

**BOARD OF SELECTMEN
MEETING MINUTES – September 26, 2016**

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

MEMBERS PRESENT: William Pantazis, Chairman
Dawn Rand, Vice Chairman
Jeff Amberson, Clerk
Leslie Rutan
Jason Perreault

*Pledge of Allegiance

APPROVAL OF MINUTES – SEPTEMBER 12, 2016 REGULAR MEETING

Selectman Rand moved the Board vote to approve the meeting minutes of the September 12, 2016 regular meeting as submitted; Selectman Rutan seconded the motion, all members voted in favor.

7:00 p.m. - PUBLIC HEARING

To consider an application to transfer the All Alcoholic Beverages Restaurant License from Sarro Entities LLC d/b/a JJ's Sports Bar & Grill to Grace Partners LLC d/b/a JJ's Sports Bar & Grill for premises located at 380 Southwest Cutoff.

Attorney Shenoy was present along with applicants Prashanth Gurkar and Leanne Young to request the transfer of the All Alcoholic Beverages Restaurant License from Sarro Entities LLC d/b/a JJ's Sports Bar & Grill to Grace Partners LLC d/b/a JJ's Sports Bar & Grill for premises located at 380 Southwest Cutoff. Proposed manager Robert Cook was also present.

Grace Partners LLC consists of husband Prashanth Gurkar and his wife Leanne Young. Both are TIPS trained, as well as proposed manager Robert Cook. Once the license transfer is approved by the ABCC, all restaurant employees will receive TIPS training as well.

Due to their plan to continue hosting live entertainment on Friday and Saturday evenings, Mr. Gurkar and Ms. Young informed the Board that are agreeable to the following conditions:

- Two door monitors are required to be on duty Friday and Saturday evenings and Holidays, including the Wednesday before Thanksgiving and during any special events and/or live entertainment (one at the front entrance in the restaurant area and one at the rear entrance in the bar area).
- Hours of operations are Monday through Saturday 8am-1am; Sunday 12pm-1am.

Detective Sergeant Brian Griffin indicated that he has conducted a background check on Mr. Gurkar, Ms. Young and Mr. Cook and has no concerns to report.

PUBLIC HEARING CONT. . .

Selectman Amberson moved the Board vote to approve the application to transfer the All Alcoholic Beverages Restaurant License, as well as the Common Victualler License and Entertainment License for premises located at 380 Southwest Cutoff from Sarro Entities, LLC d/b/a JJ's Sports Bar & Grill to Grace Partners LLC d/b/a JJ's Sports Bar & Grill with the following conditions:

- Two door monitors are required to be on duty Friday and Saturday evenings and Holidays, including the Wednesday before Thanksgiving and during any special events and/or live entertainment (one at the front entrance in the restaurant area and one at the rear entrance in the bar area).
- Hours of operations are Monday through Saturday 8am-1am; Sunday 12pm-1am.
- That the licensee receive satisfactory inspections by the Building, Fire and Health Departments.

Selectman Rand seconded the motion; all members voted in favor.

7:05 p.m. - PUBLIC HEARING

To consider an application for a new Wine & Malt Beverages Package Store License as submitted by Kilti, Inc. d/b/a Paired, Poured & Plated for premises located at 290 West Main Street, Suite 8.

Jean Killeen and David Tiberii were present to request a new Wine & Malt Package Store License for premises located at 290 West Main Street, Suite 8. The store will be named Paired, Poured & Plated and will sell craft beers, wine, cheese and charcuterie. Tasting events will be held that will educate customers on how best to match food with wine and beer.

Ms. Killeen will be the manager of record and has over 15 years of experience in the restaurant industry having owned her own restaurant in Worcester. She and David will be TIPS certified prior to the opening of the business.

Detective Sergeant Brian Griffin indicated that he has conducted a background check on Ms. Killeen and Mr. Tiberii and has no concerns to report.

Selectman Perreault moved the Board vote to approve the application for a new Wine & Malt Package Store License as submitted by Kilti, Inc. d/b/a Paired, Poured & Plated for premises located at 290 West Main Street, Suite 8 and further that the Board has determined that the Wine & Malt Package Store License will not be detrimental to the educational and spiritual activities of the St. Rose of Lima Parish located at 244 West Main Street, and with the condition that the licensee receive satisfactory inspections by the Building, Fire and Health Departments; Selectman Rutan seconded the motion; all members voted in favor.

