



License Commission, Room 118
Phone: 978-420-3623 Fax: 978-373-8490
License_comm@cityofhaverhill.com

The Haverhill License Commission held a **Meeting on Thursday July 12 2018 at 6:00 p.m.**
Room 202, City Hall.

*Attendees: Chairman Edwards Commissioner Sewel and Commissioner Coco
Clerk Laura Angus*

Items 10 and 9A were taken out of order at the beginning of the meeting. Chairman Edwards recused himself from discussion and voting on both items due to conflict of interest. Item 13 was also taken out of order, as it was originally scheduled for the June meeting. Items 6B, 7, 9B and 9D were taken together out of order as they were all related items.

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF THE MINUTES:

A. APPROVAL OF MINUTES OF JUNE 5 2018

B. APPROVAL OF MINUTES OF JUNE 7 2018

Items 2A and 2B were taken together. Motion to approve the minutes of June 5th and June 7th made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

C. APPROVAL OF MINUTES OF JUNE 18 2018

Motion to approve the minutes as presented made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote two yeas, one abstain, motion passed.

3. CONTINUED BUSINESS

NO SCHEDULE

4. MISCELLANEOUS APPLICATIONS/REQUESTS

NO SCHEDULE

5. ONE DAY APPLICATIONS

A. JOSEPH LeBLANC

TEAM HAVERHILL

PO Box 5034

APPLICATION FOR ONE DAY WINE AND MALT ONLY LICENSE FOR RIVER RUCKUS AT RIVERFRONT PARK WASHINGTON STREET HISTORIC DISTRICT ON SEPTEMBER 22 2018 FROM 12:00 NOON TO 9:00 PM

Kevin Burke, President of Team Haverhill appeared on this motion, as Joseph LeBlanc was out of the country. Commissioner Coco requested that the activities not obstruct the view of the river from the Tap. Mr. Burke explained that the food vendors will be under the deck and other vendors with umbrellas will be below the site line with a separate area for the beer. Commissioner Sewell inquired about police detail. They will be meeting with Officer Malone and Captain Wrenn. Captain Pistone of the Haverhill Police Department indicated that there were no problems with the police. If the applicant does not cooperate, he will notify the Commission. Motion to approve the application, pending review of the detail officer with the Haverhill Police Department made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

B. PATRICIA NOLLET

180 SUMMER STREET UNIT 104 MALDEN MA 02148

APPLICATION FOR ONE DAY ALL ALCOHOL LICENSE FOR WEDDING RECEPTION AT WINNEKENNI CASTLE ON OCTOBER 6 2018 FROM 12:30 PM UNTIL 8:30 PM

Patricia Nollet appeared on this application. The Commission had no questions for the applicant. Motion to approve the application made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

C. TIFFANY PARSONS

340 SCHOOL STREET, #1, STOUGHTON, MA 02072

APPLICATION FOR ONE DAY ALL ALCOHOL LICENSE FOR WEDDING RECEPTION AT WINNEKENNI CASTLE ON SEPTEMBER 1 2018 FROM 5:00 PM UNTIL 10:00 PM

Tiffany Parsons appeared on this application. Commissioner Coco inquired about how they found the Castle. Motion to approve the application made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

D. KRISTINA LEEMAN AND JUSTIN HOLLOWAY

10 H FOREST ACRES DRIVE

APPLICATION FOR ONE DAY ALL ALCOHOL LICENSE FOR WEDDING RECEPTION AT WINNEKENNI CASTLE ON SEPTEMBER 15 2018 FROM 5:00 PM UNTIL 11:00 PM

Kristina Leeman appeared on this application. Commissioner Sewell inquired who would be serving the alcohol. Butlers and Bars will be doing the serving. Motion to approve the application made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

E. DOUGAN SHERWOOD FOR THE GREATER HAVERHILL CHAMBER OF COMMERCE

8 ALBION LANE, WEST NEWBURY MA 01985

APPLICATION FOR ONE DAY WINE AND MALT ONLY LICENSE FOR SALSA NIGHT AT HARBOR PLACE PLAZA, 2-44 MERRIMACK STREET ON JULY 14 2018 FROM 6:00 PM TO 8:00 PM

