



License Commission, Room 118
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The Haverhill License Commission held a **Meeting** on **Thursday December 4, 2014 at 6:00 PM, Room 301, City Hall.**

Attendees: Chairman Edwards, Commissioner Coco and Commissioner Sewell

1. **APPROVAL OF THE MINUTES:**

APPROVAL OF MINUTES OF NOVEMBER 20, 2014

Motion by Commissioner Sewell to Approve the Minutes, seconded by Commissioner Coco. No public comment on the matter. Vote Unanimous – Minutes Approved

2. **CONTINUED BUSINESS**

NO SCHEDULE

3. **MISCELLANEOUS APPLICATIONS/REQUESTS**

NO SCHEDULE

4. **ONE DAY APPLICATIONS**

A. SHARON COHEN

HAVERHILL BREWERY, INC.
100 WASHINGTON STREET

APPLICATION FOR ONE DAY ALL ALCOHOL LICENSE FOR CUSTOMER HOLIDAY PARTY AT 90 WASHINGTON STREET ON DECEMBER 21, 2014 FROM 4:00 PM TO 8:00 PM

Sharon Cohen appeared on her own behalf. Chairman Edwards indicated that Sharon Cohen has had these types of events at this location before. Commissioner Sewell commented that Sharon Cohen was a regular for these types of events and knows the rules. Motion to approve the application by Commissioner Coco, seconded by Commissioner Sewell. No public comment on the matter. Vote unanimous – application approved.

B. LUIS INOA

22 MILLVILLE TERRACE, SALEM, NH 03079

APPLICATION FOR ONE DAY ONE DAY ALL ALCOHOL LICENSE FOR HOLIDAY PARTY AT 90 WASHINGTON STREET ON DECEMBER 12, 2014 FROM 6:00 PM TO 11:00 PM – PENDING APPROVAL BY THE HAVERHILL POLICE DEPARTMENT

No one appeared on behalf of the applicant. The Commission decided to take no action

5. ENTERTAINMENT APPLICATIONS

A. DARCY YOUNG, MANAGER

FY ASSOCIATES, INC., D/B/A BLUE FINN GRILLE
130 WASHINGTON STREET

APPLICATION FOR NEW ENTERTAINMENT LICENSE FOR TELEVISION ONLY

B. EDWARD J. MURPHY, MANAGER

GARRISON GOLF CENTER, INC., D/B/A GARRISON GOLF CENTER
654 HILLDALE AVENUE

APPLICATION FOR NEW ENTERTAINMENT LICENSE FOR TELEVISION ONLY

The Commission decided to combine items 5A and 5B into one motion. Motion to approve the applications in Items 5A and 5B by Commissioner Sewell, seconded by Commissioner Coco. No public comment on the matter. Vote unanimous, motion passed.

6. COMMON VICTUALLER APPLICATIONS

A. RENEWAL OF COMMON VICTUALLER'S LICENSES FOR 2015:

1. GREGG RYAN, MANAGER

DOUBLE N INC., D/B/A SAL'S PIZZA
95 WINTER STREET

2. DIMITRIOS ARGYRIADIS, MANAGER

DIMITRIOS ARGYRIADIS, D/B/A BRADFORD SEAFOOD
124 WINTER STREET

3. DAVID BIGGART, MANAGER

DAVID BIGGART, D/B/A BIGGARTS ICE CREAM INC.
506 AMESBURY ROAD

4. ROBERT GREATOREX, MANAGER

TWO DAD'S PIZZA INC., D/B/A ROMANO'S PIZZA
620 PRIMROSE STREET

5. DIANE GAGNE, MANAGER

SAWYER ENTERPRISES, D/B/A BRADFORD SKI AREA
60 SOUTH CROSS ROAD

6. HONG CHOI, MANAGER

HONG CHOI, D/B/A VILLAGE SQUARE RESTAURANT
109 SOUTH MAIN STREET

7. VAL ROBICHAUD, MANAGER

GIRI HAVERHILL, LLC, D/B/A BEST WESTERN MERRIMACK VALLEY
401 LOWELL AVENUE

PENDING RECEIPT OF SIGNED APPLICATION AND LICENSE FEE

8. EDWARD BENEDETTI, MANAGER

MARY BENEDETTI, D/B/A BENEDETTI'S DELI
350 WASHINGTON STREET

9. ERIN ERLER, MANAGER

CAKES BY ERIN, LLC, D/B/A CAKES BY ERIN
58 KENOZA AVENUE

The Commission decided to combine items 6A1 through 6A9 into one motion. Motion to renew the licenses listed in Agenda Items 6A1 through 6A9 by Commissioner Coco, seconded by Commissioner Sewell. No public comment on the matter. Vote unanimous, motion passed.

