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| City%20Seal2 | **Haverhill** |
| License Commission, Room 118  Phone: 978-374-2312 Fax: 978-373-8490  cityclerk@cityofhaverhill.com |

**License Commission Minutes**

**Thursday, May 2, 2024, at 6:00 p.m.-Room 202**

**VIRTUAL and in person meeting**

Attending: Chairperson Laura Angus, Commissioner Patrick Driscoll, Commissioner Linda Koutoulas, Lic. Comm Clerk Jennifer Sanchez, Sergeant Kevin Lynch, HPD.

1. **Pledge of Allegiance**
2. **Approval of the Minutes**

2.1 Approval of the Minutes of April 4, 2024

**Commissioner Driscoll made a motion to approve the minutes. This was seconded by Commissioner Koutoulas. No public comment, vote unanimous, motion passed.**

1. **Continued Business**

No Schedule

1. **miscellaneous applications/ requests**

**4.1 Dan Clapp, Applicant**

1634 Meadery LLC

d/b/a 1634 Meadery

3 Short Street

Ipswich, MA 01938

**-Application for the 2024 Haverhill Farmers Market from June 22, 2024, to October 26, 2024, from 9am to 1pm.**

**-Pending payment.**

Dan Clapp appeared virtually for this item. Dan said this is the 8th or 9th year at the market.

**Commissioner Koutoulas made a motion to approve the application pending payment. This was seconded by Commissioner Driscoll. No public comment, vote unanimous, motion passed.**

**4.2 Jeff Venuti, Applicant**

Blisspoint LLC

d/b/a Blisspoint Meadery

1 Fox Run Road

Bedford, MA 01730

**-Application for 2024 Haverhill Farmers Market from June 22, 2024, to October 26, 2024, from 9am to 1pm.**

**-Pending payment**

Jeff appeared virtually for this item. Chairperson Angus asked if this is the first time at the Farmer’s Market. Jeff said yes, it is. Chairperson Angus asked Jeff to tell the Commission about himself. Jeff said Blisspoint is a meade vendor. They are out of Bedford MA. This is their third year in business and their second season doing Farmer’s Markets. Jeff said they do a lot of the other Merrimack Valley Markets.

**Commissioner Driscoll made a motion to approve the application pending payment. This was seconded by Commissioner Koutoulas. No public comment, vote unanimous, motion passed.**

**4.3 Beth Borges, Applicant**

House Bear Brewing, LLC

d/b/a House Bear Brewing

3 Graf Road # 15

Newburyport, MA 01950

**-Application for the Haverhill Farmers Market from June 22, 2024, to October 26, 2024,**

**-Pending payment.**

Beth appeared virtually for this application. Chairperson Angus said they have done the Farmer’s Market before, Beth said yes, this is their sixth year at the Market. Beth said she sent over her tips certification, and she will send over any other people’s tips certifications that will be working at the Market.

**Commissioner Koutoulas made a motion to approve the application pending payment. This was seconded by Commissioner Driscoll. No public comment, vote unanimous, motion passed.**

**4.4 Belle Lee, Manager**

Friendly House of Pho, Inc.,

d/b/a Friendly House of Pho

114 Washington Street

**-Application with the Massachusetts State Lottery Commission for a Keno License.**

William Rand appeared for this application. He is the owner of the restaurant. Chairperson Angus asked Bill if he knew the rules and regulations of having Keno in the establishment. Bill said yes, he does.

Commissioner Driscoll asked if this is just Keno or scratch ticks also. Bill said it is for the lottery and he got an approval today for the scratch tickets. Chairperson Angus said they do not have to hear the scratch tickets. They are only hearing the Keno.

**Commissioner Koutoulas made a motion to approve Keno at the establishment. This was seconded by Commissioner Driscoll. No public comment, vote unanimous, motion passed.**

1. **one day applications**

**5.1 Cynthia Graham, Applicant**

Haverhill Firefighting Museum

75 Kenoza Street

-Application for one day all alcohol liquor license for the fundraiser event on June 8, 2024, from 6pm to 9pm.

**-Pending liquor liability insurance.**

**-Has police approval pending updated liquor liability insurance.**

Cindy appeared for this application. Cindy said she submitted a corrected insurance policy, but it probably was not received because it was late. Chairperson Angus asked Cindy if that was a new event. Cindy said yes, this event is new. They are having this event instead of the Kentucky Derby.

Cindy said they will be doing Scottish versus Irish whisky and beer. There will be little appetizers and whisky tasting. They have a cash raffle that will be drawn that night.

