



License Commission, Room 118  
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The Haverhill License Commission held a **Meeting** on **Thursday, July 10, 2014 at 6:00 PM, Room 202, City Hall.**

*Attendees: Chairman Edwards, Commissioner Sewell and Commissioner Coco were present.*

**1. APPROVAL OF THE MINUTES:**

MOTION TO APPROVE THE MINUTES OF JUNE 5<sup>TH</sup> AND SPECIAL MEETINGS OF JUNE 11<sup>TH</sup> AND JUNE 18<sup>TH</sup> BY COMMISSIONER SEWELL, SECONDED BY COMMISSIONER COCO. VOTE TWO YEAS, ONE ABSTAIN – MINUTES APPROVED.

**2. CONTINUED BUSINESS**

NO SCHEDULE

**3. MISCELLANEOUS APPLICATIONS/REQUESTS**

NO SCHEDULE

**4. ONE DAY APPLICATIONS**

**A. GUY MOXEY**

PARKER RIVER WINERY

21 PEARL ROAD, BOXFORD

HAVERHILL FARMERS MARKET – JUNE 29<sup>TH</sup> TO OCTOBER 25<sup>TH</sup>

**APPLICATION FOR SALE OF WINE AT THE FARMER'S MARKET, 40 BAILEY BLVD, ON SATURDAYS FROM JUNE 28<sup>TH</sup> TO OCTOBER 25, 2014 FROM 9:00 AM TO 1:00 PM.**

Jeff Grassie, one of the organizers of the Farmer's Market, represented Parker River Winery, due to the fact that both partners were travelling on business.

Chairman Edwards commented that we have granted them Farmer's Market Licenses in the past. Question whether they have been selling yet. Answer no. Commissioner Sewell questioned prior licenses. Chairman Edwards clarified that Jeff was representing the Winery due to both partners being unavailable and that the Winery had received Farmer's Market Licenses in the past.

Commissioner Coco made a motion to approve the Farmer's Market License for Saturdays beginning on July 12 to October 25, seconded by Commissioner Sewell. No public comment with regard to the application. Vote unanimous – motion passed.

**B. KEVIN JACQUES**

FRONT OFFICE EVENTS, LLC  
12 SOUTH HUNT ROAD, AMESBURY

**APPLICATION FOR ONE DAY WINE AND MALT ONLY LICENSE FOR OBSTACLE COURSE RACE AT KIMBALL FARM – 791 EAST BROADWAY ON JULY 19, 2014 FROM 8 AM TO 8 PM. APPLICATION DENIED BY CHIEF DENARO.**

No one appeared on behalf of Front Offices Events. Clerk explained that they were withdrawing the application due to decision of the City Council. Chairman Edwards requested a vote to not grant the application in any event.

Commissioner Coco made a motion to *deny* the application for one day license for this event, seconded by Commissioner Sewell. No public comment with regard to the application. Vote unanimous – motion to *deny* the application passed.

**C. THOMAS J SULLIVAN**

WINNEKENNI FOUNDATION, INC.  
347 KENOZA AVENUE

**APPLICATION FOR ONE DAY WINE AND MALT ONLY LICENSE FOR A CONCERT AT WINNEKENNI CASTLE ON JULY 13 2014 FROM 1:00 PM TO 4:00 PM**

Grace Marcoux appeared on behalf of the Winnekenni Foundation, Inc.

Discussion regarding type of event and participant – Windham Concert Band, 55 piece concert band outside the Castle. Chairman Edwards said he spoke to Tom Sullivan about the event and the purchase of the alcohol and they understood what needs to be done. TIP certified people need to serve the alcohol.

Motion to approve application by Commissioner Sewell, seconded Commissioner Coco. No public comment with regard to the application. Vote unanimous – motion passed.

**D. RENEE THEOFILOPOULOS – UNDER SUSPENSION OF THE RULES**

AMERICAN VETERANS OF HAVERHILL MA, INC. D/B/A AMVETS  
576 PRIMROSE STREET

**APPLICATION FOR ONE DAY WINE AND MALT ONLY LICENSE FOR BLUES FEST TO BE HELD AT THE AMVETS, 576 PRIMROSE STREET ON AUGUST 3 2014 FROM 2 PM TO 8 PM. – PENDING APPROVAL FROM POLICE DEPARTMENT.**

Renee Theofilopoulos appeared on behalf of the AMVETS.