B. RENEWAL OF COMMON VICTUALLER'S LICENSES AND ENTERTAINMENT LICENSES FOR 2015:

1. LUCIENE BAIA, MANAGER

HELLAS-OP LLC, D/B/A DUNKIN' DONUTS
259 WINTER STREET

2. ANNIE KARPINSKI, MANAGER

BROADWAY-OP, LLC, D/B/A DUNKIN' DONUTS
600 BROADWAY

3. DANI RIVARD, MANAGER

WIN OP LLC, D/B/A DUNKIN' DONUTS
215 WINTER STREET

4. KIM RUZZO, MANAGER

SPARTA-OP LLC, D/B/A DUNKIN' DONUTS
727 SOUTH MAIN STREET

5. HOLLIE FAULKNER, MANAGER

MOLAI Co LLC, D/B/A DUNKIN DONUTS
9 MIDDLESEX STREET

6. KALI MATA, MANAGER

MARINA-OP LLC, D/B/A DUNKIN' DONUTS
765 MAIN STREET

7. **SEFA OZDEN, MANAGER**
SEFA OZDEN, D/B/A PIZZA ETC
200 MAIN STREET
8. **SOHAN SAINI, MANAGER**
SAINI GROUP INC., D/B/A GIOVANNI'S ROAST BEEF AND PIZZA
298 MAIN STREET
9. **OSAMA BOLES, MANAGER**
OSAMA BOLES, D/B/A HILLDALE PIZZA
62 HILLDALE AVENUE
10. **MIKE MIAMIS, MANAGER**
DEMOULAS SUPERMARKETS, INC., D/B/A MARKET BASKET
400 LOWELL AVENUE
11. **PRITAPA SAINI, MANAGER**
558 RIVER STREET, INC, D/B/A GIOVANNI'S BLAST FROM THE PAST DINER
558 RIVER STREET
12. **MAITUL PATEL, MANAGER**
RS CONVENIENCE CORP., D/B/A DJS VARIETY STORE
363 WASHINGTON STREET
13. **LEO ZUNIGA, MANAGER**
TACOS LUPITA INC., D/B/A TACOS LUPITA
194 RIVER STREET

The Commission decided to combine items 6B1 through 6B13 into one motion. Motion to renew the licenses listed in Agenda Items 6B1 through 6B13 by Commissioner Sewell, seconded by Commissioner Coco. No public comment on the matter. Vote unanimous, motion passed.

7. **OUTDOOR DINING APPLICATIONS**

NO SCHEDULE

8. **ALCOHOL/ABCC APPLICATIONS**

A. **IRENE FISHER, MANAGER**

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

APPLICATION FOR NEW OFFICERS AND DIRECTORS – PENDING RECEIPT OF CERTIFICATE OF GOOD STANDING BY THE DEPARTMENT OF REVENUE

Renee Theofilopoulos, pending manager appeared on behalf of the applicant. Commissioner Sewell was looking for the names of the officers and directors, it was in the packet. Commissioner Coco mentioned there was some cleanup going on and he saw that the AMVETS was on the list of corporations who lost tax exempt status with the IRS. Chairman Edwards indicated that the change in status would not hold up this license. Motion for approval of the application of new officers and directors as specified on the attachment by Commissioner Coco, seconded by Commissioner Sewell. No public comment on the matter. Vote unanimous, motion passed.

B. IRENE FISHER, MANAGER

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

APPLICATION FOR CHANGE OF MANAGER FROM IRENE FISHER TO RENEE M. THEOFILOPOULOS- FOR RECONSIDERATION – ORIGINAL APPLICATION RETURNED BY THE ABCC WITHOUT ACTION DUE TO THE OFFICERS AND DIRECTORS VOTING FOR THE CHANGE OF MANAGER HAD NOT BEEN PREVIOUSLY APPROVED BY THE ABCC

Motion for approval of the application by Commissioner Sewell, seconded by Commissioner Coco. No public comment on the matter. Vote unanimous, motion passed.

C. PETER CARBONE, MANAGER

HAVERHILL BEEF COMPANY LLC, D/B/A HAVERHILL BEEF CO
117 MERRIMACK STREET

APPLICATION FOR CHANGE OF SUNDAY HOURS TO ALLOW SALE OF ALCOHOL BEGINNING AT 10:00 AM

Motion for approval of the application as specified on the attachment by Commissioner Coco, seconded by Commissioner Sewell. No public comment on the matter. Vote unanimous, motion passed.

9. MOTOR VEHICLE APPLICATIONS

RENEWAL OF 2015 AUTOMOBILE LICENSES

A. ANNE REGAN FLYNN, MANAGER

REGAN FORD, INC., D/B/A REGAN FORD, INC
501 BROADWAY

B. THOMAS DIPIRRO, MANAGER

THOMAS DIPIRRO, D/B/A TONY'S USED AUTO PARTS
140 ROSEMONT STREET

C. FRANK CONSTABLE, MANAGER

FCC AUTOBODY, INC., D/B/A FOREIGN COLLISION
17 LAFAYETTE STREET

The Commission decided to combine items 9A through 9C into one motion. Motion to renew the licenses listed in Agenda Items 9A through 9C by Commissioner Coco, seconded by Commissioner Sewell. No public comment on the matter. Vote unanimous, motion passed.