**Commissioner Driscoll made a motion to approve the application pending updated liquor liability. This was seconded by Commissioner Koutoulas. No public comment, vote unanimous, motion passed.**

**5.2 James Carbone, Applicant**

542 North Broadway

**-Application for one day beer and wine license for the Tattersall Farm to table event on July 25, 2024, from 5pm-8pm.**

**-Pending liquor liability insurance, city council approval, Mayor approval, and Police approval.**

James Carbone appeared for this item. James said this is the third year at Tattersall Farm. The event has food and drinks from local farms. Kristin Carbone will be cooking, and Evangelo from La Pizza Di Forno will also be there. They are growing the farm and table event; they use vegetables from the farms to cook.

James said he did renew his liquor liability insurance and he found out there is one new document that he needs to sign to have the insurance page.

Chairperson Angus asked how many people the maximum for the event is. James said 175.

**Commissioner Driscoll made a motion to approve the application pending updated liquor liability and tips certifications This was seconded by Commissioner Koutoulas. No public comment, vote unanimous, motion passed.**

1. **business certificates**

No Schedule

1. **entertainment applications**

**7.1 Philip McCabe, Manager**

Bosa Restaurant, LLC

d/b/a Bosa and Bosa Bar

160 Merrimack Street

**-Application for entertainment amendment to amend hours to: Sunday -Thursday and Saturday 10:30am-1am and Friday 10:30am-2am.**

**-Has police approval.**

Joe and Phil appeared for these items. They were taken together, the applications are for amendments of hours on the entertainment license, common victualler license and alcohol license. Chairperson Angus said there were some rumors about it being noise coming from inside and the entertainment. She asked if they have any entertainment outside? Phil said no they do not have entertainment outside. Chairperson Angus asked if they could pinpoint where the noise is coming from and make some adjustments. She also said to be careful of the noise as the hours get later.

Chairperson Angus told Joe and Phil that the Commission asks the downtown businesses to stop the entertainment a half hour before the closing. This is to give them time to get people to finish up and, on their way, out. Phil said yes, they could do that.

**Commissioner Koutoulas made a motion to approve the applications for amendment of hours on the common victualler license, entertainment license and alcohol license. This was seconded by Commissioner Driscoll. No public comment, vote unanimous, motion passed.**

**7.2 Kawus Safie, Manager**

PPT Hospitality LLC

d/b/a Craft Dog Pizza

56 Locust Street

**-Application for new entertainment license for the hours of Sunday-Saturday from 11am-9pm for TV.**

**-Has police approval.**

**-Pending entertainment zoning approval.**

Kawus appeared for these applications. The entertainment and the common victualler license applications were heard together. Chairperson Angus said the hours that were asked for were ot clear and asked what hours he wanted, Kawus said he wants 10-9.

**Commissioner Driscoll made a motion to approve the applications for the common victualler and entertainment licenses. This was seconded by Commissioner Koutoulas. No public comment, vote unanimous, motion passed.**

**7.3 Rafael Guzman, Manager**

Crusttown Inc.

d/b/a Crusttown

150 Washington Street

**-Application for entertainment license for the hours of Sunday 12pm-10pm, Monday -Thursday and Saturday 7am-1am and Friday 7am-2am for Amplifiers, D.J., Karaoke, amplified music, comedy show (2 comedians), performers (3), Dancing by patrons only, Jukebox, Radio, vocalists (3).**

**-Has entertainment zoning approval.**

Rafael and Gary Ortiz appeared for these applications. The applications are for an entertainment license, common victualler license, transfer of the liquor license and outdoor dining application. Chairperson Angus reminded Rafael that the entertainment goes against the occupancy number. Comedians and entertainers are counted in the occupancy. Chairperson Angus reminded them that even one person over is a violation and they take the occupancy number very seriously.

Commissioner Angus told Rafael that they ask the downtown businesses to stop their entertainment one half hour before closing time. This ensures to time to start getting people off the premises.

**Commissioner Koutoulas made a motion to approve the common victualler license starting at 7am, approve the entertainment license for inside only to end a half hour before closing, postpone outdoor dining to June meeting, approve the alcohol transfer application pending tips and liquor liability. This was seconded by Commissioner Driscoll. No public comment, vote unanimous, motion passed.**

**7.4 David Jackson, Manager**

Mac Daddies and a little more, LLC

d/b/a Mac Daddies and a little more

741 South Main Street, Unit 5

**-Application for new entertainment license for the hours of Sunday Closed, Monday-Thursday 11am-8pm and Friday and Saturday 11am-2am for radio and TV.**

**-Has police approval.**

**-Pending police approval.**

David appeared for this item. It was heard with the common victualler license application. Chairperson Angus said this is for radio and tv only. Davis said he is looking forward to bringing a new concept to Haverhill, the restaurant will be mostly takeout.

