



CITY OF TAUNTON

LICENSE COMMISSION MEETING

MINUTES OF THE MEETING

August 20, 2014

7:00 p.m.

PRESENT:

Chairman Peter Lamb  
Commissioner Brendan Mullen  
Commissioner Bruce Thomas

For the Police Department:

Detective Lt. Daniel McCabe  
Detective Dennis Smith  
Chief Edward Walsh

Meeting was called to order at 7:05 p.m. by Chairman Lamb.

1. **Minutes of the meetings from July 16, 2014.** Motion made by Commissioner Mullen to accept the minutes. Motion was seconded by Commissioner Thomas. Motion passed unanimously.
2. **Frates Drive-In – Application for a Common Victualler License.** Appearing before the Board was Girgorios Klisiaris. Mr. Klisiaris stated that he was purchasing the premises; it was his intent to keep the business the same. Det. Lt. McCabe asked when the proposed closing date was. Mr. Klisiaris stated the closing was scheduled for September 13, 2014. Chairman Lamb stated that the Board could approve the license but hold it until the closing. Mr. Klisiaris stated that all the applications had been filed and he would bring the certificates to the office after the closing. Commissioner Mullen made a motion to approve the application for the common victualler license contingent upon the closing of the business. Commissioner Thomas seconded the motion. Motion passed unanimously.

3. **Coyle and Cassidy High School – Application for a Common Victualler License.** Appearing before the Board was Lou Borges, President of the CC Athletic Association. Mr. Borges stated that a pull food cart had been donated to the Athletic Association. Chairman Lamb asked when would the Association operate the food cart and Mr. Borges informed him during football season. Chairman Lamb asked if they had plans to take this to any other schools or locations and Mr. Borges said no. Detective Lt. McCabe stated that they may need a temporary or fixed vendor’s license, which would require a petition to the council, and advised Mr. Borges to contact the City Clerk’s office. Commissioner Thomas made a motion to approve the common victualler license for Coyle and Cassidy High School. Commissioner Mullen seconded the motion. Motion passed unanimously.
4. **J. Lopez Enterprises, Inc. – Application for an Entertainment License.** Appearing before the Board was David Lopez, owner of J. Lopez Enterprises. Mr. Lopez stated that the premises had recently been approved by the Municipal Council for a gentleman to play the guitar and sing. Chairman Lamb asked if they were going to have entertainment every night and was told “maybe once or twice a week”. Detective Lt. McCabe questioned regarding the part of the application which refers to floor show. Detective Lt. McCabe felt that the applicant meant that the floor plan is attached. Mr. Lopez was asked if the licensee for this license would be the same and he replied that it was. Commissioner Mullen made a motion to approve with the conditions of the floor show/orchestra being checked off and the name of the applicant matching the liquor license holder. Commissioner Thomas seconded the motion. Motion passed unanimously.
5. **Boys and Girls Club of Taunton – Application for a Special Alcohol Permit.** Chairman Lamb recused himself as he is a member of the Board of Directors for the Boys and Girls Club of Taunton. Commissioner Mullen asked if there was anyone here from the Boys and Girls Club. Peter Lamb responded that he was the only one. Mr. Lamb went on to explain the event, which was the same as the one held last year. Quality Beverages would be handling the alcohol, wristbands and were TIPS certified. The Club was planning on serving just beer and wine. Commissioner Mullen made a motion to approve the special permit for the Boys & Girls Club. Commissioner Thomas seconded the motion. Motion passed unanimously.
6. **Peter Hebert – Special Permit Application.** Appearing before the Board was Peter Hebert. Mr. Hebert stated that this was a fundraiser for the Animal Shelter. Chairman Lamb stated that Mr. Hebert was the named applicant and Mr. Hebert responded “Yes”. Chairman Lamb asked if he had his own account with vendor as this was not BaHa Brothers Sandbar Grill event (BaHa Brothers is a section 12 license holder). This is a special permit for serving alcohol outside of your regular alcohol license. Chairman Lamb asked what would be served. Food, beer and wine. Chairman Lamb asked for clarification as to what is going to happen inside. Mr. Hebert stated that it would be a regular day. Chairman Lamb stated that the patrons could not go back and forth between the outside function and inside the premises. Mr. Hebert stated that he understood. Detective Lt. McCabe asked what measures

