



CITY OF TAUNTON
LICENSE COMMISSION MEETING
MINUTES OF THE MEETING
January 20, 2015
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

Meeting was called to order at 7:13 p.m. by Chairman Lamb.

1. Minutes of the meetings from December 16, 2015. Motion made by Commissioner Mullen to accept the minutes. Motion was seconded by Commissioner Thomas. Motion passed unanimously.
2. **Ruby Tuesday**, 2097 Bay Street – Chairman Lamb indicated that the Board had received a communication from Ruby Tuesday regarding a blanket approval for the change of officers and directors. Appearing before the Board is the proposed new manager, Papa Soumare. Chairman Lamb asked Mr. Soumare how long he had been the manager at the Bay Street location. He stated approximately 3 months. He had been with Ruby Tuesday's for about 5 years, previously as a cook and worked his way up. Chairman Lamb asked if the location had a copy of the regulations. Yes. Commissioner Mullen made a motion to approve the application for a change of manager and the application for a change of officers and directors. Commissioner Thomas seconded the motion. Motion passed unanimously.
3. **2016 Common Vic Applications** – Chairman Lamb read into the record the names of the applicants: Coffee Milano; Hannaford Brothers Co.; Caribbean Barbeque Grille; Target Corporation; Second Q, LLC d/b/a Dunkin Donuts; LBK, LLC d/b/a Burger King 6066; Interstate Theatres Corp.; and Maxx Burgers and Franks, Inc.

Commissioner Mullen made a motion to approve the common victualler applications. Commissioner Thomas seconded the motion. Motion passed unanimously.

4. **Amusement Device Application – Atlantic Cafe**, 10 Plain Street - Chairman Lamb stated that there was an application before the Board from the Atlantic Café for a jukebox. Commissioner Mullen made a motion to approve the amusement device application for Atlantic Cafe. Commissioner Thomas seconded the motion. Motion passed unanimously.
5. **44 Express Convenience Taunton, LLC**, 400 Winthrop Street – Chairman Lamb stated that there was a communication from 44 Express Convenience for a change in the Sunday hours. BM motion to approve the change of Sunday hours to 10 a.m. to 11 p.m. Detective Lt. McCabe stated that for a Section 15 license it is a matter of right under state law. Commissioner Mullen made a motion to approve the change of Sunday hours for 44 Express Convenience to 10 a.m. to 11 p.m. Commissioner Thomas seconded the motion. Motion passed unanimously.
6. **R.F. Owens Co. Inc. d/b/a Trucchi’s Corporation**, 534 County Street - Appearing before the Board is Sarah Courture and Ann Trucchi Condon. Chairman Lamb asked Ms. Courture how long have she had been the manager. Ms. Courture stated for about a month. Chairman Lamb asked if she had a copy of the regulations. Yes. Commissioner Mullen made a motion to approve the change of manager for Trucchi’s Supermarkets. Commissioner Thomas seconded the motion. Motion passed unanimously.
7. **Downtown Taunton Foundation**, 8 Trescott Street – Appearing before the Board is Colleen Simmons, director of the Downtown Taunton Foundation. Ms. Simmons explained the event to the Board; the Downtown Sweetheart Stroll which would take place from 5:30 p.m. to 7:30 p.m. The license is needed for a beer tasting that the Foundation will be hosting. Chairman Lamb asked if the alcohol would be stored at the Trescott Street Gallery and Ms. Simmons said that it would. Chairman Lamb inquired about permission from the landlord and Ms. Simmons stated that they had it. Chairman Lamb inquired about whether there would be over 21 bracelets and Ms. Simmons said that there would be. Chairman Lamb asked if this was a ticketed event and Ms. Simmons stated no, the Foundation sells buttons. Detective Lt. McCabe asked if the Board was going to adjust the dates on the license for delivery and pick up, and the Chairman said yes. Chairman Lamb asked Ms. Simmons if she was purchasing the alcohol from a vendor. Ms. Simmons replied that as of right now, it was only the home brewer who would be bringing the beer himself. Commissioner Mullen stated that there was also a fee waiver request before the Board. Chairman Lamb stated that as a general rule, they do not waive fees. We have a number of non-profits that come in and it is our general rule not to waive the fees. Ms. Simmons