**Commissioner Driscoll made a motion to approve the applications for the common victualler pending business occupancy and the entertainment license pending entertainment zoning approval and corporate vote. This was seconded by Commissioner Koutoulas. No public comment, vote unanimous, motion passed.**

1. **common victualler applications**

**8.1 Philip McCabe, Manager**

Bosa Restaurant, LLC

d/b/a Bosa and Bosa Bar

160 Merrimack Street

**-Application for amendment of common victualler license to change hours to Sunday- Thursday and Saturday 10:30am-1am and Friday 10:30am-2am.**

**-Pending Police approval.**

Joe and Phil appeared for these items. They were taken together. The applications are for amendments of hours on the entertainment license, common victualler license and alcohol license. Commissioner Driscoll said in the short time they have been open; they have been very popular.

**Commissioner Koutoulas made a motion to approve the applications for amendment of hours on the common victualler license, entertainment license and alcohol license. This was seconded by Commissioner Driscoll. No public comment, vote unanimous, motion passed.**

**8.2 Kawus Safie, Manager**

PPT Hospitality, LLC

d/b/a Craft Dog Pizza

56 Locust Street

**-Application for new common victualler license for the hours of Sunday- Saturday 10am-9pm.**

**-Pending business occupancy.**

Kawus appeared for these applications. The common victualler and entertainment licenses were heard together. Kawus is taking over the business and plans to run the business the same way the business has been operating. Chairperson Angus asked if the menu would change. Kawus said he is planning on extending the menu. Kawus wants to add pizza and subs to the menu.

Chairperson Angus asked Kawus what his experience is in the business. Kawus said he has managed several restaurants, and he currently has another location in Saugus.

**Commissioner Driscoll made a motion to approve the applications for the common victualler and entertainment licenses. This was seconded by Commissioner Koutoulas. No public comment, vote unanimous, motion passed.**

**8.3 Rafael Guzman, Manager**

Crusttown Inc.,

d/b/a Crusttown

150 Washington Street

**-Application for new common victualler license for the hours of Sunday 12pm-10pm, Monday- Thursday and Saturday 7am-1am, Friday 7am-2am.**

**-Pending 304 inspection.**

Rafael and Gary Ortiz appeared for these applications. The applications are for an entertainment license, common victualler license, transfer of the liquor license and outdoor dining application. Chairperson Angus asked Rafael if he is going to keep the menu the same? Rafael said he likes the way that everything is set up, and he wants to keep everything the way that it is.

Chairperson Angus asked Rafael if there is a reason that he wants to be open at 7am. Rafael said that he wants to have the ability to be in there at 7am cleaning and doing things on the premises. He wants to be protected to have those hours. Chairperson Angus told Rafael that by law he can be on the premises when the business is not open. Chairperson Angus asked if we could amend the hours to 8am opening time. Rafael said that he is ok with the 8am opening time.

Gary explained that Crusttown is right across the street from the train station. They want to have an option for people taking the train to get breakfast at Crusttown and get on the train. Chairperson Angus said they can have the alcohol license start at 8am and common victualler license at 7am if that is helpful.

**Commissioner Koutoulas made a motion to approve the common victualler license starting at 7am, approve the entertainment license for inside only to end a half hour before closing, postpone outdoor dining to June meeting, approve the alcohol transfer application pending tips and liquor liability. This was seconded by Commissioner Driscoll. No public comment, vote unanimous, motion passed.**

**8.4 David Jackson, Manager**

Mac Daddies and a little more LLC

d/b/a Mac Daddies and a little more

741 South Main Street, Unit 5

**-Application for new common victualler license for the hours of Sunday-Closed, Monday-Thursday 11am-8pm, Friday and Saturday 11am-2am.**

**-Pending Business occupancy.**

David appeared for this item. It was heard with the entertainment license application. David said he was born and raised in Haverhill. He has other restaurants in other cities, but this will be his first one in Haverhill. He has been in the restaurant industry for over 30 years. He is looking forward to bringing a different perspective to the city. The food will be American comfort food with southern barbeque flare and Latin and Asian flare as well. He wants to stay open late until 2 am because a lot of things close early on River Street. He wants to give people more options. His plan is to close the inside at 10pm and do takeout after that.