Discussion regarding the timely filing of future license applications. Chairman Edwards indicated the commission must hear the application tonight because the next meeting is after the event, so it is under suspension of the rules. If approved, it must be approved pending approval of the police department. Chairman Edwards told Ms. Theofilopoulos that if the Commission approves the application, but the police department says no, then there will be no license. Need to comply with all the requirements of an outdoor event.

Motion by Commissioner Coco to approve the application, pending approval by the Haverhill Police Department, seconded by Commissioner Sewell. No public comment with regard to the application. Vote unanimous – motion passed.

**5. ENTERTAINMENT APPLICATIONS**

**GRACE MARCOUX**

WINNEKENNI FOUNDATION INC.

WINNEKENNI CASTLE

347 KENOZA AVENUE

**APPLICATION FOR ENTERTAINMENT LICENSE FOR ALL EVENTS HELD AT THE CASTLE AND ON THE CASTLE GROUNDS.**

Grace Marcoux appeared on behalf of the Winnekenni Foundation, Inc.

Extensive discussion on the broadness of the application and limitations placed on the application. Also question about the jurisdiction of the Commission over this application. Discussion regarding the use of iPod/Computerized music and what that means. In addition to what was on the application, she also has jugglers, and stunt bikes. Chairman Edwards asked to add to the license “All Entertainment at the Discretion of Winnekenni Foundation.” Commissioner Sewell stated that if they have anything else that comes up that is not on the license, they need to come back and request permission to do it. Commissioner Coco suggests adding language to the effect of “all entertainment under the jurisdiction of the License Commission.”

Motion to approve Application for Entertainment License as set forth in the application with the additional stunt bike and jugglers added for the period July 1<sup>st</sup> 2014 through December 30, 2014, by Commissioner Sewell, seconded by Commissioner Coco. No public comment with regard to the application. Vote unanimous – motion passed.

**6. COMMON VICTUALLER APPLICATIONS**

NO SCHEDULE

**7. OUTDOOR DINING APPLICATIONS**

NO SCHEDULE

**8. ALCOHOL/ABCC APPLICATIONS**

**BERNARD J LONTINE, III MANAGER**

APPLE NEW ENGLAND LLC D/B/A APPLEBEE’S NEIGHBORHOOD BAR & GRILL

56 PLAISTOW ROAD

**APPLICATION FOR CHANGE OF BENEFICIAL INTEREST, PLEDGE OF LICENSE AND PLEDGE OF INVENTORY**

No one appeared on behalf of Applebee’s.

Commissioner Sewell suggested waiting until someone was available to answer questions before acting on the application. This is a serious request changing banks. Already been pre-approved by the ABCC. Chairman Edwards indicated we will move this item to the special meeting scheduled for July 16, 2014 at 9:00 am. Important to the City for Applebee’s to be running the way it should be running.

**9. MOTOR VEHICLE APPLICATIONS**

**JAMES M. WENTWORTH, MANAGER – PRESENCE REQUIRED**

WENTWORTH TRUCK & TRAILER REPAIR LLC

Last Updated 8/11/2014 12:32 PM

89 NEWARK STREET

**RENEWAL OF MVI LICENSE FOR 2014 – DID NOT COME IN UNTIL JUNE 11, 2014. PENDING RECEIPT OF COPY OF 2013 LICENSE**

No one appeared on behalf of Wentworth Truck & Trailer.

Chairman Edwards questioned the business – it is mostly repair work. He does not sell cars anymore. Since he doesn't sell cars, there is no action to take. Per Chairman Edwards, no action taken. If Mr. Wentworth would like to come back in he certainly can.

Meeting reopened to discuss the renewal of MVI license. Chairman Edwards questioned why he did not come in earlier to renew his license. Mr. Wentworth stated he came in once, but his check was outdated. He had surgery and was not able to do much. He was back in the hospital twice after the surgery. Commissioner Sewell questioned if the license is not being used if granting it would limit others from getting licenses. Chairman Edwards questioned how long he has had his license. Commissioner Sewell questioned if he had sold cars. Mr. Wentworth wanted to maintain the license to keep up the use of the property. Motion by Commissioner Coco to approve the renewal of the MVI license, seconded by Chairman Edwards, Vote unanimous – motion passed.