stated okay. Commissioner Mullen made a motion to approve the special alcohol permit for the time of February 5, 2016 through February 8, 2016, with the alcohol to be served only on February 6, 2016. Commissioner Thomas seconded the motion. Motion passed unanimously.

8. **TAOPB5 Restaurant LLC d/b/a New Weir Pizza**, 47-49 West Water Street – Appearing before the Board was Michael J. Vosilla, Attorney for TAOPB5, LLC. Attorney Vosilla stated that the real estate closing has taken place. The LLC which purchased the property is leasing it to the corporation, LLC who is in turn leasing it to Ms. Karageorgos. Chairman Lamb inquired if the affidavit was acceptable. Detective Lt. McCabe stated that he felt it was fine. Chairman Lamb asked how the restaurant was going to operate. It will run the same. Chairman Lamb stated to Attorney Vosilla and his clients that any alteration or change needs to come before us. Yes. Commissioner Mullen stated that if you close or change the hours, you need to come before us. Yes. Commissioner Mullen made a motion to approve the application to transfer the license. Commissioner Thomas seconded the motion. Motion passed unanimously. Attorney Vosilla inquired about the common victualler license. Chairman Lamb stated that things were still in limbo since he client was leasing the premises. The Board stated that once the alcohol license had been approved by the ABCC, then the Board would issue all the licenses at the same time.

9. **BD&W, Inc. d/b/a Mama King Restaurant**, 76 Weir Street – Appearing before the Board was Diane Wilbur and Arthur Wilbur. Chairman Lamb stated that the Board wanted Mr. and Mrs. Wilbur to come in for a status of the license, what's going on with the premises and a question had arisen regarding the unpaid police details. Mr. Wilbur stated that he had a lot of questions regarding the invoice for the police details. Chairman Lamb stated that any issue regarding the actual bills must be taken up with the Police Department. Chairman Lamb added that the Board handles it when it becomes an issue with the license. Commissioner Thomas stated that even if the \$1,000.00 check had been applied, there was still a balance of \$8,000.00. Mr. Wilbur inquired about a finance charge. Commissioner Thomas stated that any specific questions regarding the finance charges and the charges must be taken up with the Police Department. Commissioner Thomas added besides the finance charge on the bill, the question we have is that there would still be an outstanding bill. Mr. Wilbur stated that he knew nothing about the bill until he received it two weeks ago. Mr. Wilbur stated that the former tenant had left them in a mess. Detective Lt. McCabe stated that it is still the same licensee. Chairman Lamb stated that there still was a different d/b/a and a manager listed on the current license so that needed to be change. Mr. Wilbur stated that he could bring that right down to the office. Chairman Lamb asked if there was a time frame as to when you will be opening. Hopefully in a few weeks. Mrs. Wilbur stated that they had to pay for the tenants' outstanding check that was issued for the details. Commissioner Thomas stated that to clarify, it was still your check. The name of the licensee never changed, therefore the B&DW is still the owner. The business never changed hands and Commissioner

Thomas believes that was an issue we had from the very beginning; the clarity of who was running the business. The people who were there running the restaurant were the licensee's workers, so any check that was tendered and did not clear, falls back on B&DW, Inc. as the licensee. Mr. Wilbur stated that he understood. Mr. Wilbur stated that he would bring in the paperwork prior to the February 17, 2016 meeting.