would be in place to control people from going in through the sides. Chairman Lamb asked how many people were expected to attend. Mr. Hebert stated maybe 300; it was hard to predict. Chairman Lamb asked if it would be a mixed crowd; all adults. Mr. Hebert stated that it was a family event. Detective Lt. McCabe stated that he had no issue with a detail for those hours. Commissioner Thomas asked how the sides would be petitioned off. Mr. Hebert stated using the police barricades. Commissioner Thomas asked if identification would be checked and Mr. Hebert replied that identification would be checked and they would use wristbands. Commissioner Mullen made a motion to approve the special alcohol permit for Peter Hebert as long as there is a change on the application to reference a beer and wine license. Commissioner Thomas seconded the motion. Motion passed unanimously.

7. **Downtown Taunton Foundation – Special Permit Application.** Appearing before the Board was Michael Wedge, President of the Downtown Taunton Foundation. Mr. Wedge explained that the event was Paint the Downtown, with music and local art to be held on September 13, 2014. The event would be held outside. Chairman Lamb asked if the Downtown Foundation was hiring a service to serve the alcohol and Mr. Wedge replied that they were. Chairman Lamb asked about wristbands and again Mr. Wedge replied in the affirmative. Mr. Wedge stated that they block off Trescott Street. Chairman Lamb asked if the Foundation was seeking an all alcohol license, and Mr. Wedge said yes. Commissioner Mullen made a motion to approve the special alcohol permit for the Downtown Taunton Foundation. Commissioner Thomas seconded the motion. Motion passed unanimously.
  
8. **Lone Inc. – Appearing before the Board is Lori Martin and Paul Veradt.** Chairman Lamb asked where Lone, Inc. stood with the Secretary of State and Department of Revenue. Mr. Veradt stated that he had gotten behind on the payments, but that everything is paid up. Detective Lt. McCabe stated that when they filed their application, they said that they were up to date and that they had a payment plan, etc. However, the day after the last meeting in July, using the information that Ms. Martin provided, the DOR online system reported “Our record indicate more than one hundred non-filed periods and/or liabilities exist under this FID/SSN. This exceeds the number that this system can handle. Please contact us and/or file a paper application.” Mr. Veradt stated that was not true. Chairman Lamb asked if Lone, Inc. was up to date with all of their meals tax, corporate tax filings, etc and Mr. Veradt said that they were. Detective Lt. McCabe asked if Mr. Veradt had any written confirmation to show that he was up to date, Mr. Veradt said he did at home. Chairman Lamb asked if he was making payments, but not the filings with the State. Mr. Veradt stated that they were and that it is all set now. Chairman Lamb stated that the Board needed proof that Lone, Inc. was up to date. Detective Lt. McCabe reminded the Board that the corporation is not a legitimate entity. The license was issued to the corporation and it shouldn’t have been. Chairman Lamb asked what the Secretary of State say about the corporation. Detective Lt. McCabe stated that the corporation had been dissolved. Both Lori Martin and Paul Veradt stated that was due to the unpaid overdue taxes. Detective Lt. McCabe stated that the corporation only exists because they owe money. Detective Lt. McCabe stated that the

corporation needs to be reinstated. Detective Lt. McCabe reviewed the Secretary of State records with Lori Martin and Paul Veradt. Commissioner Thomas states to Mr. Veradt that he doesn't want to pull their license, but he cannot keep letting this go on and on. He would be willing to continue the matter until September but they would need to appear with all of their records, their Certificate of Good Standing and reinstatement papers. Chairman Lamb asked if they were up to date on the City taxes. Mr. Veradt said he didn't know. Chairman Lamb asked who owned the real estate, Mr. Veradt said he did. Detective Lt. McCabe stated that there is a trust that owns the property with attorney P. Burke Fountain as the trustee. Commissioner Mullen stated that this has gone on long enough. By all rights, we should have revoked the license. He wants to see a Certificate of Good Standing and documentation that all the taxes are paid up to date. Chairman Lamb stated that a Certificate of Good Standing is the most important part. You should make every effort to get that done in the next few days. You should also go to the tax collector's office and get proof that you are up to date with the City. Commissioner Thomas made a motion to continue this matter until the September 17, 2014 meeting and have the parties appear with a Certificate of Good Standing and a tax status form from the Collectors office. Commissioner Mullen seconded the motion. Motion passed unanimously.