**10. ISSUES FOR DISCUSSION**

**A. DEBORAH INGALLS**

BUTLERS & BARS

199 OAKLAND AVENUE, METHUEN

**ITEM FOR DISCUSSION – FAILURE TO FORWARD RECEIPTS FOR ALCOHOL PURCHASED FOR WEDDING EVENT UNDER A ONE DAY LICENSE. SAID EVENT TOOK PLACE ON JUNE 28, 2014. ONGOING ISSUE – LAST ONE DAY EVENT FOR ANNIVERSARY PARTY ON MAY 31, 2014 RECEIPTS WERE NOT FROM AN APPROVED WHOLESALER.**

Deborah Ingalls appeared for Butlers & Bars.

Discussion regarding Deborah Ingalls roll in the one day application for the Castle events. Not providing proper documentation from appropriate wholesalers. With the recent education and changes, she has been doing research herself and has now put together the application and the list of authorized wholesalers to be given to the clients of the Castle.

Chairman Edwards told Ms. Ingalls that the applicant must show up at the license commission meeting in order for them to get their license. Commissioner Coco commented that Ms. Ingalls should not be appearing as the applicant.

There are plans to meet to look into the events at the Castle and see what can be done to streamline this process.

**B. RICHARD FOURNIER, MANAGER**

BRADFORD ATHLETIC AND SOCIAL CLUB

187-189 SOUTH ELM STREET

**ITEM FOR DISCUSSION – FAILURE TO TRANSFER LICENSE FROM BRADFORD SOCIAL AND ATHLETIC CLUB TO BRADFORD ATHLETIC AND SOCIAL CLUB IN 1996.**

Richard Fournier (manager) and Daniel Trainor (treasurer) appeared on behalf of the Bradford Athletic and Social Club.

Clerk explained to the Commission that as a result of conversations with all the clubs in Haverhill, it was discovered that Bradford Social and Athletic Club changed their name to Bradford Athletic and Social Club in 1996 without any change of name or transfer or license filed with the License Commission or ABCC. Question as to what exactly has taken place and which papers are the proper papers to be filed with the License Commission and the ABCC. ABCC has not advised the Commission to do anything with their present license. Dan Trainor told the Commission in 1996, the current owner of the club, wanted to turn the club over to the membership so they could run the club. Inadvertently when they filed with the SOC, they used Bradford Athletic and Social Club. They have now filed an amendment to change the name back to the Bradford Social and Athletic Club. Dan Trainor stated that they never intended to make it a different club; it has always been the same organization. They have the paper work for change of officers and directors. Chairman Edwards stated they need to do this quickly and add them to the agenda for the August meeting.

## **11. SHOW CAUSE HEARINGS**

### **SOHAN SAINI, MANAGER -PRESENCE REQUIRED**

426-428 MAIN STREET D/B/A AMERICAN GROCERY

426 MAIN STREET

**ALLEGED VIOLATION OF 204 CMR 2.05 (2) PERMITTING AN ILLEGALITY ON THE LICENSED PREMISES TO WIT: CHAPTER 138, SECTION 69 SALE OR DELIVERY TO AN INTOXICATED PERSON ON JUNE 5, 2014**

Sohan Saini and his employee appeared for American Grocery. No one from the police department was in attendance. Chairman Edwards stated that they could do no action, hold over to another meeting or act on this matter. Commissioner Coco would like to ask the police questions. He recommends that the Commission declines to take action. Commissioner Sewell suggests putting them on to the next meeting and seeing if there are any other incidents with the store. Commissioner Sewell made *motion to table* until the August 7<sup>th</sup> meeting so someone from police department or the individual who caused the disturbance, and the clerk from American Grocery can all be in attendance, seconded by Commissioner Coco. No public comment with regard to the application. Vote two yeas, one abstention – Motion to *table* passed.

## **12. COMMUNICATIONS**

NO SCHEDULE

## **13. OTHER BUSINESS**

Discussion regarding addition of fee schedule – adding to the September agenda

Meeting Adjourned by motion of Commissioner Coco and seconded by Commissioner Sewell, vote-unanimous to adjourn at 6:49 PM, meeting reopened at 6:55 PM to accommodate the late arrival of James Wentworth, readjourned at 7:01 PM

Attest: *Laura D Angus*  
License Commission Clerk