10. **Round One Entertainment, Inc. d/b/a Round1 Bowling & Amusements, 2 Galleria Mall Drive** – Appearing before the Board is Scott Endow, Attorney John Connell and Melissa Williams and Taunton Police Officer Brett Collins. Chairman Lamb stated that he would like to do the police report first. Officer Collins gave us a brief description of his report; stated that he was off duty on December 26, 2015 and was entering the mall and witnessed a group of people smoking cigarettes and drinking a beer outside of Round One. He went in and informed the detailed officer at the mall what he saw. Officer Collins stated that he believed that the alcohol was a Coroner bottled beer. Attorney Connell stated that December 26th was the grand opening of the establishment. Round One does not serve bottles so it more than likely not to have come from the establishment. He did explain to his client that it is the licensee's responsibility to police the licensed premises. Commissioner Thomas asked if Round One sold Coroner in the bottle. Ms. Williams stated that yes, but that they open the bottle and pour the beer into a cup. Chairman Lamb stated that brings the Board to the request for a police detail waiver. Round One has put in a request for a waiver and the Board wanted to discuss this with them. Detective Lt. McCabe stated that there are a lot of people there, he has been there several times and there are somewhere around 400-600 people on the premises. There is a capacity of nearly 900. Detective Lt. McCabe stated that he did not think a complete waiver of police details was in the best interest of safety. Chairman Lamb stated that the Board wanted Round One to be successful. He went to say that the more people Round One has, is great for all of us. Attorney Connell stated that he brought his three children there the next day (December 27, 2015). The area at the bar is extremely small compared to the rest of the venue. Not everyone there was there to drink. Chairman Lamb stated that there is an alcohol license for the establishment. It is a grey area between the people there to play games and the people there to drink. Chairman Lamb asked what is the staffing there that would make the Board comfortable that you have adequate employees to handle the customers. Attorney Connell stated that he thought it would be best for Melissa Williams to answer that because she is there day in and day out. Ms. William stated that on a Friday night there are give or take 20 employees which would be separated between amusement, bowling and the bar. The average age of employees is 23. I have one associate who is 17. Chairman Lamb asked if there was someone who is responsible of the outside to be aware that if there is alcohol outside, it isn't yours. Mr. Endow stated that they have security guards on site. On the weekends there are two security guards. Detective Lt. McCabe asked if there was only one security guard during the week and Mr. Endow stated that was correct. Detective Smith stated that there are two detail officers at the mall on the weekends. They mentioned that there is a gate that isn't locked once the

mall closes. Ms. Williams stated that they are still working on that with the fire department because they are not sure if it is another form of egress. Detective Smith stated that his concern was that when you have a group from south of Taunton and one from north of Taunton and all hell breaks loose, and once they leave your area and are in the hallway of the mall, then it is the detail officer's problem. They are taking on a lot of responsibility. The detail officer is there till 2:00 a.m. after the mall closes at 10:00, a recent change due to Round One. After 10, there is only one officer and if you are there all by yourself and all hell breaks loose, it can be a problem. Chairman Lamb asked if one solution would be getting better control with keeping them out of the mall. Detective Lt. McCabe stated that he had been in touch with the building department and the fire department and it was currently in the building department's hands to make a final determination. Chairman Lamb stated that he was trying to find a reasonable approach. Commissioner Thomas stated that the Board wanted to work with them. Attorney Connell stated that it is a family concept. Mr. Endow stated that if this is what it takes, they would be more than happy to put on more security on Friday and Saturday. Detective Smith stated that it doesn't have to be written in stone. We can re-evaluate in a few months and if we need more we can put more on. If we don't need them, we can remove them. Chairman Lamb asked Detective Lt. McCabe and Detective Smith if there was an issue working with security and both said there weren't any issues. Commissioner Thomas suggested that Round One security, Galleria Mall security and the detail officer working the mall all get together and try to work something out. Mr. Endow spoke of possibly having the contractor who does the mall security work at Round One as well and that way they will be able to communicate with the police department. Commissioner Mullen stated that he thought that was a great long range plan. Commissioner Thomas stated that he would make a recommendation that until you come up with some agreement with the mall, that you have two details – one at the front and one at the back – until you can get on the same page or radio channel; for at least Friday and Saturday night. Commissioner Mullen added or until you can close the gate completely. Mr. Endow inquired if detail means police security and he was advised that yes, it was a police officer on a detail. Mr. Endow asked if they could start out with one for now. Commissioner Thomas asked how would that work for you. Mr. Endow stated that he would still have two security guards and then they will have a police detail. Mr. Endow asked if the detail be in uniform. Detective Smith answered yes. Mr. Endow asked if it would just be for the busy times. Detective Smith stated from 9 p.m. to 1 a.m. Mr. Endow agreed but asked if it is be something Round One could try and maybe if all goes well after four months, they can scale it back. Detective Smith stated that he felt it would be good to get ahead of this now. Commissioner Thomas stated that 9:00 p.m. - 1:00 a.m. for an additional officer plus an additional security guard. Detective Smith stated that if they felt better, they could do a 9:30 p.m. - 1:30 a.m. too. Detective Smith stated that he did not think it would be bad for the officer who fills out his detail slip to put approximately how many people and if there are issues. Commissioner Mullen made a motion that one detail officer be hired on Friday and Saturday nights from 9:30 p.m. – 1:30 a.m. and that

