



CITY OF TAUNTON

LICENSE COMMISSION MEETING

MINUTES OF THE MEETING

September 18, 2013

7:00 p.m.

PRESENT:

Chairman Peter Lamb
Commissioner Brendan Mullen
Commissioner Bruce Thomas

For the Police Department
Chief Edward Walsh
Detective Lieutenant Daniel McCabe
Detective Dennis Smith

Meeting was called to order at 7:00 p.m. by Chairman Lamb.

1. Minutes of the August 28, 2013 License Commission Meeting. Commissioner Mullen made a motion to accept the minutes and Commissioner Thomas seconded the motion. Motion passed unanimously.
2. **Special Alcohol Permit pursuant to MGL c. 138 § 14; Rule 2.19** – Joel Nadeau. Mr. Nadeau was requesting a special permit for a fire department softball fundraiser to benefit muscular dystrophy. Mr. Nadeau expected approximately 250 people on the premises throughout the day. Commissioner Mullen made a motion to approve the special application permit and Commissioner Thomas seconded the motion. Motion passed unanimously.
3. **Cod Fathers** – Reconsideration of the Application to Transfer. Detective Lt. McCabe stated that this was basically a formality. That the ABCC had returned the Form 43 stating that the application was incomplete. Detective Lt. McCabe met with Ms. Linda Briggs and she has since provided the appropriate documentation and information that the ABCC had requested. Commissioner Thomas made a motion to approve the transfer application and Commissioner Mullen seconded the motion. Motion passed unanimously.

4. Follow up on the corrective measures from the August 28, 2013 meeting:

Giatis Corporation d/b/a Pizza Depot – Appearing before the Board was Attorney John Paul Thomas who represents Giatis Corporation. Mr. Thomas stated that Ms. Giatis could not make it due to a family crisis. Commissioner Thomas disclosed that he is Attorney Thomas' brother and asked to recuse himself from the hearing. Commissioner Mullen made a motion to recuse Commissioner Thomas and Chairman Lamb seconded the motion. Attorney Thomas submitted an application to formally change the d/b/a name from Pizza Depot to Mediterranean Grille. Detective Lt. McCabe stated that the Board could not consider the application as it was not on the agenda. Commissioner Mullen made a motion to accept the application for review. Chairman Lamb seconded the motion. Attorney Thomas gave a review of the new policies in which each employee will sign off on. Chairman Lamb reiterated that these corrective measures were not a one-time only policy. Attorney Thomas stated no, that the employees and new hires would be enrolling into the STOP program and that would be a new process indefinitely. Commissioner Mullen made a motion to accept the corrective actions for Giatis Corporation. Chairman Lamb seconded the motion. Detective Lt. McCabe asked about the one day suspension. Commissioner Mullen and Chairman Lamb indicated that the discipline was a one day suspension and one day held in abeyance for a period of one year.

Chairman Lamb made a motion to allow Commissioner Thomas back into the meeting. Commissioner Mullen seconded the motion. Motion passed unanimously.

B&DW, Inc. d/b/a Pub 76 – Appearing before the Board is Arthur Wilbur who passed out some documentation regarding his corrective measures. Mr. Wilbur also stated that he is having a class for his employees and will obtain the identification book. Commissioner Mullen made a motion to accept the corrective actions taken by B&DW, Inc. d/b/a Pub 76 and Commissioner Thomas seconded the motion. Motion passed unanimously.

Bobby's Place Corp. d/b/a Bobby's Place – Appearing before the Board was Manager, Denise Asack and her husband, Bobby Asack. Mrs. Asack handed out some documents relative to the corrective measures. Mr. Asack stated that they have the STOP program in place; that they have had it every year. Mr. Asack questioned the Board as to if Bobby's Place still needed to keep the one day in abeyance since they previously had corrective measures and a policy in place. Commissioner Mullen explained why he had put the one day in abeyance. Mrs. Asack stated that she has the documentation to prove that they have had corrective measures in place. There is discussion amongst the Board to put a reconsideration of the one day abeyance on for the next meeting. Commissioner

Mullen made a motion to accept the corrective measures taken by Bobby's Place. Commissioner Thomas seconded the motion. Motion passed unanimously.

1 Carnation LLC d/b/a Fusion Kitchen – Appearing before the Board was Manager, Lisa Luu. Ms. Luu showed the Board the corrective measures (STOP program) that her company has put into place. Chairman Lamb asked if Fusion Kitchen had a written policy regarding serving minors. Ms. Luu stated that there is an employee handbook. Chairman Lamb asked if the employees sign an acknowledgment stating that they have read the employee handbook. Ms. Luu stated yes. Chairman Lamb asked if there was an acknowledgment in the handbook that stated the employee will not serve someone under 21. Ms. Luu stated no. Chairman Lamb stated that she may want to consider putting that in the handbook. Commissioner Mullen made a motion to accept the corrective measures. Commissioner Thomas seconded the motion. Motion passed unanimously.