David said he is working on an app and curbside pickup. David said the menu is mac and cheese, pulled pork, beef, buffalo chicken, barbeque chicken, quesadillas, burgers, salads, and jumbo baked potatoes and they will have a small price point.

They do not have an opening date because they need the hvac guy to come and he is booked.

David said he is planning on having 15 seats inside. He is planning on having mostly takeout but wants a few seats inside to accommodate.

**Commissioner Driscoll made a motion to approve the applications for the common victualler license pending business occupancy and the entertainment licenses pending entertainment zoning approval and corporate vote. This was seconded by Commissioner Koutoulas. No public comment, vote unanimous, motion passed.**

1. **outdoor dining applications**

**9.1 Rafael Guzman, Manager**

Crusttown Inc.,

d/b/a Crusttown

150 Washington Street

**-Application for outdoor dining.**

**-Pending Inspectional and Fire approval.**

**-Has police approval, has dpw approval.**

Rafael and Gary Ortiz appeared for these applications. The applications are for an entertainment license, common victualler license, transfer of the liquor license and outdoor dining application. Chairperson Angus said the outdoor dining application is for outdoor dining in the front and the rear of the building. Chairperson Angus told Rafael that the application says there is no outdoor dining on a public way but there are two tables on the front so the application will need to be corrected, and to upload the liability insurance and the sidewalk bond. This item will have to be put off until the June meeting.

Commissioner Koutoulas told them that someone needs to be stationed out back watching people when they are doing outdoor dining and reminded them that entertainment is only for inside.

**Commissioner Koutoulas made a motion to approve the common victualler license starting at 7am, approve the entertainment license for inside only to end a half hour before closing, postpone outdoor dining to June meeting, approve the alcohol transfer application pending tips and liquor liability. This was seconded by Commissioner Driscoll. No public comment, vote unanimous, motion passed.**

**9.2 Brett Yannalfo, Manager**

P&S Restaurant Group, LLC

d/b/a The Roma

29 Middlesex Street

-Application for outdoor dining.

**-Pending inspectional approval.**

**-Has Fire approval, has Police approval, has DPW approval.**

Brett appeared for this item. It was heard with the alteration of the premises. Chairperson Angus reminded Brett that he has to have someone watching the deck from inside or have someone stationed outside to keep an eye on the deck. Commissioner Koutoulas reminded Brett that outdoor seating is also included in the occupancy.

**Commissioner Koutoulas made a motion to approve the outdoor dining pending inspectional approval and the alteration of premises pending inspectional approval. This was seconded by Commissioner Driscoll. No public comment, vote unanimous, motion passed.**

1. **alcohol/ abcc applications**

**10.1 Phillip McCabe, Manager**

Bosa Restaurant, LLC

d/b/a Bosa and Bosa Bar

**-Application for change of hours. The new requested hours are Sunday-Thursday and Saturday 10:30am-1am and Friday 10:30am-2am.**

Joe and Phil appeared for these items. They were taken together. The applications are for amendments of hours on the entertainment license, common victualler license and alcohol license. Chairperson Angus asked why they want to extend the hours. Phil said that business is going well and that customers have been asking them to stay open later.

Commissioner Koutoulas asked when they will be opening the rooftop? Phil said as soon as the weather gets better, they will open the rooftop. Phil is hopeful for the middle to end of May.

**Commissioner Koutoulas made a motion to approve the applications for amendment of hours on the common victualler license, entertainment license and alcohol license. This was seconded by Commissioner Driscoll. No public comment, vote unanimous, motion passed.**

**10.2 Brett Yannalfo, Manger**

P&S Restaurant Group, LLC

d/b/a The Roma

29 Middlesex Street

**-Application for alteration of premises.**

Brett appeared for this application. It was heard with the outdoor dining application. Chairperson Angus asked Brett If the deck was still under construction. Brett said the deck is there they just have to have a structural engineer to certify the deck. He has been having a hard time finding someone to come out and do the inspection. Chairperson Angus asked how many seats they want to have on the deck. Brett said he will have 40 seats on the deck. Chairperson Angus asked if they will be serving food outside as well. Brett said yes, they would be.