9. **Taunton Salsicharia to Prestige Gas – Transfer of License.** Appearing before the Board was David Gay on behalf of Prestige Gas and P. Burke Fountain representing the current license holder. Also appearing was Ronen Drory, owner of Prestige Gas. Chairman Lamb asked how the addition of an alcohol license would work at the premises. David Gay stated that they have removed the Honey Dew Donuts franchise which will give us more room for the coolers and the alcohol. Chairman Lamb asked if it would be just one person working the counter and was told, yes. Chairman Lamb expressed concern with one worker watching the gas pumps and the sale of the alcohol. Commissioner Thomas asked if they would be checking identification and if so, by what method. Mr. Drory stated that they already check for cigarettes. Commissioner Mullen asked if the employees had formal training and was told, "no, not yet". Chairman Lamb stated that the area is very congested and he is also concerned with the clerk watching the gas pumps and the alcohol, it is a nice building, well maintained but I am concerned about how you will control it. Mr. Drory stated that he had worked with the fire department, made some changes for visibility. He further stated that there are 36 cameras in the building. Once license is approved, we will have 4 of them on the alcohol. Chairman Lamb stated that parking is an issue. Attorney Gay stated that the applicant has more parking than you may realize. Attorney Gay shows on the diagram where the extra parking is. Chairman Lamb stated that another issue that has come up is people getting blocked in. Attorney Gay states that they get blocked in because they are not supposed to park there. Commissioner Thomas goes over the parking spaces and suggests that some of the spaces should be changed. Commissioner Mullen stated that yes, it should be changed and then you could get three more spots near the door. That would free up some space. Chairman Lamb asked how many coolers would there be. Mr. Drory stated that by taking out the Honey Dew, they could add 6 coolers. Converting the

building into an entire store. Commissioner Thomas asked if everything was going in the coolers and Mr. Drury said yes. Commissioner Thomas asked if wine would be near the front of the store, again Mr. Drury said yes. Commissioner Mullen asked how big was the Honey Dew space and was told that it was approximately 350 sq. ft. Chairman Lamb stated that he might want to restrict the alcohol to that area; he doesn't want to turn this into an all alcohol store. Chairman Lamb asked when the transaction is expected to close. Attorney Fountain stated when Boston approves it.

Chairman Lamb asked if anyone from the public wanted to comment. Mr. Vui Li, owner of Taunton Liquors, Inc. and one of the abutters responded. Mr. Li presented a petition in opposition to the liquor license transfer and explains that he is concerned with the proximity of this establishment to his business. Chairman Lamb asked if there was any other reason other than proximity and was told there was not. Chairman Lamb asked if Chief Walsh had any comments. Chief Walsh stated that yes, he spoke with Detective Lt. McCabe at length and we discussed the proximity of the two establishments and Detective Lt. McCabe did not see an issue. Commissioner Mullen questioned the signatures on the petition. Commissioner Mullen asked why aren't the people who are listed on the petition nearby to this location; most of these people are from Bay Street. Commissioner Mullen stated that he did not see this as a direct conflict. He did not feel this petition has a lot of weight because it is mostly from people on the other side of the city. Chairman Lamb stated that he would agree to that and that the fact that this applicant is limiting their selling space, it is more for public convenience. Chief Walsh asked if the Board wished to make the petition part of the record. Commissioner Thomas made a motion to make the petition part of the record. Commissioner Mullen seconded the motion. Motion passed unanimously. Chairman Lamb reviewed the agreement of the parking spaces and the suggested limited alcohol retail space. Chief Walsh questioned if the limited space was for display or storage. Chairman Lamb stated display. Commissioner Mullen made a motion to approve the license transfer from Taunton Salsicharia, Inc. to Prestige Carwash & Gas, Incorporated of Taunton, contingent upon the used cars being parked according to the site plan, certain spots be re-lined pursuant to the site plan and under the condition that the retail area for the sale of beer and wine be limited to 400 square feet within the existing 1,200 square foot building, and that this condition is made a permanent part of their license until such time as they decide to modify the location. Commissioner Thomas seconded the motion. Motion passed unanimously.

