anyways.

CM – Can I make a suggestion? Can we have a special meeting? I'm not saying let's give it to them, but I thought we would be make a decision tonight. Its not fair to a new business in town who wants to invest the money. We need to give them a decision yes or no.

PD – You could take a vote based on this and then affirm it at the next meeting. Gives that decision and then formalizes at the next meeting.

SM – I agree with Paige, but I'm not comfortable with approving all of them.

BK – You are thinking of it as more as regular license situation, its not. The Board has complete control and is not an appealable action to the ABCC. The Board could meet with them if there are issue and could pull the licenses.

Frank – Would those be already discussed or anything new?

CM, BK – No and if so we would discuss before adding.

Motion to approve thirty (30) 1-Day Beer and Wine Alcohol licenses for Shovel Town Brewery, Inc. d/b/a A Taste of Foxborough, located at 25 Chestnut Street, for the following dates: May 27th through 31st, June 3rd through 6th, 10th through 13th, 17th through 20th, 24th through 27th and July 1st through 5th, 2021 subject to the conditions to be agreed upon at the April 27th meeting by E. O'Leary, 2nd by C. Mitchell.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O'Leary- Yes, S. McGowan - Yes. Approved, 5-0.

Motion to approve a Common Victualler for Shovel Town Brewery, Inc. d/b/a A Taste of Foxborough, located at 25 Chestnut Street and that such approval is conditioned on the expectation that the operator will comply with all conditions established by the Board of Health and the Board of Selectmen and incorporated therein by for the following dates: May 27th through 31st, June 3rd through 6th, 10th through 13th, 17th through 20th, 24th through 27th and July 1st through 5th, 2021 E. O’Leary, 2nd by C. Mitchell.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O’Leary- Yes, S. McGowan - Yes. Approved, 5-0.

Motion to approve a 7-Day Entertainment License for Shovel Town Brewery, Inc. d/b/a A Taste of Foxborough, located at 25 Chestnut Street and that such approval is subject to the conditions established by the Board of Selectmen and incorporated therein for the following dates: May 27th through 31st, June 3rd through 6th, 10th through 13th, 17th through 20th, 24th through 27th and July 1st through 5th, 2021 by E. O’Leary, 2nd by C. Mitchell. May 27th – October 31st

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O’Leary- Yes, S. McGowan - Yes. Approved, 5-0.

FA- Can we talk about the fee?

BK – We should raise it at the next meeting with the Board.

7. 8:45pm Sale of Bond issuances the Water Department

BK – Because we are AAA rated we received a 1.45% interest rate for this bond.

Motion to approve the sale of the Town’s April 2021 General Obligation Water Bonds and to adopt the votes prepared by Locke Lord as bond counsel to the Town in connection with the bond sale by E. O’Leary, 2nd by C. Mitchell.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O’Leary- Yes, S. McGowan - Yes. Approved, 5-0.

8. 8:55pm Assistant Town Manager's Update

- Town Manager’s Evaluation has been sent to you 30 minutes before this meeting, incorporated changes and is a fillable pdf. I will send to Bill to start filling out and will have something to you by April 23rd. Look to get evals back to the Board and will get back to HR on May 7th.

- Applicant tracking system went live and can apply online and can route them to the correct department head for review.

LG – Will that auto-post to mainstream sites?

MJ – Yes, it has that capability.

- The Personnel and Policy guidebook is in draft board and will got to the Personnel Board and will go to the Board after the Personnel Board meets.

- The Darkness to Light Training happened today.

9. 9:05pm Town Manager's Update

- Town Committee hand book is almost ready to review

- Same with the Personnel and Policy book

- Having discussion about how to reopen Foxborough effectively

- Elections are coming up on May 3rd.

- Town Meeting is on May 10th

- Town Reports will be available by town meeting
- Town Interns – we will have one in Planning and one in our office.
- Awaiting guidance from federal government on the ARP funds and will have a presentation ready for your next meeting.
- SEMRECC ribbon cutting will be Friday at 11am

10. 9:15pm - Selectmen's Update

New Business – LG – We should look at not having a BOS meeting after the Town Meeting or reserving agenda items.

11. Action Items

Subject 11.1 COA - Acceptance of \$10,000 donation from CarMax LLC/Wasserman Group

Motion to accept a \$10,000 from CarMax LLC for the Council on Aging/Human Services Department to enhance programs and services by E. O’Leary, 2nd by C. Mitchell.

Discussion: CM – that is a huge gift, I would love to hear how that come about.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O’Leary- Yes, S. McGowan - Yes. Approved, 5-0.

Subject 11.2 Police - Tuition reimbursement of \$1,326.00 for Det. M. Bohnenberger

Motion to approve the tuition reimbursement of \$1,326.00 for Detective Mark Bohnenberger by E. O’Leary, 2nd by C. Mitchell.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O’Leary- Yes, S. McGowan - Yes. Approved, 5-0.

Subject 11.3 BOS - Southeastern Regional School District Grant Funds Authorization for FY22

Motion to authorize Southeastern apply \$37,241 from the ESSER II Grant towards the Fiscal Year 2022 Town of Foxborough's share of operating expenses and reduce the Town's assessment accordingly by E. O’Leary, 2nd by C. Mitchell.

Discussion: BK – This will reduce our cost to school for the next fiscal year.

CM – Is this one time Covid money?

BK – Yes, it is federal money to offset Covid expenses.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O’Leary- Yes, S. McGowan - Yes. Approved, 5-0.

Subject 11.4 BOS - Approval of Board of Selectmen Meeting Minutes for March 2, 2021

Motion to approve the Board of Selectmen March 2, 2021 Meeting Minutes by E. O’Leary, 2nd by C. Mitchell.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O’Leary- Yes, S. McGowan - Yes. Approved, 5-0.

Subject 11.5 BOS - 2021 Normandy Farms Automatic Amusement License Renewal

Motion to approve the 2021 Automatic Amusement License for Normandy Farms Campground LLC by E. O’Leary, 2nd by C. Mitchell.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O’Leary- Yes, S. McGowan - Yes. Approved, 5-0.

Subject 11.6 BOS - Renewal of Hackney License for Maurice Barkachi

Motion to approve a Hackney License Renewal for Maurice Barkachi by E. O’Leary, 2nd by C. Mitchell.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O’Leary- Yes, S. McGowan - Yes. Approved, 5-0.

12. Adjourn

Motion to adjourn by E. O’Leary, 2nd by C. Mitchell.

Roll Call: C. Mitchell - Yes, L. Gibson -Yes, M. Elfman -Yes. E. O’Leary- Yes, S. McGowan - Yes. Approved, 5-0.