

BOARD OF LICENSE COMMISSIONERS

City Clerk's Office, 166 Boulder Drive

Fitchburg MA 01420

(978) 829-1820

Daniel Sarefield, Chair

Glenn Fossa

Richard Boscardin

MINUTES OF MEETING

The regular meeting of the Board of License Commissioners was held on October 7, 2019 in the Fitchburg Fire Department Community Room, 33 North St., Fitchburg, and called to order by Commissioner Sarefield at 6:00PM. Commissioners Fossa and Boscardin were present. FPD liaison Lt. Howe was present.

AGENDA ITEMS:*

I. REVIEW AND APPROVAL OF MINUTES OF PRIOR MEETING(S)

Minutes of the last meeting were reviewed, approved and signed.

II. APPLICATIONS

Solicitor:

Joseph Vyner – Power Home Remodeling

Applicant present. Approved 3/0

Thomas Gomperts – Power Home Remodeling

Applicant present. Approved 3/0

Tyler Willette – Power Home Remodeling

Applicant present. Approved 3/0

Taxi Driver:

Paige Lussier – City Cab

Commissioner Fossa recused himself and left the room.

Applicant present. Approved 2/0

Special One Day License to sell/serve alcohol:

Compass Group NA – dba Chartwells Dining Services for Special One Day Wine and Malt beverages license for Realtor Meet & Greet, hosted by the Dept. of Community Development, from 4PM to 7PM on October 24, 2019 for 30 guests in room 204 of the Idea Lab at 717 Main Street (Theatre Block building)

Commissioner Sarefield recused himself and left the room.

Jeff McVoy was present on behalf of the application. Approved 2/0

Joe Flanagan, for Special One Day Wine and Malt beverages license for 50th Reunion (Class of 1969) from 3PM – 7PM on October 25, 2019 for 30 people in room S08/Archives at the Hammond Campus Center, 160 Pearl St.

Commissioner Sarefield recused himself and left the room.

Joe Flanagan was present on behalf of the application. Approved 2/0

Fitchburg Lions Club for Special One Day All Alcoholic beverages license for a Wedding from 5:30PM – 11:30PM on October 12, 2019 for 150 people in O'Neill Hall at 14 Wallace Ave.

Stephen Schaff was present. Approved 3/0

Fitchburg Lions Club for Special One Day All Alcoholic beverages license for a Wedding from 4PM – 10PM on October 19, 2019 for 120 people in O'Neill Hall at 14 Wallace Ave.

Stephen Schaff was present. Approved 3/0

Change of Manager:

Tryst Lounge, Inc. from Vilma Darcangelo to Samuel Nieves

Heather Silvera and Samuel Nieves were present.

Application approved 3/0

Lenny's Inc., dba Paddock Lounge from Brenda Desjardins to Kevin Brogna

Joey Brogna and Kevin Brogna were present.

Application approved 3/0

2020 Entertainment Permit:

Fitchburg Art Museum, 185 Elm St.: Monday through Saturday live acoustic music, live amplified music, DJ, dancing

Approved 3/0

III. HEARING

BW Leominster, LLC dba Buffalo Wild Wings Grill and Bar, 150 Whalon St. for Change of Ownership Interest.

Mr. Pat Lennox was present. Chairman Sarefield asked if any member of the public wished to speak in favor of or in opposition to the application – no one spoke. Application approved 3/0

970 South, Inc. dba Partner's Pub, 970 South St., Walter Kirby Manager for Transfer of Annual, Restaurant, All Alcoholic Beverages license to South Fitchburg Beverage, Inc. dba Partner's Pub, 970 South St., Jonathan Dickhaut Manager.

Commissioner Fossa recused himself and left the room.

Mr. Jonathan Dickhaut and his attorney was present. Chairman Sarefield asked if any member of the public wished to speak in favor of or in opposition to the application – no one spoke.

