



LICENSE COMMISSION MINUTES

Thursday, June 2, 2022 at 6:00 p.m.-City Council Chambers

VIRTUAL and in person meeting

Attendees: Chairman Edwards, Commissioner Angus, Commissioner Pat Driscoll, Acting License Commission Clerk, Linda Koutoulas, HPD Captain Wayne Tracy

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF THE MINUTES

A. Minutes from May 5 2022 meeting

Commissioner Angus made a motion to accept the minutes as presented for the regular meeting held on May 5. Chairman Edwards seconded. Commissioner Driscoll abstained. No public comment. Motion passed (2 yes, 0 No, 1 Abstain).

B. Minutes from Special Meeting – May 23 2022

Commissioner Angus made a motion to accept the minutes as presented for the special meeting held May 23, 2022. Chairman Edwards seconded. Commissioner Driscoll abstained. No public comment. Motion passed (2 yes, 0 No, 1 Abstain).

3. CONTINUED BUSINESS

4. MISCELLANEOUS APPLICATIONS/REQUESTS

5. ONE DAY APPLICATIONS

A. L'ARCHE BOSTON NORTH (THE LONGEST TABLE)

53 WINGATE STREET

JENNIFER MATTHEWS

**ONE DAY LIQUOR LICENSE – AUG 18 2022 – 6PM – 10PM ON BOARDWALK
ADJACENT TO 160 MERRIMACK ST**

*** HAS POLICE APPROVAL -2 POLICE DETAIL OFFICERS***

Jennifer Matthews appeared as applicant, event to be held on Boardwalk. If there is rain, the event will be moved to Bradford Country Club. They will cordon off the area where alcohol is to be served and anyone serving, will have TIPS certification. They are adding dancing this year. 2 Police officers will be retained. Commission Driscoll made a motion to grant the one day license, Commissioner Angus seconded. No public comment. Motion passed unanimously.

6. BUSINESS CERTIFICATES

7. ENTERTAINMENT APPLICATIONS

8. COMMON VICTUALLER APPLICATIONS

9. OUTDOOR DINING APPLICATIONS

10. ALCOHOL/ABCC APPLICATIONS

A. KENOZA VARIETY

68 KENOZA AVE

SANDRA SARBANIS, MANAGER

APPLICATION FOR A NEW SECTION 15 BEER & WINE ONLY LIQUOR LICENSE

Continued from May 5 2022 meeting

Sandra Sarbanis appeared as the applicant.

Commissioner Angus asked if there is enough room in the store for the minimum order from the wholesaler. Sandra said there was. Commissioner Angus told her to keep an eye on the inventory and watch for expiration dates.

Commission Angus asked if there was a need for a Sec 15 Wine and malt license as it is right next door to another Sec 15 all alcohol location. Sandra says customers come in all the time and asked why Kenoza Variety does not have beer and wine so she believes there is a need.

Sandra has her TIPS certificate and her husband is working on obtaining his.

Chairman Edwards asked Captain Tracy if he would see if there are any alcohol training programs specifically for Sec 15 licensees. Captain Tracy said he would.

Commissioner Angus made a motion to grant sec 15 Wine and Malt license to Kenoza Variety. Commissioner Driscoll Seconded. No public comment. Motion passed unanimously

B. THE FOOD BROS CORP DBA STACKS

122 WASHINGTON ST

HAVERHILL MA 01832

PAUL TOMACCHIO, MANAGER

ALTERATION OF PREMISES APPLICATION FOR AN ALL-ALCOHOL RESTAURANT LICENSE

*PENDING ABCC APPROVAL

Gary Ortiz, Applicant's Accountant, appeared for applicant. Commissioner Angus asked that Gary correct the Occupancy number and the financial Disclosure.

Chairman Edwards stated there needs to be an employee present at all times on the back deck, as the deck is not visible from the inside. He also recommended they keep an eye out for nip bottles.

Commissioner Angus made a motion to grant expansion of Premises to Stacks.

