



BOARD OF LICENSE COMMISSIONERS

City Hall, 718 Main Street
Fitchburg MA 01420

(978) 829-1820-4 AM 8:38

Daniel Sarefield, Chairman
Richard Boscardin

MINUTES OF MEETING

A meeting of the Board of License Commissioners was held on May 4, 2020 over the Zoom meeting platform, and called to order by Commissioner Sarefield at 6:00 P.M. Commissioner Boscardin was also present. FPD Liaison Lieutenant Howe was present.

I. REVIEW AND ACCEPTANCE OF MINUTES FROM PREVIOUS MEETING

Minutes from the previous meeting of April 4, 2020 were held until a meeting in person may take place.

II. CORRESPONDENCE

Email from Lieutenant Jeffrey Howe regarding Majors Café

Lieutenant Howe described the incident of Thursday, April 23rd as having been called in by a neighbor who heard activity in the establishment. Officers went to check the location and the door was locked. There was cardboard in the windows so they could not see in. They noted that the lights were on and there was music being played. When Officer Minichiello knocked on the door, the lights and music were turned off. He noted that the back door had been opened and went around the back of the establishment. This was also locked. There was a window in the back and the Officer could observe beer bottles on the bar as well as pool sticks against the bar, as if a game were being played, and coats on the back of chairs.

As access could not be gained, Sergeant Leger responded on scene and attempted to contact the owner, Ellen Reffitt. Dispatch called multiple times, and Ms. Reffitt finally answered on the third time. Sergeant Leger saw that Ms. Reffitt come to open the door. Upon entering, there were multiple people found hiding in a closet. When asked why the door was not opened, Ms. Reffitt stated that she was scared to do so. She said that they were in the location to make repairs. Officer Minichiello noted that while there was a paint can and brushes, they did not appear to be opened and there was no odor of fresh paint. Upon taking identification from those present, one person in the group was noted to be 20 years of age. They were asked to disburse, and as they left they took pool sticks and darts with them. There was evidence of a pool game having been played.

Ms. Reffitt stated that the beer had been brought in from the outside.

Commissioner Sarefield noted that this incident appeared to be not only in violation of the Orders given by the ABCC and the Governor, but also in violation of local regulations, as follows:

6.6 The main entrance to the licensed premises must remain unlocked until all patrons have left the premises at closing time. Clubs are exempt from this regulation. All licensed establishments must allow immediate access to License Board members, Police and all agents of the License Board while patrons or

employees are on the premise. Employees and management must cooperate while the police investigate disturbance calls. All doors to establishments must remain closed during normal business hours.

6.8 Licensees and their employees may remain upon the premises after closing for the purpose of cleaning, making emergency repairs, providing security for such premises, preparing food for the next day's business or closing the business in an orderly manner. No alcoholic beverages are to be served or consumed after closing hours

6.16 No advertising matter, screen, curtain or other obstruction which in the opinion of the board prevents a clear view of the interior of the premises shall be maintained in or on any window or door thereof after the board has ordered the removal of such obstruction. No booths, stalls or enclosures of any description are permitted which prevents the persons therein from being plainly observed by other persons on the premises.

All shades, curtains, blinds etc are not permitted to remain completely closed preventing a clear view of the interior of the premises at all hours when the premise is either open or closed for business.

(Added February 19, 2014)

Commissioner Boscardin recommended that a Summons Hearing be scheduled for the next License Commission meeting of May 18, 2020. Lieutenant Howe noted that it might be helpful to include the three Officers that had been present at the incident of April 23rd.

Roll call vote to notify Majors Café of a Summons Hearing on May 18, 2020 was unanimously approved 2/0.

It is noted for the minutes that Ms. Reffitt was in attendance at the Zoom meeting.

1. ABCC Actions – placed on file in the City Clerk's Office

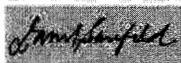
III. NEW BUSINESS - None

The meeting adjourned at 6:14 P.M.

Respectfully submitted,

Mary de Alderete, City Clerk

Approved:



Daniel Sarefield, Chair



Richard Boscardin