7:10 p.m. - PATRICK GUAY - MOOYAH

Request for a Common Victualler License for premises located at 10010A Shops Way.

Patrick Guay and Dr. Phil Howells introduced themselves as the owners of the first MooYah in Massachusetts. MooYah is a franchised burger restaurant with over 100 locations. They serve freshly made burgers, hand-cut Idaho and sweet potato fries, ice cream shakes and loaded house salads. The anticipated opening date is the end of October.

Selectman Perreault moved the Board vote to approve the application for a Common Victualler License and an Entertainment License as submitted by Edmunds Hill Partners d/b/a Mooyah for premises located at 10010A Shops Way with the condition that the licensee receive satisfactory inspections by the Building, Fire and Health Departments; Selectman Rutan seconded the motion; all members voted in favor.

7:15 p.m. - DAVID SBORDON, JR – JIMMY JOHN’S

Request for a Common Victualler License for premises located at 10010B Shops Way.

David Sbordon and his son Joey introduced themselves as the new owners of Jimmy John’s, a franchised specialty sandwich shop. Jimmy John’s uses locally purchased produce brought in fresh and hand sliced daily. French bread is baked daily on site and sandwiches are served on thick slices. The anticipated opening date is early December.

Selectman Amberson moved the Board vote to approve the application for a Common Victualler License as submitted by Sbordon Enterprises Corp. d/b/a Jimmy Johns for premises located at 10010B Shops Way 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.

7:18 p.m. - ANDREW CADETTE – DUNKIN DONUTS

Request for a Common Victualler License for premises located at 6102 Shops Way – inside BJ’s Wholesale Club.

Andrew Cadette was present on behalf of Boston Hill Donuts LLC. The Northborough location inside BJ’s Wholesale Club at 6102 Shops Way will be their 12th franchise. They currently own six in Shrewsbury and five in Worcester. This Dunkin Donuts will replace the food court previously offered by BJ’s Wholesale Club at the front of the store.

Selectman Rutan moved the Board vote to approve the application for a Common Victualler License as submitted by Boston Hill Donuts d/b/a Dunkin Donuts for premises located at 2102 Shops Way inside BJ’s Wholesale Club 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.

7:20 p.m. - HEARING

Set Fees for Plowing/Sanding Private Ways for the upcoming 2016-2017 winter season.

DPW Director Dan Nason proposed to the Board that the base charge for plowing and treatment services of private ways and unaccepted streets which are 100% complete be increased by approximately 3% from last year to cover the increased costs of labor, fuel and materials.

Residents of the private ways that received plowing and treatment services during the last Winter Season were notified of tonight's hearing to increase the fees. None were present.

Selectman Rand moved the Board vote to set the fees for plowing and treatment of private ways less than 3,000 feet for the 2016/2017 winter season as follows:

\$190.00 per storm per private way for plowing
\$190.00 per storm per private way for treatment

Selectman Rutan seconded the motion; all members voted in favor.

REPORTSJason Perreault

- Attended the recent Applefest celebration. Congratulated Bob Ellis for being named Grand Marshall. Thanked everyone involved in planning and who attended.
- Informed the Board that he will not be able to attend the October 17th meeting due to a business commitment.

Leslie Rutan, Vice Chairman

- Participated in the Applefest parade. Thanked Michelle Gillespie and the Applefest Committee. Also thanked Virginia Simms George and the 250th Town Anniversary Committee.
- Congratulated the Algonquin football team who is currently 3-0. Wished them continued luck for the remainder of the season.
- Requested that the Town Administrator look into the possible removal of the Zem Han sign on the Old Town Hall since the business is no longer operating at that location.

Jeff Amberson, Chairman

- Thanked all who planned and participated in the Applefest celebration.
- Noted that the Historical Society's 250th event *Ghosts in the Graveyard* was a great success. Thanked all who planned and participated.
- Noted that the Naming Committee recently held their first meeting. The Committee is tasked with reviewing nominations received for the naming of non-school municipal public facilities and places and to make a recommendation based on this review to the Board of Selectmen. A press release seeking nominations will be posted soon.

