

**BOARD OF SELECTMEN  
MEETING MINUTES – August 20, 2012**

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7:00 p.m. - Selectmen's Meeting Room, 63 Main Street, Northborough, MA

**MEMBERS PRESENT:** William Pantazis, Chairman  
Leslie Rutan, Vice Chairman  
Jeff Amberson, Clerk  
Dawn Rand  
Aaron Hutchins

\*Pledge of Allegiance

**APPROVAL OF MINUTES – JULY 16, 2012 REGULAR MEETING**

Selectman Amberson moved the Board vote to approve the meeting minutes of the July 16, 2012 regular meeting as submitted; Selectman Rutan seconded the motion; all members voted in favor.

**7:00 p.m. - ZIRH, LLC d/b/a ZEM HAN**

To consider an application for a Common Victualler and Entertainment License as submitted by ZIRH, LLC d/b/a Zem Han for premises located at 4 West Main Street.

Yuri Krasnov and Hakan Zirh were present to request a Common Victualler and Entertainment License for their new restaurant Zem Han located at 4 West Main Street. The entertainment license is for television and background music only.

Mr. Krasnov indicated that this will be a Mediterranean style restaurant with approximately 110 seats. The restaurant will serve dishes from Spain, Italy, Greece and Turkey. The intent is to open the restaurant first without a liquor license. The reason for the delay in applying for the liquor license is the need for them to first obtain a special permit from the Zoning Board of Appeals. The hearing before the Zoning Board of Appeals is scheduled for September 4<sup>th</sup>. It is anticipated that the Board will consider their application for an All Alcoholic Restaurant License at their September 10<sup>th</sup> Board Meeting.

Selectman Rutan moved the Board vote to grant a Common Victualler License and Entertainment License to ZIRH, LLC d/b/a Zem Han for premises located at 4 West Main Street with the condition that the licensee receive satisfactory inspections by the Building, Fire and Health Departments; Selectman Amberson seconded the motion; all members voted in favor.

**7:05 p.m. - JUNE HUBBARD WARD, FINANCE DIRECTOR**

Approval/Execution of Advance in Lieu of Borrowing.

Finance Director June Hubbard-Ward was present to request the Board's approval of Advances in Lieu of Borrowing in the amount of \$500,000 for the Lincoln Street Feasibility Study pursuant to Article 31 of the 2012 Annual Town Meeting.

Selectman Amberson moved the Board vote to approve and execute the Advances in Lieu of Borrowing in the amount of \$500,000 as submitted by Finance Director June Hubbard-Ward; Selectman Rand seconded the motion; all members voted in favor.

**7:10 p.m. - PUBLIC HEARING**

To consider an application by Anthony Tomaiolo d/b/a A.J. Tomaiolo's Italian Restaurant to alter the premises of his All Alcoholic Beverages Restaurant License at 411 West Main Street.

Mr. Tomaiolo was present to request permission to alter the premises of his All Alcoholic Restaurant License at 411 West Main Street. The proposed alteration is to remove a wall between the bar and dining room in order to gain additional seating.

The Fire Chief, Building Inspector and Detective Sergeant Brian Griffin have reviewed the application and recommend that it be approved.

Selectman Rand moved the Board vote to approve the application as submitted by Anthony Tomaiolo d/b/a A.J. Tomaiolo's Italian Restaurant to alter the premises for the All Alcoholic Beverages Restaurant License at 411 West Main Street, subject to the licensee receiving satisfactory inspections by the Building, Fire and Health Departments; Selectman Rutan seconded the motion; all members voted in favor.

**7:15 p.m. - ST. BERNADETTE'S CHURCH**

To consider an application for a Special License for the sale of Wine & Malt Beverages for premises located at 266 Main Street.

Mary Ann Darmiento was present on behalf of St. Bernadette's Church to request a Special License for the sale of Wine & Malt Beverages for their annual Fall Festival. The event will take place on Saturday and Sunday, September 21<sup>st</sup> & 22<sup>nd</sup>.

The Fire Chief, Police Chief and Building Inspector have reviewed the application and recommend that it be approved.

Selectman Amberson moved the Board vote to approve the application for a Special Liquor License as submitted by St. Bernadette's Church for premises located at 266 Main Street for their annual Fall Festival on Friday, September 21, 2012 (5pm-10pm) and Saturday, September 22, 2012 (10am-10pm) and to further waive the license fee; Selectman Rutan seconded the motion; all members voted in favor.

## REPORTS

### Aaron Hutchins

- Asked the public to practice extra caution with the beginning of a new school year.
- Thanked everyone who is involved with the Downtown Construction project. To date, he has not heard any complaints.
- Requested an update from the Police Chief regarding his recent letter to Mass Highway asking for help in reducing the many motor vehicle accidents near and around the Northborough Crossing intersections. Chief Leahy stated that he has not yet heard back from Mass Highway. Selectman Hutchins suggested that if he does not receive a response soon, the Board should do something to help bring attention to this matter.