Agenda items 5E, 5F, 5G and 5H were taken together. Melissa Seavey and Jennifer Arndt appeared on these applications. The Commission had a few questions for the applicants about the events. The applicants explained that there was a last minute change in the bartending service and appropriate insurance and TIPS certification was presented to the Clerk. Motion to approve the applications made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

- F. DOUGAN SHERWOOD FOR THE GREATER HAVERHILL CHAMBER OF COMMERCE**
8 ALBION LANE, WEST NEWBURY MA 01985
APPLICATION FOR ONE DAY ALL ALCOHOL LICENSE FOR DOO WOP NIGHT AT HARBOR PLACE PLAZA, 2-44 MERRIMACK STREET ON JULY 21 2018 FROM 6:00 PM TO 8:00 PM

Taken with agenda items 5E, 5G and 5H.

- G. DOUGAN SHERWOOD FOR THE GREATER HAVERHILL CHAMBER OF COMMERCE**
8 ALBION LANE, WEST NEWBURY MA 01985
APPLICATION FOR ONE DAY ALL ALCOHOL LICENSE FOR CARIBBEAN NIGHT AT HARBOR PLACE PLAZA, 2-44 MERRIMACK STREET ON AUGUST 4 2018 FROM 6:00 PM TO 8:00 PM

Taken with agenda items 5E, 5F and 5H.

- H. DOUGAN SHERWOOD FOR THE GREATER HAVERHILL CHAMBER OF COMMERCE**
8 ALBION LANE, WEST NEWBURY MA 01985
APPLICATION FOR ONE DAY ALL ALCOHOL LICENSE FOR COUNTRY NIGHT AT HARBOR PLACE PLAZA, 2-44 MERRIMACK STREET ON AUGUST 25 2018 FROM 6:00 PM TO 8:00 PM

Taken with agenda items 5E, 5F and 5G.

6. ENTERTAINMENT APPLICATIONS

- A. ROBERT GREATOREX, MANAGER**
TWO DAD'S PIZZA, INC., D/B/A ROMANO'S PIZZA
620 PRIMROSE STREET
APPLICATION FOR NEW ENTERTAINMENT LICENSE FOR RADIO AND TELEVISION

No one appeared on this application. This application is a result of the renewal process. Motion to approve the application made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

- B. BERNARD GOULET, MANAGER**
MOONSHINERS LOUNGE LLC, D/B/A MOONSHINERS
30 EMERSON STREET
WITHDRAWAL OF APPLICATION FOR NEW ENTERTAINMENT LICENSE

Motion to accept the withdrawal of the application made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

- C. KATHERINE DAVILA, MANAGER**
VILLA MAR CARIBBEAN RESTAURANT CORP., D/B/A VILLA MAR CARIBBEAN RESTAURANT
36 PLAISTOW ROAD
APPLICATION FOR AMENDMENT OF ENTERTAINMENT LICENSE TO ADD KARAOKE TO THE EXISTING LICENSE FOR TELEVISION AND RADIO

No one appeared on this application. Motion to remove the application from the agenda made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

7. COMMON VICTUALLER APPLICATIONS

BERNARD GOULET, MANAGER

MOONSHINERS LOUNGE LLC, D/B/A MOONSHINERS
30 EMERSON STREET

WITHDRAWAL OF APPLICATION FOR NEW COMMON VICTUALLER LICENSE

Motion to approve the withdrawal of the application made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

8. OUTDOOR DINING APPLICATIONS

NO SCHEDULE

9. ALCOHOL/ABCC APPLICATIONS

A. JINDAL PATEL, MANAGER

P.A.A. CORPORATION, D/B/A RED HEN MARKET
56 RIVER STREET

**APPLICATION FOR TRANSFER OF SECTION 15 WINES AND MALT ONLY LICENSE – PENDING
DISCONTINUANCE OF BUSINESS CERTIFICATE BY HAKIM SABRI, D/B/A RED HEN MARKET AND
ISSUANCE OF BUSINESS CERTIFICATE TO P.A. A. CORPORATION, D/B/A RED HEN MARKET**