10. **Shuffle, Inc. to La Familia, Inc. – License to Transfer.** Appearing before the Board was Attorney Robert Fredericks, Maryanne Curley, and Ever Amaya. Attorney Fredericks gave some background information regarding the transfer and adds the credentials of Mr. Amaya. Attorney Fredericks stated that this would be a family business and they do not plan to make any changes to the physical layout. Chairman Lamb stated that if they did, they would need to come before the Board for approval. Commissioner Thomas recuses himself from the hearing as he is an abutter. Chairman Lamb made a motion to recuse Commissioner Thomas. Commissioner Mullen seconded the motion. Motion passed. Attorney Frederick

stated that a number of the staff will be remaining. Detective Lt. McCabe asked if there was pledge and the attorney replied that there was. Attorney Fredericks stated that the Promissory Note was not completed. Detective Lt. McCabe stated that it was a requirement of the pledge prior to submission to the ABCC. Attorney Fredericks stated that they could get it in forthwith. Chairman Lamb asked if there was any public input and there was no response. Commissioner Mullen made a motion to approve the transfer of the license from Shuffle, Inc. to La Familia, Inc. without the promissory note and the pledge. Chairman Lamb seconded the motion and it passed unanimously.

11. **Two Families, Inc. d/b/a Girlies – Police Incident Report 14014216.** Appearing before the Board were Rokey Hashem and a female employee. Detective Lt. McCabe gave a narrative of the police report. Chairman Lamb asked if Mr. Hashem stipulated to the facts in the police report and he did. Mr. Hashem gave a brief narrative about what happened. Chairman Lamb asked if he had TIPS training or STOP training for his employees. Mr. Hashem stated “not recently, I cannot remember”. Commissioner Thomas asked if there was a system in place for checking identification and was told there was not. Chief Walsh asked if he had a register prompt, again the answer was no. Commissioner Mullen asked how many employees he had. Mr. Hashem said three in addition to me and my wife. Commissioner Mullen asked if there had been any other issues. Detective McCabe stated not in the last two years, but there were issues in older compliance checks, around 2010. Chairman Lamb asked if there was any further information and was told no. Chairman Lamb said that it appeared that the licensee had some past experiences before the Board. He continued by explaining the Board, following a compliance check failure, has been requiring the license holder, a manager and staff to undergo training. Detective McCabe stated that STOP or TIPS are programs approved by the Board. Both agencies will come to the establishment. Chairman Lamb stated that the Board also issues a three day suspension, one day to serve, one day to be held in abeyance until the next meeting so that the educational aspect can take place and one day held in suspension for two years. Our next meeting is September 17<sup>th</sup>. Commissioner Mullen explained that Mr. Hashem will receive a written decision outlining the discipline. He also stated that the training has to be part of your business with new employees as well. Commissioner Mullen made a motion to issue a 3 day suspension, one day to be served on September 10, 2014, one day to be held in abeyance until September 17, 2014 to show proof of training; if the Board is not satisfied with the progress of the training, then the second day will be enforced at a date to be determined at that meeting and the third day will be held in abeyance for two years. If the Board is satisfied with the training, then that day will be held in abeyance and then two days to be suspended for 2 years pending no future violations. Commissioner Thomas seconded the motion. Motion passed unanimously.
12. **Albert F. Amaro d/b/a Avenue Wine and Spirits - Police Incident Report 14014216.** Appearing before the Board is Albert Amaro, owner of Avenue Wine and Spirits. Detective Lt. McCabe gave a narrative of the report. Mr. Amaro accepted the facts as presented by Detective Lt. McCabe. Mr. Amaro gave an explanation as