there are three security officers on at that time as well. Commissioner Thomas seconded the motion. Motion passed unanimously. Commissioner Thomas asked what the status was of the manager, Mr. Yu. Attorney Connell stated that Mr. Yu went through the whole training in anticipation of relocating but ran into a family issue and is no longer able to be the manager. Attorney Connell stated that he filed an application and to have Ms. Williams be the manager. Commissioner Mullen made a motion to make the police report part of the record. Commissioner Thomas seconded the motion. It was noted for the record that no action would be taken. The motion passed unanimously.

11. **New Business – Holy Ghost Society of East Taunton, 545 Middleboro Avenue –** The recording secretary reported that the ABCC had returned the Form 43 for the alteration of premises to include the outdoor area, requesting additional information. The Holy Ghost Society had supplemented what was requested and the Board needed to send in a new Form 43 for reconsideration.

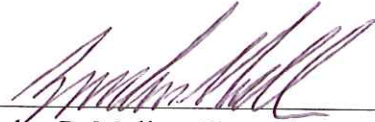
International Pizza, Inc., 651 Somerset Avenue – The recording secretary reported that the ABCC had returned the Form 43 requesting additional information. She had contacted both Mr. Lima and Mr. Figureido and was awaiting the supplemental documentation to forward on to the ABCC with a new Form 43 for reconsideration.

Interstate Theaters d/b/a Regal Cinemas, 2 Galleria Mall Drive – Chairman Lamb stated that upon review of the renovations of the theater, it appeared that there had been some changes that were different from what the Board had approved. Commissioner Thomas stated that they had originally stated that were going to put the bar area where the existing video games were, but it appears that the wall between the theater and Yankee Candle had been removed and it was now a lounge area. Detective Lt. McCabe stated there was no separation whatsoever when he was there. Chairman Lamb stated that the Board should request them to come to the next meeting to explain their alteration of premises and their operation. Commissioner Thomas stated that they had not opened yet; was there a way to halt them from opening until the Board received an explanation. The Recording Secretary indicated that the license had been issued already. Detective Lt. McCabe stated they could not halt the opening without a hearing. Detective Lt. McCabe stated that he would send an email to the theater's attorney informing him that they had serious concerns with the renovations and would request that they appear before the Board on February 17, 2016 and or prior to their opening.

Commissioner Mullen made a motion to adjourn. Commissioner Thomas seconded the motion. Meeting was adjourned at 8:17 p.m.



Peter C. Lamb, Chairman



Brendan P. Mullen, Commissioner



Bruce M. Thomas, Commissioner