Dawn Rand

- Thanked all who planned and participated in the Applefest celebration.
- Attended the 144th reunion of the Northborough High School Alumni Association at Juniper Hill Golf Course. Encouraged high school alumni of all ages to get involved.
- Participated in the Historical Society's 250th event *Ghosts in the Graveyard* as a tour guide. Thanked everyone who planned, participated and attended the event.
- Noted that the Interview Committee met with applicants for the Community Affairs Committee and the Library Trustees prior to tonight's meeting. See below for appointments.
- Announced that the 250th Finale will be held at the Double Tree in Westborough on October 29th.

William Pantazis, Clerk

- Thanked all who planned and participated in the Applefest celebration.
- Attended the First Annual Motorcycle Run in memory of Army Specialist Brian Arsenault.
- Participated in the Historical Society's 250th event *Ghosts in the Graveyard* as Thomas Blair. Thanked everyone who planned, participated and attended the event.

John Coderre, Town Administrator

- Noted that three of the five site specific All Alcoholic Beverages Restaurant licenses that were obtained through Special Legislation for Northborough Crossing have been issued to the following restaurants: Anthony's Coal Fired Pizza, Tio Juans Mexican Margaritas Restaurant and Applebee's Neighborhood Grill and Bar.
- Selectman Rutan requested that the Town Planner provide an update on the anticipated timing of the installation of traffic lights at the entrance to this latest expansion of Northborough Crossing, as well as the potential timing of possible traffic lights at the mall's back entrance.

APPOINTMENT TO THE COMMUNITY AFFAIRS COMMITTEE

Selectman Rand moved the Board vote to appoint Rebecca Mihopoulos to the Community Affairs Committee for a partial three-year term to expire on April 30, 2019; Selectman Amberson seconded the motion; all members voted in favor.

APPOINTMENT TO THE BOARD OF LIBRARY TRUSTEES

Selectman Rand moved the Board vote to appoint William Frankian to the Board of Library Trustees for a partial one-year term to expire on April 30, 2017; Selectman Amberson seconded the motion; all members voted in favor.

PUBLIC COMMENTS

None.

DISCUSSION – ENVIRONMENTAL TESTING RESULTS FOR WHITE CLIFFS

Mr. Coderre informed the Board that the Town has conducted its environmental review of the White Cliffs property as part of the Purchase & Sale Agreement. During that review an underground storage tank was discovered and it was subsequently determined

ENVIRONMENTAL TESTING RESULTS FOR WHITE CLIFFS CONT. . .

that a release of oil had occurred. He reported that the seller has agreed to remediate the underground storage tank and surrounding soils at their sole expense. The seller has also paid the expense of moving the historical fixtures from the auction house to a secure location. The Town will maintain the right to be present during the remediation process in order to observe and document the work. Once the remediation is complete, the Town will move forward with the Purchase & Sale Agreement.

Selectman Rand moved the Board vote to approve an amendment to the purchase and sale agreement for the White Cliffs property to provide for 1) removal of the underground storage tank on the property and environmental remediation required on account of the presence of the tank and associated soil conditions, by and at the expense of the owner and prior to the Town taking title to the property, and 2) transfer to the Town of the so-called historic fixtures from the White Cliffs building; and to authorize the Chair to sign an amendment on behalf of the Board, upon approval of the document by Town Counsel; Selectman Amberson seconded the motion; all members voted in favor.

EXECUTION OF CEMETERY DEEDS 1004, 1005, 1006 & 1007

Selectman Rutan moved the Board vote to execute Cemetery Deeds 1004, 1005, 1006 & 1007; Selectman Amberson seconded the motion; all members voted in favor.

OTHER BUSINESS

None.

ADJOURNMENT

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

Meeting adjourned at 7:55p.m.

Respectfully submitted,

Diane M. Wackell
Executive Assistant to the
Board of Selectmen

Documents used during meeting:

1. September 26, 2016 Meeting Agenda.
2. September 12, 2016 Meeting Minutes.
3. Information packet – JJ's License Transfer.
4. Information packet – New Wine & Malt Package Store License.
5. Information packet – Mooyah Common Victualler License.
6. Information packet – Jimmy John's Common Victualler License.
7. Information packet – Dunkin Donuts Common Victualler License.
8. Information packet – Hearing to fees for Plowing/Sanding Private ways.
9. Email – Environmental testing results for White Cliffs.
10. Cemetery Deeds.