to what had happened. He has a strict policy with anyone under 50 to be carded and the clerk misread the identification. Mr. Amaro stated he has been in business for 10 years and this is his first violation. Chairman Lamb asked what else Mr. Amaro had in place for corrective measures, if there was any formal training and was told there was not. Chairman Lamb stated that the Board expected him to make this part of his business practice – this training. Mr. Amaro stated “absolutely”. Commissioner Mullen made a motion to issue a three day suspension, one day to be served on September 10, 2014, one day to be held in abeyance until September 17, 2014 to show proof of training; if the Board is not satisfied with the progress of the training, then the second day will be enforced at a date to be determined at that meeting and the third day will be held in abeyance for two years. If the Board is satisfied with the training, then that day will be held in abeyance and then two days to be suspended for 2 years pending no future violations. Commissioner Thomas seconded the motion. Motion passed unanimously.

13. **DRT, Inc., d/b/a Home Plate Compact Store – Police Incident Report 14014216.** Piyush Patel appears before the Board. Detective Lt. McCabe gave a narrative of the report. Mr. Patel stipulated to the facts. Stated that he checked the identification, but that he didn’t have his glasses on and he didn’t look close enough to the year. Chairman Lamb asked if there were any other procedures in place and was told no. Commissioner Thomas asked if there were any other systems in place, again the answer was no. Mr. Patel stated that he once had a scanning system, but had problems with the computer so he took it out. Commissioner Thomas stated that we would like to see either TIPS or STOP training. Chairman Lamb asked how many employees are there and was told only one. Chairman Lamb asked Mr. Patel if he understood what the Board was doing and Mr. Patel indicated that he did. Commissioner Mullen made a motion to issue a three day suspension, one day to be served on September 10, 2014, one day to be held in abeyance until September 17, 2014 to show proof of training; if the Board is not satisfied with the progress of the training, then the second day will be enforced at a date to be determined at that meeting and the third day will be held in abeyance for two years. If the Board is satisfied with the training, then that day will be held in abeyance and then two days to be suspended for 2 years pending no future violations. Commissioner Thomas seconded the motion. Motion passed unanimously.
14. **Taunton Boat Club, Inc. – Application for a Club License.** Appearing before the Board are Alan Medeiros, Albert Andrade and John Noberini. Attorney Medeiros gave some background regarding the Boat Club. Detective Lt. McCabe stated that there are no issues with the application. Commissioner Mullen made a motion to approve the application for the club license for the Taunton Boat Club, Inc. Commissioner Thomas seconded the motion. Motion passed unanimously.

The Board took a recess at 8:52 p.m. Chairman Lamb made a motion to come out of recess at 9:00 p.m. Chairman Lamb stated that there was a packet before the Board for the renewal process and asked if there were any changes from last year. Detective

Lt. McCabe stated that the biggest change was the date. Chief Walsh inquired as to what happened to the online process. Detective Lt. McCabe stated that the ABCC stated that it would be in place for retail establishments next year. The Board had a discussion of fees for the seasonal license. Detective Lt. McCabe stated that it would require need to have a public meeting with notice. Chairman Lamb asked that it be advertised and placed on the September meeting agenda.

Commissioner Thomas made a motion to adjourn at 9:16 p.m. Commissioner Mullen seconded the motion. Motion passed unanimously.



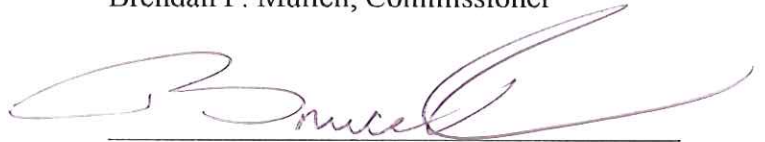
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Peter C. Lamb, Chairman



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Brendan P. Mullen, Commissioner



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Bruce M. Thomas, Commissioner