



CITY OF TAUNTON

LICENSE COMMISSION MEETING

MINUTES OF THE MEETING

October 15, 2014

7:00 p.m.

PRESENT:

Chairman Peter Lamb

Commissioner Brendan Mullen

Commissioner Bruce Thomas

For the Police Department:

Detective Lt. Dan McCabe

Detective Dennis Smith

Meeting was called to order at 7:01 p.m. by Chairman Lamb.

1. Minutes of the meetings from October 1, 2014. Motion made by Commissioner Mullen to accept the minutes. Motion was seconded by Commissioner Thomas. Motion passed unanimously.
2. Sunny and Dev – transfer of license. Appearing before the board is Attorney Mark Lawton and Anjnaben Patel. Chairman Lamb asked if this was a transfer without consideration. Attorney Lawton claimed that there was consideration That Ms. Patel was a family member and the consideration at this time is \$25,000. Chairman Lamb stated that the application could not go forward. Detective McCabe stated that the ABCC would not accept it without the paperwork, the money trail, etc. Attorney Lawton asked his client what the payment process was for the transfer. She could not answer. Detective Lt. McCabe stated that if Sunil Patel was still holding the paperwork then he still had an interest in the business. Attorney Lawton stated that they could not go forward. The Board agreed. Detective Lt. McCabe stated that if Mr. Sunil Patel has a financial interest in the building then it needs to be disclosed. Attorney Lawton agreed and formally requested to be placed on the next month's agenda. Commissioner Thomas made a motion to hold the hearing until the next

meeting on November 19, 2014. Commissioner Mullen seconded the motion. Motion passed unanimously.

3. Joe's Gas – Police Incident Report 14014216. Appearing before the Board was Zaid Ibrahim and Pierre Ibrahim. Detective Lt. McCabe gave a narrative of the report. Chairman Lamb asked if the Ibrahims had an explanation. Pierre (Pete) stated that the incident it did happen; that the Operative came in right before closing. The cashier got nervous as she was counting the draw and misread the dates; she punched in the wrong number. Cashier quit on the spot. Pete Ibrahim explained that he has since had STOP training. Detective McCabe questioned the time of closing. Pete states they close every night at 9:00. Chairman Lamb questions the training. Pete states that STOP came down on August 25, 2014. Commissioner Mullen states that the Ibrahims have done everything right. However, the Commission does have a standard for this type of violation a three day suspension. Commissioner Mullen made a motion for a 3 day suspension with one day to be served October 29, 2014 and two days to be held in abeyance for two years. Commissioner Thomas seconded the motion. Motion passed unanimously.
4. Application for a Change of Manager – Appearing before the Board is Zaid Ibrahim and Pierre Ibrahim. Detective Lt. McCabe states that Pierre was the manager of Pete's Mart for several years and that he has no complaints. Commissioner Mullen made a motion to approve the application for change of manager. Commissioner Thomas seconded the motion. Motion passed unanimously.
5. Shuffle, Inc. – Status. Appearing before the Board was Attorney Robert Fredericks, Bill Curley and Ever Amaya. Attorney Fredericks stated that he has tried to contact Mr. Doyle from the ABCC but to no avail. The ABCC will not comment on the application any further; however, we have taken care of the issues raised by the ABCC. Commissioner Mullen asked if there were any other issues. Detective Lt. McCabe stated no. Attorney Fredericks stated that in the past the ABCC has called and let him know what they needed. Commissioner Mullen made a motion to reapprove and resubmit. Commissioner Thomas seconded the motion. Motion passed unanimously. Bill Curley stated that he had a question for the Board regarding renewal time. He wanted to know that if he paid the renewal fees, did the new owners need to pay the fees again. Chairman Lamb stated no but you will need to continue the license until the transfer is approved.
6. D Dogs and More – Application for a Common Victualler License for 69 W Water St. Appearing before the Board is Dewayne Rodrigues and Jonathan Hash. Mr. Hash stated that they are trying to take over an existing hot dog business. Mr. Rodrigues was the sole proprietor d/b/a D'Dogs and More. Commissioner Mullen made a motion to approve. Commissioner Thomas seconded the motion. Motion passed unanimously.
7. Linda Shields Forman and Gary Forman, Cage Fighting Extreme – Application for a Special Alcohol Permit. Detective Lt. McCabe questions the permission to use the