Polish American Club – Appearing before the Board was Steve Nastri, Manager. Mr. Nastri passed out documentation regarding his corrective measures. Commissioner Mullen made a motion to accept the corrective measures. Commissioner Thomas seconded the motion. Motion passed unanimously. Mr. Nastri asked if the Club could have workers in on the day that the suspension is served? Detective Lt. McCabe stated no; not according to the rules and regulations. Commissioner Mullen made a motion to allow the renovations of the floors during the suspension period. Commissioner Thomas seconded the motion. Motion passed unanimously.

5. **STOP Presentation** – Appearing before the Board on behalf of STOP was Toni Henault Miller and Bob Harootunain. Mr. Harootunain went over their program and manual. Mr. Harootunain stated that their certification is good for 3 years; it shows the students how to check ids, how to recognize when someone has had too much alcohol, etc. The class is between 2 and 4 hrs. and a test is administered afterwards. If the students pass, they will receive their certification in 7 days. The cost of the class is \$35 and it is taught over 3 days. There is strong emphasis placed on recognizing fake ids. Commissioner Thomas asked if there is a local class? Ms. Henault Miller was not sure, but stated she would email Detective Lt. McCabe and let him know. Commissioner Mullen made a motion to approve STOP as an approved program pursuant to the Commission's rules and regulations. Commissioner Thomas seconded the motion. Motion passed unanimously.

TIPS – Appearing before the Board on behalf of TIPS was Stacy Travis Mills, certified TIPS trainer for about 10 years. Ms. Mills stated that she works in Taunton and also works as a bartender. Ms. Mills stated that TIPS had a similar curriculum to STOPS. Their classes are approximately 4-5 hours and consist of discussions, videos, state laws, etc. with a test at the end of the class. Ms. Mills also stated that TIPS offered an on-line course. Commissioner Thomas asked if TIPS can distinguish on the certification between the class or the online course? Ms. Mills stated no. Ms. Mills stated that there

was no flat per person rate; that it was a case by case fee schedule which ranged between \$30 and \$50. Commissioner Mullen made a motion to approve TIPS as an approved program pursuant to the Commission's rules and regulations. Commissioner Thomas seconded the motion. Motion passed unanimously.

6. **Meeting Dates** – The Board scheduled the next License Commission meeting dates: October 16th November 13th, December 4, 2013.
7. **Renewal Process** – Detective Lt. McCabe stated that historically the Chairman sent out a letter informing the license holders that their renewal applications needed to be submitted and their inspections completed. Detective Lt. McCabe asked if the Board wanted to do the Common Victualler application at the same time as the restaurants, keeping in mind that there were 38 restaurant licenses. Chairman Lamb asked if there were any other items that Detective Lt. McCabe felt should be included in the letter. Detective Lt. McCabe stated yes; a description of the premises as well as the percentage of gross alcohol sales. It is required in the Board's Rules and Regulations. Chairman Lamb asked about floor plans? Chief Walsh stated that we can get the floor plans when the establishments have their yearly inspections. Commissioner Mullen stated that the letter should go out sooner rather than later. Detective Lt. McCabe stated that there are several businesses that are closed on Mondays; he noticed this during his last compliance check. He would like to ask what the hours of operation are so we can have the correct hours and days on the license. Chairman Lamb stated that the Board should send out a letter with several highlights; where it falls it falls. We will give fair warning. Commissioner Thomas stated that it is the law and the licensees have had a grace period. Commissioner Mullen stated that there should be a list of things to be included in the letter. Detective Lt. McCabe stated that he had been working on it; he had a punch list. Commissioner Thomas asked if we should include sketches in the list. Detective Lt. McCabe stated that we should already have them; we don't, but we should. Commissioner Mullen stated that we could ask for them; not make it a requirement, but ask. Chief Walsh asked that we have a deadline date for the inspections. Chairman Lamb asked about the waiver of police details. Detective Lt. McCabe stated we could include it in the letter. Commissioner Mullen asked if there was anything else in there about the special permits? Detective Lt. McCabe stated that he thought the Board has been proactive on that. Most of our regular people know. Detective Lt. McCabe stated that the renewal packets become available on-line via email and then they all need to be mailed out. Chairman Lamb asked if we could make this as a form letter; preferably on colored paper. Detective Lt. McCabe said yes. Detective Lt. McCabe suggested doing a letter before the renewal packet. Chief Walsh stated that we should identify a date that works with the inspectors and work with them. In reality, the inspections should be done before

November 15th. Give them a drop dead date. Detective Lt. McCabe will draft the letter and send it to Chairman Lamb for his review and signature.

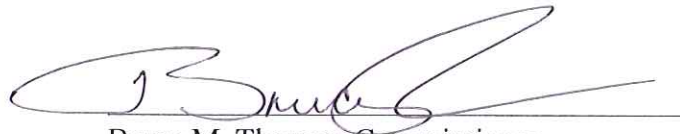
Commissioner Mullen made a motion to adjourn. Commissioner Thomas seconded the motion. Motion passed unanimously. Meeting adjourned at 8:14 p.m.



Peter C. Lamb, Chairman



Brendan P. Mullen, Commissioner



Bruce M. Thomas, Commissioner