

Minutes of the Licensing Board Meeting Held Wednesday, May 26, 2021

Per the March 12, 2020, Executive Order issued by Governor Baker modifying the Open Meeting Law's specific requirements, the City of Marlborough Licensing Board was held remotely. Access to the meeting was through Microsoft Teams Meeting via a link on the Board's web page or by dialing in (1-617-433-9462 / Conference ID: 547 721 164#)

Attending: Greg Mitrakas, Member, David Bouvier, Member; Tina Nolin, Clerk

Absent: Walter Bonin

Meeting called to order by acting chair Greg Mitrakas at 7:30 pm

New Business

1. Application for New Off-Premise License for Wine & Malt – Route 20 Convenience Store. 2 Boston Post Road E, Jignesh Patel, Manager

Attorney Matthew Porter presented the application and the applicant Jignesh Patel of Route 20 Convenience Store. He explained that Mr. Patel has several other locations that are doing well and have had no problems with the ABCC or local boards. Also, Mr. Patel does not intend to change Route 20 Convenience Store over to a package store but to add wine and malt beverages to his current convenience store offerings.

The public meeting opened at 7:45 pm

Those in favor of the application – there were none

Those opposed to the application or who had questions:

Attorney William Carroll represented Apu Patel, owner of N.K. Market, Inc. (DBA Post Road Pantry), located at 21 Boston Post Road E., spoke on behalf of Mr. Patel. He explained that Mr. Patel has lived and worked in the City for 20 years, is a taxpayer, and has put significant money into his store. Mr. Patel wished to state that another beer and wine license in this area will eat into his business, noting there are seven other such licenses in the area already. Also, Mr. Patel questions who the actual owner is and who a possible silent partner may be. Attorney Porter responded that Apu Patel is the owner and the only owner and that more competition is always better.

No other people wished to comment or ask questions. Therefore the acting chair, Mitrakas, closed the public meeting at 7:51 pm.

Acting chair Mitrakas explained that the Board is looking into if they could restrict the sale of new issue licenses moving forward. He cited that there have been several occasions when the Board has issued licenses, and the recipients of those licenses then turned around and sold the license at vastly inflated values than they paid the City of Marlborough for those licenses. The Board is waiting to hear from the solicitor's office regarding what it can do on that front. Therefore the Board did not make a ruling tonight on the license application.

Member Bouvier also mentioned that there had another applicant in March for this same license and that they were due to come back with their formal application next month. So the Board would wait until next month to hear that application and hear from the City Solicitor before voting on tonight's application. Member Bouvier agreed with acting chair Matrakis that the Route 20 location does not appear to fill a need for the City at this time.

Acting Chair Mitrakas also said that the overall focus of this license, as with all licenses in the City, would come down to what is best for the common good, the residents of Marlborough, in terms of placing the license.

Upon the suggestion of Acting Chair Mitrakas, the Board agreed to hold off on a decision on the application until the next meeting of the Licensing Board until the Board has had time to get direction from the City Solicitor and review the other applicant's formal application then the Board will weigh the merits of the locations of both applicants.

2. Application for Full Entertainment License – Pizzarella, 205 East Main St, Ricardo Ferraz, Manager

Mr. Ferraz is looking for 1 – 2 people playing at a time, not a band and inside only.

Member Bouvier motioned to approve the application with the amendment to the time frame from 3:00 pm to 12:00 am; Acting Chair Mitrakas seconded the motion. A roll call of the Board was 2-0 to approve the application.

3. Application for Outside seating –

a. Tackle Box, 416 Boston Post Road E, Adam Krasinski, Manager

Member Bouvier motioned to approve the application for four two-top tables with the stipulation of approval from the building dept., Member Mitrakas seconded the motion. A roll call of the Board was 2-0 to approve the application

b. Pizzarella, 205 East Main St, Ricardo Ferraz, Manager

Member Bouvier motioned to approve the applications for 36 seats and no new service after 10:00 pm; Acting Chair Mitrakas seconded the motion. A roll call of the Board was 2-0 to approve the application

4. Reports from the Chairman

5. Misc. correspondence and open issues

- ABCC Advisory regarding the end of COVID-Related Restrictions

Member Bouvier motioned to accept and place the correspondence on file and send a copy to all licensees; Acting Chair Mitrakas seconded the motion. A roll call of the Board was 2-0 to accept and place the correspondence on file and send a copy to all licensees.

6. Review minutes From April 28th meeting

Member Bouvier motioned to approve minutes of the meetings and place them on file; Member Mitrakas seconded it. Board roll call vote was 2-0 in favor of accepting the minutes and placing them on file.

Member Bouvier motioned to adjourn the meeting at 8:11 pm; Member Mitrakas seconded the motion; the Board roll call vote was 2-0 in favor of adjournment.

The next meeting of the Licensing Board will be on June 30th. The meeting will be in person at City Hall, 140 Main Street, 1st floor Council Committee Room.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Greg Mitrakas', with a horizontal line extending to the right.

Greg Mitrakas, Chairman