facility. The Formans stated that they had all the appropriate documentation and permission to use the Massachusetts National Guard Armory, 111 Honorable Gordon M. Owen Riverway. Chairman Lamb asked for an explanation as to how they were going to serve the alcohol, who would be responsible, etc. Linda Forman explained the diagram. She continued to state that they will use the windows in the kitchen to dispense beer and that the front of the building staff will be checking ids. Uniform officers will be at the front door. Detective Lt. McCabe asked what the capacity was. Mrs. Forman stated she believed it was 500, but she was only expecting 350. Detective Lt. McCabe stated that they would probably need 6 police officers. Mrs. Forman was surprised at the number. Mr. Forman stated that they had just done a show with 1,200 and they only required 2. Chairman Lamb stated that we have our own requirements. Mrs. Forman stated that the doors will open at 6:00 – and they would most likely be done by 11:00 p.m. Chairman Lamb asked if they have spoken with anyone from the police department yet and Mr. Forman stated “no”, the Amory will get the police. Chairman Lamb stated no, they will not – you are responsible. Chairman Lamb asked if the Formans were putting the responsibility on the Armory. Mrs. Forman said that they were not, it is their own show. Detective Lt. McCabe asked if they had their own security. Mrs. Forman said they did. Detective Lt. McCabe suggested that the number of officers could be reduced to 2-3 based on the Board’s pleasure. Mr. Forman explained that the security company is bonded and has been in business for years. Chairman Lamb asked Detective Lt. McCabe how he wanted to handle it with the department. Detective Lt. McCabe stated 2 officers for the duration of the event. He further stated that a city ordinance may require a portion to be paid up front. Mrs. Forman said that was okay. Chairman Lamb asked when the alcohol was to leave the premises. Mr. Forman stated that it probably would not be picked it up till Monday, but delivered on the December 12, 2014. Chairman Lamb questioned that alcohol would only be served on the December 13, 2014. Mrs. Forman said, “yes”. Chairman Lamb explained that the Board tries to make the license encompass the delivery and pick up of the alcohol. Commissioner Mullen made a motion to approve a special alcohol permit for December 12 - December 15, 2014, with service only on Saturday, December 13, 2014 between 6:00 p.m. and 11:00 p.m. Commissioner Thomas seconded the motion. Motion passed unanimously.

8. BOLD – Building Our Lives Drug Free Presentation – Appearing before the Board was Michael Aguiar. Mr. Aguiar explained that he is the director of a program that is used in Fall River, New Bedford and Brockton. He further stated that Ward 5 had contacted him regarding the training for a Portuguese bartender, but that he wasn’t aware that the Board had an approved list. He appeared before the Board in hope of becoming an approved vendor. Mr. Aguiar indicates that he is working with Taunton now for a grant for abuse prevention and compliance checks. Should be in place in January. He emphasizes that it is not a private program – they do not make money. Mr. Aguiar gives a background of the program. Detective Lt. McCabe asked if BOLD did the local rules part of the program with the Ward 5. Mr. Aguiar stated that he used the state regulations when he worked with Ward 5. The Ward 5 participated in the program and asked questions. Detective Lt. McCabe asked if he provided a

certification, and Mr. Aguiar said that he provided a certification card which expires in 3 years. Commissioner Mullen made a motion to approve BOLD as an accepted program. Commissioner Thomas seconded the motion. Motion passed unanimously.

9. Ward 5 Athletic Club, Inc. d/b/a Ward Five Athletic Club – Compliance for Corrective Measures. Appearing before the Board was Burke Fountain and Reinaldo Barbosa. Attorney Fountain asked if the Board would accept the program that the Ward 5 participated in, which was the Building Our Lives Drug Free program just approved. Commissioner Mullen stated since the Ward 5 did participate in the program. Commissioner Thomas made a motion to accept the program as an acceptable program. Commissioner Mullen seconded the motion. Motion passed unanimously
10. Sunday hours – Detective Lt. McCabe explained the new law as he understood it. Package stores can open at 10:00 a.m. on Sundays but they need to come before the local licensing board and accept the change of hours and send it to the ABCC. The local licensing board cannot disapprove them. Chairman Lamb read the names the applicants as a group: KCB Liquor Corp, d/b/a Pete’s Mart; Eva Mara Swami Corporation d/b/a Tremont Liquors; K&C Retail, Inc. d/b/a County Liquors; RF Owens Co., Inc. d/b/a Trucchi’s Supermarket; LAPD Corp., d/b/a Vault Liquors; Albert F. Amaro d/b/a Avenue Wine & Spirits. Commissioner Mullen made a motion to approve. Commissioner Thomas seconded the motion. Motion passed unanimously.
11. License fees and seasonal license fees – Detective Lt. McCabe stated that we do not have seasonal fees and goes over the fees that the Board currently has. He further stated that the softball league will come in for a seasonal license which is 8 months. Detective Lt. McCabe stated that he didn’t think that the Board should charge them the entire fee. Commissioner Mullen suggested a pro-rated fee. Chairman Lamb also stated that the Board needed to discuss City fees. Chairman Lamb mentioned the communication from Attorney David Gay regarding churches and Common Victuallers licenses, and asked the Board to put it over till next month. Commissioner Mullen made a motion to put the communication and the comments regarding the Common Victualler license for the churches and the fees until next month. Commissioner Thomas seconded the motion. Motion passed unanimously.
12. Packaged goods stores on Election Day - Detective Lt. McCabe advised the Board that package stores are not allowed to be open during an polling hours on Election Day by statute (General Laws Chapter 138, §33) unless the Board issues an order that permits all section 15 licensees to open. He asked if the Board give such an order to have the stores to be open during November 4, 2014. Commissioner Thomas made a motion that all package stores be open on November 4, 2014 during the polling hours. Commissioner Mullen seconded the motion. Motion passed unanimously.

13. Commissioner Mullen made a motion to include the three approved server training companies on the City's website. Commissioner Thomas seconded the motion. Motion passed unanimously.
14. Commissioner Thomas made a motion to adjourn. Commissioner Thomas seconded the motion. Motion passed unanimously. Meeting adjourned at 8:05 p.m.



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Peter C. Lamb, Chairman



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Brendan P. Mullen, Commissioner



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Bruce M. Thomas, Commissioner