Attorney John Mooradian, Sanjay Patel and Jindal Patel appeared on this application. Attorney Mooradian stated that Sanjay Patel has experience; the establishment will have an ID scanner. Jindal Patel is TIPS certified. Questions from the Commission regarding experience and time spent on the premises. Mr. Patel owns two other stores, but listed three other stores. Mrs. Patel will be there full time – forty hours per week. Mr. Patel will be there 15-20 hours per week. Motion to approve the application, pending Discontinuance of Business Certificate by Hakim Sabri, d/b/a Red Hen Market and Issuance of Business Certificate to P.A. A. Corporation, d/b/a Red Hen Market made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote two yeas, one abstain, motion passed.

B. BERNARD GOULET, MANAGER

MOONSHINERS LOUNGE LLC, D/B/A MOONSHINERS
30 EMERSON STREET

WITHDRAWAL OF APPLICATION FOR NEW SECTION 12 ALL ALCOHOL LICENSE

Motion to approve the withdrawal of the application made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

C. KEITH M SCHULTZ, PROPOSED MANAGER

HAVERHILL GOLF & COUNTRY CLUB, INC., D/B/A HAVERHILL COUNTRY CLUB
58 BRICKETT LANE

APPLICATION FOR NEW OFFICERS AND DIRECTORS AND CHANGE OF MANAGER

No one appeared on this application. Motion to postpone the application to a future meeting when the applicant is present by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

D. BERNARD JEAN GOULET, PROPOSED MANAGER

MOONSHINERS LOUNGE LLC, D/B/A MOONSHINERS LOUNGE
101-103 WASHINGTON STREET

APPLICATION FOR TRANSFER OF SECTION 12 ALL ALCOHOL GENERAL ON PREMISES LICENSE AND ALTERATION OF PREMISES – PENDING RECEIPT OF EVIDENCE OF NOTICE TO ABUTTERS, 304 CERTIFICATE OF INSPECTION, LIQUOR LIABILITY INSURANCE, SAFE SERVICE OF ALCOHOL CERTIFICATES FOR ALL SERVERS OF ALCOHOL AND LICENSE FEE

Attorney Tim Connors and Bernard Goulet appeared on this application. Mr. Goulet indicated that while working on the location on Emerson Street he began talking to Joseph DiFraia, the owner of the Chit Chat and found he wanted to sell the Chit Chat. Attorney Connors indicated that Mr. Goulet has approximately 15 years of experience in the business. Chairman Edwards inquired about the apartments being constructed above the premises. They are putting additional sound proofing and an additional drop ceiling to help with sound issues. They also make sure potential tenants know that they are moving above a club. Commissioner Coco had additional questions about the construction which were answered by Mr. DiFraia. Mr. DiFraia indicated that he also owns the building next door and has not had any noise complaints from that building. Commissioner Sewell inquired about the second floor. It is being eliminated from the new license and will be more apartments. Motion to approve the application made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

E. BRADLEY PETER ANDREWS, PROPOSED MANAGER

BRES INC., D/B/A THE LASTING ROOM
122 WASHINGTON STREET

APPLICATION FOR NEW OFFICER AND DIRECTOR, TRANSFER OF STOCK AND CHANGE OF MANAGER – PENDING RECEIPT OF CERTIFICATE OF GOOD STANDING FROM THE DOR

Bradley Andrews appeared on this application. He is planning on keeping things the same but adding more TVs, bringing back pub food and adding more to the menu. He would like to make it more of a sports bar. Chairman Edwards inquired if Haverhill Police had any comments – none at this time. He also inquired about Mr. Andrews's experience. Chairman Edwards suggested that he make sure to check patrons IDs, look into a swipe machine and no overserving. If anything happens on the premises to call the police. Motion to approve the application pending receipt of the Certificate of Good standing from the DOR made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

10. MOTOR VEHICLE APPLICATIONS

NANCY LECLERC, MANAGER

NANCY LECLERC, D/B/A J & L WHOLESALERS
60 SAINT BOTOLPH STREET

APPLICATION FOR TRANSFER OF CLASS II AUCTION ONLY LICENSE – PENDING RECEIPT OF \$25,000.00 BOND AND SURRENDER OF LICENSE BY CAROLYN EDWARDS, D/B/A CAROLYN'S AUTO AUCTIONS