Application approved 2/0

AND RELATED APPLICATIONS:

Late Closing Permit:

Partner's Pub (new owner), 970 South St. for 2AM Late Closing Sunday through Saturday.

Approved 2/0

Automatic Amusement Device:

Partner's Pub (new owner), 970 South St. for One (1) Video, One (1) Juke Box, Two (2) poll tables (A-Z Vending)

Approved 2/0

Entertainment Monday through Saturday:

Partner's Pub (new owner), 970 South St. Live acoustic music, live amplified music, karaoke

Approved 2/0

Entertainment – Sunday:

Partner's Pub (new owner), 970 South St. Karaoke.

Approved 2/0

IV. CONTINUED MATTERS

Discussion: Temporary taxi driver permit being granted by a taxi company during License Commission meeting summer hiatus or other time periods when License Commission does not meet.

Draft proposal (see attached) for temporary taxi driver permit was submitted by Commissioner Fossa. Other Commissioners were asked to review and bring comments back to the next meeting.

From there, the proposal and comments will be sent to the City Solicitor for review. Noted that the License Commission regulations will need to be amended if this proposal is approved.

Continued to October 21, 2019 3/0

V. **OTHER**

British American Club – need to receive Change of Manager application

Mr. Ron Cote was present. He communicated by cell phone with Attorney Andrew Couture, counsel for the British American Club, during the meeting and stated to the Commission that the Change of Manager application will be submitted for the next meeting.

“Extracto DeMalta” – alcohol content malt beverage for sale to all ages in variety store that does not hold a license to sell alcoholic beverages.

Matter was discussed. Commissioner Fossa and the Fitchburg Police Dept. will further investigate the claim that an alcoholic beverage is being sold at an unlicensed establishment, potentially in violation of local and state laws.

Continued to October 21, 2019 3/0

COMMUNICATIONS:

1. From Attorney Roy W. Pastor dated September 9, 2019: Notice of Appeal to the ABCC from Beemer’s Pub pertaining to the action of the License Commission – one day license suspension to be served on November 23, 2019.

Chairman to discuss with the City Solicitor.

Continued to October 21, 2019 3/0

2. From the ABCC dated September 19, 2019: Notice of Appeal Hearing on December 5, 2019 at the ABCC on the above noted one day license suspension.

Chairman to discuss with the City Solicitor.

Continued to October 21, 2019 3/0

3. From Attorney Roy W. Pastor dated September 19, 2019: Notice of Appeal to the ABCC from Beemer’s Pub pertaining to the action of the License Commission – three day license suspension to be served on November 20, 21 and 22, 2019.

Chairman to discuss with the City Solicitor.

Continued to October 21, 2019 3/0

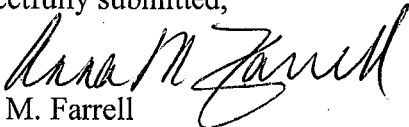
4. From Attorney Roy W. Pastor dated September 26, 2019: Notice of Appeal to the ABCC from Beemer’s Pub pertaining to the action of the License Commission – Revoke the 2AM Late Closing permit to midnight until December 31, 2019 effective immediately.

Chairman to discuss with the City Solicitor.

Continued to October 21, 2019 3/0

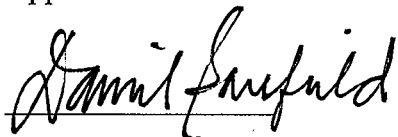
The meeting adjourned at 7:53 PM

Respectfully submitted,




Anna M. Farrell
City Clerk

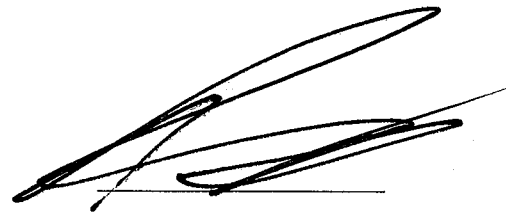
Approved:



Daniel Sarefield



Glenn Fossa



Richard Boscardin