**Commissioner Koutoulas made a motion to approve the outdoor dining pending inspectional approval and the alteration of premises pending inspectional approval. This was seconded by Commissioner Driscoll. No public comment, vote unanimous, motion passed.**

**10.3 Rafael Guzman, Manager**

Crusttown Inc.

d/b/a Crusttown

150 Washington Street

**-Application for transfer for all alcohol license for the hours of Sunday 12pm-10pm, Monday-Thursday and Saturday 7am-1am, Friday 7am-2am.**

**-Pending 304 Inspection.**

Rafael and Gary Ortiz appeared for these applications. The applications are for an entertainment license, common victualler license, transfer of the liquor license and outdoor dining application. Chairperson Angus told Rafael that alcohol cannot be served until 8am.

Chairperson Angus asked Rafael what his experience is in the business. Rafael said he currently manages 2 restaurants in the city of Lawrence. For the last 30 years he has been managing and being involved in the restaurant business. Rafael said he is servesafe certified and also tips trained.

Gary spoke and said that there are a lot of the letters that were returned. He said that Rafael spent the entire day at the post office to mail out the letters. Gary said that he met with the Bixby tower in the past and they told him that they could notify the people in the building by email and on their board. Gary said that he is working with Senator Payano to see if there is a way that they can notify the management company and not every occupant.

Commissioner Koutoulas told Gary that he would need to get the Law changed if he wanted to do that because notifying the abutters is a law. Commissioner Koutoulas explained that that a list is generated from the Assessor’s office. All owners within 500 feet are required to be notified. If that could be changed that would be better for everyone.

Commissioner Driscoll told Gary that if it is a statewide issue he should work with the state to change that. Chairperson Angus told Gary and Rafael that the alcohol license could start at 8 and the common victualler can start at 7.

**Commissioner Koutoulas made a motion to approve the common victualler license starting at 7am, approve the entertainment license for inside only to end a half hour before closing, postpone outdoor dining to June meeting, approve the alcohol transfer application pending tips and liquor liability. This was seconded by Commissioner Driscoll. No public comment, vote unanimous, motion passed.**

**10.4 Noreen Frances O’Neil, Manager**

Haverhill Lodge #165 B.P.O.E. of Haverhill

d/b/a Elk’s Club

24 Summer Street

**-Application for multiple amendments for change of officer/ directors and change of manager.**

Joe and Carol appeared for this item. Commissioner Angus asked if the new manager was well versed in tips and safe service of alcohol and the security procedures. Carol said yes she is familiar. Commissioner Angus asked if she is going to be on the premises at least 40 Hours? Carol said yes, she would be.

**Commissioner Koutoulas made a motion to approve the applications for multiple amendments. This was seconded by Commissioner Driscoll. No public comment, vote unanimous, motion passed.**

1. **motor vehicle applications**

**11.1 Tes Mercedat, Applicant**

TM Auto Group LLC

d/b/a DM Motors

251 Winter Street

**-Application for amendment**

**-Application for amendment of Motor vehicle 2 license,**

**-Special permit approved by city council.**

Chairperson Angus said this is to add rental cars to his existing license. Tes appeared for this application. Tes owns DM motors. The location is 251 Winter Street. It is currently operating as a used car dealership. Tes bought the business about 4 years ago. This was a new business venture for him. Tes said he found out that it is very strict and very hard. Tes is not making much money in this economy. Tes said has no other source of income other than selling cars. He is not selling cars right now and he still has bills to pay. He is looking into other ways to bring money in. Tes uses an app personally called turo. That is what gave him the idea to add rental service. Tes said there is a need in Haverhill for car rental services. People do not have the money to put down on a car and they are starting a job and need a car to go to work.

Chairperson Angus asked Tes is he received the list of requirements from the Police department. Tes said that he did get the list and most of them he is ok with but there are some that he is not ok with. Tes said there is a big need at the airports. On the app he gets assigned to deliver rental cars to Manchester airport and Logan Airport. So if they make a stipulation that the cars have to be picked up in Haverhill that would be a problem for his business.

Chairperson Angus asked Tes if the cars will be registered to the business. Tes said yes they would be registered to the business. Tes said that sometimes the bank will not give him a loan and he has to apply under his name. He said most of the cars will be registered to the business. Tes said the insurance will be commercial insurance.

Sergeant Lynch said there are the requirements for having rentals. The requirements are:

> To require that all vehicles available for rental be registered to the business, no personal or private vehicles will be rented.

> All vehicles for rent are required to be registered and properly insured per MGL 90§32E. Rental car must have business insurance similar to livery vehicles.

> The business renting motor vehicles will follow all MGL related to vehicle rentals in addition to City of Haverhill Ordinances.

> If renting motor vehicles, the business will be registered with the Massachusetts Department of Revenue (DOR) as a rental car agency.