Nancy Leclerc appeared on this application. She would like to start a little business trading cars at the auction and buying cars from other dealers, fixing them up and selling them. Commissioner Coco inquired if Mrs. Leclerc had any experience. She does not but has a friend in the business. Her husband is also losing his job so he will be able to help her. Motion to approve the application Pending receipt of \$25,000.00 bond and surrender of license by Carolyn Edwards, d/b/a Carolyn's Auto Auctions made by Commissioner Coco,

seconded by Commissioner Sewell. No public comment on this matter. Vote two yeas, one abstain, motion passed.

11. CARRY IN LICENSE APPLICATIONS

NO SCHEDULE

12. ITEM FOR DISCUSSION

NO SCHEDULE

13. SHOW CAUSE HEARINGS

RUSSEL LITTLEFIELD, MANAGER

RUSS-LYNN INC., D/B/A R.G.'S PUB

242 1/2 WINTER STREET

ALLEGED VIOLATION: SHOW CAUSE HEARING: ALLEGED VIOLATION OF 204 CMR 2.05(2)

PERMITTING AN ILLEGALITY ON THE LICENSED PREMISES, TO WIT: (2) NO LICENSEE FOR THE SALE OF ALCOHOLIC BEVERAGES SHALL PERMIT ANY DISORDER, DISTURBANCE OR ILLEGALITY OF ANY KIND TO THE PLACE IN OR ON THE LICENSED PREMISES. THE LICENSEE SHALL BE RESPONSIBLE THEREFOR, WHETHER PRESENT OR NOT. --OVERSERVING AND/OR SERVING INTOXICATED CUSTOMERS ON OR ABOUT MAY 13 2018 AT APPROXIMATELY 17:02

Attorney Michael Migliori and Russell Littlefield appeared on this matter. Captain Robert Pistone of the Haverhill Police Department summarized the report for the Commission. The Victim was hit by another patron while playing pool. The establishment called police and ambulance and cooperated with the police in apprehending the defendant. Mr. Migliori stated that Mr. Littlefield and several other witnesses were available to testify. Attorney Migliori summarized the events of the evening. When the bartender served the patron who was responsible for the assault, he did not appear intoxicated. He went into the bathroom and ingested some narcotics. On his way back he smashed a glass in the face of the victim. Patrons and staff of the establishment attended the victim and got the license plate number of the truck the assailant left in. Once apprehended, there was a dangerousness hearing where the assailant pled guilty and asked to be placed into a program. There were questions from the Commission to Mr. Littlefield about whether he was present that night and if he trains his staff. Chairman Edwards asked if there was any recommendation from the Haverhill Police Department. Captain Pistone indicated that he felt the question was whether the establishment over served the assailant. The bartender on duty that night, Linda Eason, was also questioned about whether the bar was busy that night and whether she considers if a patron may be intoxicated at the time she serves them. She stated both the assailant and the person he was with appeared to be sober. They both went into the bathroom together. She also noticed that the assailant was not a regular at the bar. She did not notice any change in behavior when they came out. They were not at the bar long – approximately 7 minutes – when this incident took place. Chairman Edwards indicated that Mr. Littlefield have more contact with his employees regarding over serving. Motion to take no action made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

14. COMMUNICATIONS

NO SCHEDULE

15. PUBLIC PARTICIPATION

16. **OTHER BUSINESS**

Chairman Edwards would like to see all managers of alcoholic beverages licenses submit a monthly report of the amount of time they spend on the premises beginning the 1st of September. Commissioner Coco made a motion that the recommendation of the Chairman that reports of managers be implemented concurrent with the implementation of the Commission codification, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

Chairman Edwards would also like to see a monthly safety meeting of all establishments. Captain Pistone suggested that this be incorporated into the mandatory renewal meeting.

MEETING ADJOURNED AT 7:18 PM

ATTEST: LAURA D ANGUS
LAURA D ANGUS, CLERK