



BOARD OF LICENSE COMMISSIONERS

City Hall, 718 Main Street

Fitchburg MA 01420

(978) 829-1820

Daniel Sarefield, Chairman

Donna Pawlak

Glenn Fossa

MINUTES OF MEETING

The regular meeting of the Board of License Commissioners was held on January 7, 2019 in the Fitchburg Fire Department Conference Room, 33 North St., Fitchburg, and called to order by Commissioner Sarefield at 6:05 P.M. Commissioners Pawlak and Fossa were present. FPD liaison Sargent Maki was present.

I. REVIEW AND ACCEPTANCE OF MINUTES FROM PREVIOUS MEETING

Minutes of the December 3, 2018 and December 17, 2018 were reviewed, approved and signed.

II. SUMMONS HEARING

Steven Stevens, City Cab driver, regarding FPD Police Report #18-46736.

Mr. Stevens, Ms. Bramante and Officer Huse were present. Commissioner Fossa recused himself from the hearing. Officer Huse provided a summary of the incident and subsequent citations. Mr. Stevens was asked if the Officer's report is accurate. Mr. Stevens said he didn't dispute the incident. He said that he wasn't aware that his license had been suspended but it was a result of a ticket for seat belt violation that he received in March of 2018 that he hadn't paid. He said that he had moved and had simply forgot to pay the ticket. He stated that he took care of paying the outstanding ticket and reinstated his license 2 days later. Commissioner Sarefield asked if he was back to driving a taxi which Mr. Stevens replied yes. Commissioner Sarefield asked Ms. Bramante if he reported the incident to City Cab Co. She said that she was aware of the incident and Mr. Stevens did not operate a taxi until his license was reinstated. Mr. Stevens was asked how long he had been driving a taxi in Fitchburg to which he replied 3 years and mentioned he drove in Boston years ago. Commissioner Pawlak mentioned that when he originally came before the Commission for approval, they had concerns with his past driving history and approved him with a probation period which he successfully completed but that this new incident is concerning. She said she would be willing to take no action on this because he did take care of the ticket and reinstating his license but that if he had any future infractions he will not be approved going forward. Commissioner Sarefield expressed concern about his overall driving history and the importance of him maintaining a clean record. He also stressed the requirement to notify his employer of any incidents.

No action taken.

III. CONTINUED MATTERS

BYOB Regulations (continued from April 2016)

Noted for the record: Samantha Squailia recorded video and audio.

Commissioner Sarefield began by thanking the public in attendance for coming to the meeting and explained that the Commission was not planning on taking any action on this item because they were still waiting on information from the City Solicitor regarding the potential liability if the City fails to impose regulations and the insurance requirements BYOB establishments may be required to maintain. He said at this time, there was not a new draft of the proposal to discuss, but that the Commission has heard from the public and appreciates their feedback. Commissioner Pawlak also acknowledged the feedback they have received and the Commission recognizes that the community is not in support of these regulations. Commissioner Fossa added that the Commission is not looking to impact local businesses in any way, but that it was important for the City to know who is operating BYOB establishments so that the FPD and emergency services would be aware of these locations to ensure the safety of the public.

Speaking on the Matter:

- 1. FPD Chief Martineau expressed that he has no objection to BYOB but desires to create a registration database for establishments practicing BYOB so his department is aware of the locations of such businesses. He said aside from that the regulations imposed would be up to the License Commission.*
- 2. Glen Daoust of 89 Stickney Road, Fitchburg asked about the fee charged for establishments to register as a BYOB establishment. Commissioner Sarefield explained that the fee imposed would be an administrative fee only to account for the time and materials to process and maintain a directory of BYOB establishments and was in no way a means to make a profit for the City.*
- 3. Stacey Sparrows of 83 Alice Ave, Fitchburg expressed concern with the current draft of the proposal being only available to sit-down dining facilities and the impact that this would have on her business since she doesn't serve food. She was also concerned with the requirement to have a specific level of liability insurance and thought that this should be decided between the business owner and their insurance company. She mentioned that she had been in touch with her insurance company and they have been aware since the beginning that her business was operating as a BYOB establishment. Commissioner Pawlak expressed she was not in support of the food requirement.*
- 4. Gary Therrien of 532 Fairmount Street, Fitchburg mentioned that he had contacted his insurance company and the insurance policy they suggested was reasonable. Commissioner Fossa asked if he would be willing to disclose the amount he was quoted. Mr. Therrien said that it was somewhere in the range of \$250.*
- 5. Kelly Johnson of 205 Barthel Avenue, Gardner also expressed concern with the potential impact the cost of an insurance policy would be on businesses especially since they are not making a profit on the liquor as do licensed establishments.*

Continued to February 20, 2019. 3/0

IV. MISCELLANEOUS

- 1. Communication: From MA State Lottery Commission: Mill City Pub, 19 Airport Road
Re: Keno License
The Board recorded no objection to this notification. 3/0*

The meeting adjourned at 6:55 PM.

Respectfully submitted,

Amanda K. Alford, Asst. Clerk

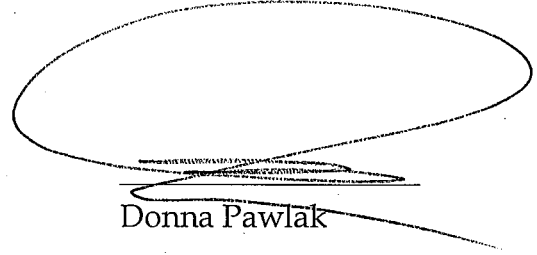
Approved:



Daniel Sarefield



Glenn Fossa



Donna Pawlak