### Dawn Rand

- No report.

### Jeff Amberson, Clerk

- In response to several recent house break-ins, asked that residents look out for each other and pay attention to suspect vehicles or persons in their neighborhood.

### Leslie Rutan, Vice Chairman

- Requested a status update on the tree-trimming project. DPW Director Dan Nason was present and stated that he will check into this and provide an update.
- Thanked the residents for their patience with the downtown construction project. She has not heard any complaints to date. Requested that additional cones be placed in hazardous areas during the nighttime hours.
- Questioned if plans are being made to spray local areas for the West Nile Virus? Mr. Coderre indicated that some of the recreational and school fields were sprayed today. He added that if residents are interested in having their private property sprayed they can contact Central Mass Mosquito Control at [cmmcp.org](http://cmmcp.org) or 508-393-3055.

### William Pantazis, Chairman

- No report.

### John Coderre, Town Administrator

- Indicated that he has no further information to report on Indian Meadows Golf Course, other than that the Town is still waiting for the requisite information requested in its July 11, 2012 letter to the Owners of Indian Meadows.

**7:30 p.m. - CHEN'S CHINA MOON, INC.**

To consider an application for a Common Victualler License as submitted by Chen's China Moon, Inc. d/b/a China Moon Chinese Restaurant for premises located at 259 West Main Street.

Attorney Andrea Cole was present along with Mr. Yizhen Chen to request a Common Victualler License for premises located at 259 West Main Street. Attorney Cole confirmed to the Board that this is a change of ownership from the former Great Wall Restaurant with new management and staff. The Board was assured that the new management has previous experience in the restaurant business.

Selectman Rutan moved the Board vote to grant a Common Victualler License to Chen's China Moon, Inc. d/b/a China Moon Chinese Restaurant for premises located at 259 West Main Street with the condition that the licensee receive satisfactory inspections by the Building, Fire and Health Departments; Selectman Rand seconded the motion; all members voted in favor.

**PUBLIC COMMENTS**

None.

**ANNUAL APPOINTMENT OF ELECTION OFFICERS**

Selectman Rand moved the Board vote to appoint those individuals who appear on the 2012/2013 Election Officer List for a term beginning on September 1, 2012 and ending on August 31, 2013 as submitted by Town Clerk Andrew Dowd; Selectman Amberson seconded the motion; all members voted in favor.

**EXECUTION OF STATE PRIMARY ELECTION WARRANT – SEPT 6, 2012**

Selectman Hutchins moved the Board vote to execute the State Primary Election Warrant for September 6, 2012 as submitted by Town Clerk Andrew Dowd; Selectman Rand seconded the motion; all members voted in favor.

**SET MEETING SCHEDULE FOR SEPTEMBER – DECEMBER**

By agreement, the Board set the schedule for their September through December meetings as follows:

September 10<sup>th</sup> & 24<sup>th</sup>  
October 15<sup>th</sup>  
November 5<sup>th</sup> & 19<sup>th</sup>  
December 17<sup>th</sup>

**EXECUTION OF CEMETERY DEEDS A898; A899 & A900**

Selectman Hutchins moved the Board vote to execute Cemetery Deeds A898, A899 & A900; Selectman Rand seconded the motion; all members voted in favor.

**OTHER BUSINESS**

None.

**7:35 p.m. - EXECUTIVE SESSION**

Selectman Amberson moved the Board vote to enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Subsection 3 (litigation matter) due to the Chair's determination that a discussion regarding this matter in an open meeting may have a detrimental effect on the position of the Board; Selectman Rand seconded the motion; the roll call vote was taken as follows:

Hutchins	“aye”	Rutan	“aye”
Rand	“aye”	Amberson	“aye”
Amberson	“aye”		

Chairman Pantazis announced that the Board would return from Executive Session only to adjourn.

**ADJOURNMENT**

Selectman Hutchins moved the Board vote to adjourn; Selectman Rand seconded the motion; all members voted in favor.

Meeting adjourned at 7:50 p.m.

Respectfully submitted,

Diane M. Wackell  
Executive Assistant to the  
Board of Selectmen

**Documents used during meeting:**

1. August 20, 2012 Meeting Agenda.
2. July 16, 2012 Meeting Minutes.
3. Information packet – ZIRH, LLC.
4. Memorandum – Advance in Lieu of Borrowing.
5. Information packet – A.J. Tomaiolo’s Italian Restaurant.
6. Information packet – St. Bernadette’s Church.
7. Information packet – Chen’s China Moon.
8. Information packet – Appointment of Election Officers.
9. State Primary Election Warrant.
10. Memorandum – Proposed Meeting Schedule.
11. Cemetery Deeds.