



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 November 6, 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 and incoming City Clerk Mary de Alderete were 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:

Clyde Carmant for Inertia Resources, Inc.- requests licensure through December 2020 (energy broker)

Mr. Carmant was present. He explained the concept of the company being based on business to business solicitations and not focused on residential energy usage. He stated that his hours are typically from 9AM until 3-4PM therefore the local restriction on evening solicitation is not an issue for him. FPD has no issues and supports the application.

Approved through December 2020 3/0

Entertainment Permit

Slattery's Restaurant, 106 Lunenburg St. for live acoustic music on Tuesday March 17, 2020 – St. Patrick's Day.

FPD noted that this is an annual event that typically has additional security and staff – they have no issues with the event and support the application.

Approved 3/0

St. Anthony of Padua Church, 84 Salem St. for DJ on Saturday November 30, 2019 from 10AM – 6PM

Ms. Mercadante was present on behalf of the application. Application was amended to reflect the correct address of the event to 118 Theresa St (Madonna of the Holy Rosary Church). Lt. Howe noted that a Public Assembly Event application was already distributed to all departments therefore police and fire are aware of the correct address.

Approved 3/0

Special One Day license

St. Anthony of Padua Church, for Wine and Malt beverages at a Christmas Fair from 10AM – 6PM on Saturday November 30, 2019 to be held at 118 Theresa St. for 200 people in the right back corner of the hall.

Discussion as noted above re: entertainment permit for this event.

Approved 3/0

Fitchburg Lion's Club, 14 Wallace Ave. for All Alcoholic Beverages at a Wedding from 4PM – 10PM on November 9, 2019 for 75 people in O'Neill Hall.

Mr. Schaff was present. Approved 3/0

Amendments to existing licenses:

99 West, LLC dba 99 Restaurant and Pub, 275 Summer St. for Change of Officer and Change of Beneficial Interest

JP Seedhorf, Manager of the Fitchburg 99, was present. Application was accepted and referred to a public hearing to be held on December 2, 2019 3/0

III. 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. (Continued from September 16, 2019)

Commissioner Fossa stated that, since he spoke about the proposal with City Cab owner Marylis Bramante, he would also like to solicit comment from Twin City Kab owner Ken Bergeron. Once he does that, he will finalize the draft to be sent to the City Solicitor for review.

Continued to November 18, 2019 3/0

IV. CORRESPONDENCE

1. From the ABCC regarding 99 West, LLC (99 Restaurant)

Noted and placed on file with application that was received and processed on this agenda (see above).

2. Letter from Crazy Crab, 336 Summer St. requesting permission for BYOB.

Mr. Dave Rogers and Crazy Crab owner Xiaomin (Peggy) Lin were present. Mr. Rogers spoke on behalf of Ms. Lin explaining that she would like to allow BYOB at this new restaurant at the request of her clientele. Commissioner Fossa noted that other BYOB establishments in the City of Fitchburg do well because they police themselves by ensuring properly trained staff. He stated that there are no BYOB regulations in the City. Commissioner Sarefield suggested that Ms. Lin let her landlord know of her plans to allow alcohol on the premises, to check with her insurance company and to require TIPS training for her staff. Lt. Howe asked that Ms. Lin email him her information so that he can place it in the FPD computer system noting alcohol on the premises. He also stated that she can selectively tell patrons that they cannot consume alcohol on the premises and that if they become intoxicated she is obligated to notify the police. Commissioner Sarefield noted that advertising their BYOB policy is permitted.

No action taken.

3. Notice of Violation – Major's Café (video received)

Video reviewed on FFD equipment. After review, Lt. Howe stated that there does not appear to be any violation on the part of the licensee.

Motion to adopt and accept the report of the FPD that there was no violation and to take no further action passed by vote of 3/0

4. Communication from the City Solicitor requesting the Board review the interpretation of the terms and conditions of the Late Closing for Beemer's Pub. The City Solicitor states that the licensee wants to shut liquor down around 9PM in the evening and begin an underage club serving soda and pizza to college kids.

Commissioner Fossa stated that he has spoken with the City Solicitor and the Asst. City Solicitor regarding this matter and motioned that no action be taken until further formal communication is received from the licensee. The Clerk noted that no request has been received from the licensee to change the operating hours or business intent of the establishment. Lt. Howe stated that the Chief is concerned with an underage club combining 18+ with under 18 patrons. He noted further that since Beemer's has been closing at midnight there have been no problems.

No action taken by unanimous consent.

5. Communication from FPD liaison Lt. Howe regarding 10/13/19 arrest at Tryst Lounge and 10/26/19 disturbance at Major's Café.

The disturbance at Major's was addressed – see minutes above under item # 3 Notice of Violation. Lt. Howe briefly summarized the disturbance and arrest at Tryst: a patron was in the establishment for a short period of time, was harassing the wait staff and was asked to leave. A short time later the person came back and attempted to re-enter but was blocked by Tryst security. At that time Tryst called the police. There was a scuffle during which a Tryst employee had an earring ripped out. The person was placed under arrest. Lt. Howe stated that there does not appear to be any violation on the part of the licensee. Motion to adopt and accept the report of the FPD that there was no violation and to take no further action passed by vote of 3/0

V. MISCELLANEOUS

1. 2020 meeting schedule proposed

Proposed schedule was reviewed. Commissioners Sarefield and Fossa stated they will not be able to meet on June 15, 2020 therefore that meeting date was removed from the schedule. The Clerk will send the dates to the Fire Dept clerk to check availability of the community room. Once confirmed, the dates will be placed on the agenda for formal acceptance.

VI. NEW BUSINESS

Lt. Howe reported that Mr. Peter Cote from Beemer's came to the police station on 10/31/19 to report that there was blood all over the upstairs men's bathroom and it looked like a massacre. He stated that the police responded to investigate but when they arrived Mr. Cote stated that he had cleaned it all up. He stated that he requested the video surveillance of the establishment for that night but has not received it. Lt. Howe stated that he will send an email to the Clerk describing the incident so that it may be placed on the next agenda for discussion.

The meeting adjourned at 7:52 PM

Respectfully submitted,



Anna M. Farrell
City Clerk

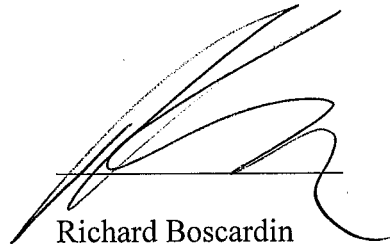
Approved:



Daniel Sarefield



Glenn Fossa



Richard Boscardin