Commissioner Driscoll Seconded. No public comment. Motion passed unanimously

B. WILLOW SPRINGS VINEYARDS LLC

840 WEST LOWELL AVE

HAVERHILL MA 01832

JADE JALBERT, APPLICANT

APPLICATION FOR FARMER'S MARKET SPECIAL PERMIT FOR A "WINERY" AT THE 2022 FARMER MARKET. SATURDAYS, JUNE TO OCTOBER 2022 IN FRONT OF GOECKE DECK

James Parker, manager, appeared as applicant. All employees are tip certified. He will be providing samples at the Farmer's Market. Final approving pending receipt of Jim's TIPS Certificate and copy of ABCC transportation license.

Commission Driscoll made a motion to grant the Farmer's Market License, Commissioner Angus seconded. No public comment. Motion passed unanimously.

11. MOTOR VEHICLE APPLICATIONS

A. DM MOTORS, 251 WINTER ST

TES MERCADAT, MANAGER

Seeking increase in license to 31 cars from 25 spaces – 1 Employee parking, 1 Customer Parking, 26 Display of Cars, 1 Handicap Parking, 2 Pre/Post Sale spots.

Has approval from Building inspector

Tes Mercadet appeared as applicant (remote). Commissioner Angus wanted to make sure he understands that he cannot exceed the number on the license. Tes said he does and he know this number also includes any cars in the garage.

Commissioner Angus made a motion to grant increase in number of cars on license. Commissioner Driscoll Seconded. No public comment. Motion passed unanimously

12. CARRY IN LICENSE APPLICATIONS

13. ITEM FOR DISCUSSION

A. MARDEB, LLC D/B/A KRUEGAR FLATBREAD

6 MOULTON WAY

SUSAN STOLWORTHY, MANAGER

INCIDENT THAT OCCURRED ON/ABOUT FEBRUARY 26, 2022

Continued from May 5 2022 meeting.

Jason Petrou appeared for Kruegar Flatbread.

Chairman Edwards commented to Captain Tracy about the heavily redacted report from police leaving very little information. Captain Tracy said he would talk with records department.

Captain Tracy recounted the incident – MV crash on Rosemont St. Driver found walking unsteadily and very fast. Indications that she was intoxicated and failed field sobriety test and had breathalyzer reading of 0.19. She stated she had a couple of drinks after her shift at Kruegars. She also stated in court that she has started a new medication and may have had bad interaction with alcohol.

Jason stated the worker admitted to having brought in her own nips. The business typically closes at 9:30PM and workers are usually done by 10:30. Incident occurred at 11:07PM. Worker stated she had drank after her shift ended.

The worker has been with the business for about 25 years and has never had an incident like this in the past. Jason also stated there have been no issues with the business either. Since the incident, Jason has had many meetings with employees on this matter and also with the worker. They are keeping an eye on employees drinking after their shift.

Commissioner Driscoll thanked the HPD for bringing matters like these to the attention of the License Commission.

Chairman Edwards asked if the employees get free drinks after work. Jason said there are no free drinks. Chairman Edwards wanted the time card showing what

time the worker punched out. Captain Tracy said the HPD was satisfied with the business' response and the HPD has no interest in escalating the incident. Commissioner Angus made motion to file this information for any future reference. Commission Driscoll seconded. No public comment. Motion passed unanimously.

14. SHOW CAUSE HEARING

A. HIGH STREET MARKET

91 HIGH STREET

BORELI GONZALES, STORE OWNER

ALLEGED VIOLATION OF MGL 138 § 2 PERMITTING AN ILLEGALITY ON THE LICENSED PREMISES, TO WIT: NO PERSON SHALL MANUFACTURE, WITH INTENT TO SELL, SELL OF EXPOSE OR KEEP FOR SALE, STORE, TRANSPORT, IMPORT OR EXPORT ALCOHOLIC BEVERAGES OR ALCOHOL, EXCEPT AS AUTHORIZED.

Boreli Gonzalez appeared as owner of store with Gary Ortiz assisting as translator. Commissioner Angus immediately made motion to postpone as further investigation is underway. Commissioner Driscoll seconded the motion. No public comment. Motion passed unanimously.

15. COMMUNICATIONS

16. PUBLIC PARTICIPATION

17. OTHER BUSINESS

18. ADJOURNMENT

Motion to adjourn made by Commissioner Angus, Seconded by Commissioner Driscoll. motion passed unanimously. 7:17PM