10. ISSUES FOR DISCUSSION

A. RICHARD L. WILLETT, MANAGER

BRES, INC., D/B/A THE LASTING ROOM
122 WASHINGTON STREET

ITEM FOR DISCUSSION: INCIDENT ON THE PREMISES ON OR ABOUT SEPTEMBER 20, 2014 AT 00:45:27

Richard Willett appeared on behalf of The Lasting Room. Lt. Robert Pistone from the Haverhill Police Department indicated that this is just an item for discussion and summarized the police report. Chairman Edwards questioned Lt. Pistone if there was any blame on the establishment. Commissioner Sewell asked if the party was intoxicated – there was no indication of intoxication in the report. Commissioner Sewell was reading from the wrong report. Commissioner Coco stated that the fight was among the patrons and clarified with Lt. Pistone that there was no allegation of over serving. Chairman Edwards also stated that Mr. Willett knows how to run his establishment. He questioned Lt. Pistone about any history of not cooperating with the police and the answer was no. The establishment called the police as they should have. Motion to take no action on this matter by Commissioner Coco, seconded by Commissioner Sewell. No public comment on the matter. Vote unanimous, motion to take no action passed.

B. KERRI GRUNDY, MANAGER

HAVERHILL LODGE #165 B.P.O.E. OF HAVERHILL, D/B/A ELK'S CLUB
24 SUMMER STREET

ITEM FOR DISCUSSION: INCIDENT ON THE PREMISES ON OR ABOUT OCTOBER 6 2014 AT 19:03:16

Kerri Grundy appeared on behalf of the Elks Club. Lt. Robert Pistone from the Haverhill Police Department summarized the police report. Police called to deal with the disturbance. Because the patron was not served, she caused the disturbance. Chairman Edwards clarified that the patron came in intoxicated, wasn't served and caused the disturbance. Commissioner Sewell questioned Lt. Pistone about whether the patron came in intoxicated and was not served. Kerri Grundy stated that the patron had been served a letter of thirty (30) day suspension from the club, she came in, the bartender went to serve the patron, but noticed that she was not acting correctly, so she was not served and she caused a disturbance. Commissioner Coco stated that the establishment handled the matter properly. Commissioner Sewell indicated that the disturbance was taken care of properly. No wrong doing by the establishment. Motion to take no action on this matter by Commissioner Sewell, seconded by Commissioner Coco. No public comment on the matter. Vote unanimous, motion to take no action passed.

11. SHOW CAUSE HEARINGS

JOYCE L. MORIARTY, MANAGER

SOUTH MAIN WILLIAM AVENUE CORPORATION, D/B/A KELLY'S RESTAURANT
75 SOUTH MAIN STREET

SHOW CAUSE HEARING: ALLEGED VIOLATION OF 204 CMR 2.05 (2) PERMITTING AN ILLEGALITY ON THE LICENSED PREMISES TO WIT: (2) NO LICENSEE FOR THE SALE OF ALCOHOLIC BEVERAGES SHALL PERMIT ANY DISORDER, DISTURBANCE OR ILLEGALITY OF ANY KIND TO THE PLACE IN OR ON THE LICENSED PREMISES. THE LICENSEE SHALL BE RESPONSIBLE THEREFORE, WHETHER PRESENT OR NOT – ASSAULT AND BATTERY, DISORDERLY CONDUCT AND ASSAULT AND BATTERY ON A POLICE OFFICER.

Joyce Moriarty and Jeff Moriarty appeared on behalf of Kelly's Restaurant. Lt. Pistone from the Haverhill Police Department summarized the report. Joyce Moriarty answered questions from the Commission. Jeff Moriarty gave a description of the incident and stated that he did not have enough time to contact his attorney to have the attorney present at the hearing. After discussion on the matter, it was suggested this matter be postponed until the January 8, 2015 meeting, at which time the Moriartys would be able to have their attorney present. Motion to postpone this matter to January 8, 2015 by Commissioner Coco, seconded by Commissioned Sewell. No public comment on the matter. Vote unanimous, motion to postpone passed.

12. COMMUNICATIONS

NO SCHEDULE

13. OTHER BUSINESS

APPROVAL OF SCHEDULE OF MEETINGS FOR 2015

JANUARY 8	JULY 2
FEBRUARY 5	AUGUST 6
MARCH 5	SEPTEMBER 3
APRIL 2	OCTOBER 1
MAY 7	NOVEMBER 12
JUNE 4	DECEMBER 3

Motion to approve the calendar of meetings for 2015 by Commissioner Coco, seconded by Commissioner Sewell. No public comment on the matter. Vote unanimous, motion approved.

Attest: _____
 Laura D. Angus
 Laura D. Angus, Clerk