> To require that all transactions (Pick-up/Drop off) occur withing the city of Haverhill.

> To require that the person renting the vehicle present a physical driver's license upon pick up.

> To require that the rental agency turn over the rental records to the police when asked.

> No dealer/repair plates allowed on rental vehicles.

> No vehicles for sales are allowed to be rented. There must be a distinction between vehicles for sale and those for rental.

> Also, this is contingent on the same number of vehicles allowed on the lot as the current lot plan dictates.)

Sergeant Lynch wants to make sure the vehicles are registered to the business and not a private person. He also wants to make sure that they have the proper insurance. A private person can have minimal insurance. Commissioner Koutoulas asked if this stipulation was required of the limo and taxi licenses? Sergeant Lynch said yes, it is. Sergeant Lynch said the pickup and drop off in the city of Haverhill is important because in the Turo app there is a lot of criminal activity. That is the reason for the pickup and drop offs to be within the city.

Commissioner Driscoll said that he agrees all of the vehicles should be under the business. Tes said that would not be a problem.

Tes said that he does not agree with doing all the rentals in Haverhill. Tes said a lot of the business is at airports. When he does the airport rentals the people do not come to Haverhill. He drops the cars off, gets a ride back and they leave the car at the airport when they are done. Tes said that the Turo app is renting the cars, and he is supplying the car.

Chairperson Angus asked if he is looking to have the business be more of a parking lot for the rental cars. Tes said no he wants people to be able to come in but also be able to drop cars off at the airport.

Chairperson Angus asked if the people renting the cars through the app have a rental agreement that they sign? Tes said yes, they do, and the app takes care of all that. Tes said they do a background check on every driver and every renter must upload a license and insurance. Commissioner Koutoulas asked Sergeant Lynch if there is a limit of the number of cars that someone can register. Sergeant Lynch said there is no limit. Sergeant Lynch said his other concern is that when you get a rental from one of the companies, you drive it away and they check that you have a license, and the licensed person is driving the car. When you drop a car off there is no one checking the licenses.

Commissioner Koutoulas said that the License Commission generally likes to take the advice of the police. She also suggested that Tes could solve this issue by renting his personal cars in the app.

Commissioner Driscoll asked if there are any safeguards in the app if someone else has someone’s license and information can they rent a car under their name? Tes said no because you have to take a picture of yourself with the license next to your face. This is so they can make sure the person renting is the correct person on the license. Before you can even sign up to do any rentals you have to register and sign up and do a background check.

Chairperson Angus asked if you rent a car on the app and the police come to you is there a way to retrieve those records. Tes said yes there are records of everything.

Commissioner Koutoulas said someone could go through the process of the rental and then send someone else to pick up the car. Tes said it is possible, but they have to use their phone to check in when they get there. Commissioner Koutoulas said the pick ups and the drops might not occur in the city. You are just providing vehicles. Commissioner Koutoulas is hesitant to set that precedent. Tes said the big rental companies do it. Tes said he was just trying to stay in business and that he runs a clean business. He has not had any problems with the police.

Commissioner Driscoll asked Tes if he wants to have a rental business to rent to the public unrelated to the app? Tes said yes. Commissioner Driscoll said he thinks that Tes should be held to the same standards as any of the other rental businesses. Chairperson Angus asked Tes if he will be registering with DOR. Tes said yes. Chairperson Angus told Tes that none of the rental’s cars can have dealer or repair plates on them. She also said the cars for sale will be separate from the rental cars. Tes said you cannot rent a car with those plates anyway because they are not registered. He said everything will be as it should be. Chairperson Angus said we are keeping the footprint of 26 cars the same. She told Tes at this lot there are no more cars than 26. She told him he if found a bigger lot he could apply for more but at this location it is 26.

Tes said that sometimes when he is not there people that live or go to church close by park there and there is nothing that he can do about it. The commission told Tes that he needs to have the landlord post signs or help him make sure that no one parks there because if people park there, that puts his numbers too high.

Chairperson Angus reminded Tes that the fire lanes need to be open. There cannot be any cars that are parked in those fire lanes.

Sergeant Lynch said he is in agreement with all the other requirements and letting him pick up and drop off the cars in other locations. He said they will have open books to see who rented a vehicle.

Commissioner Driscoll told Tes now he will be able to rent cars and he should not have any personal cars to be used on the app for Turo app. Tes said that he needs to have flexibility for the number of cars for rent and the number for sale. He was told at the city council meeting that as long as he did not go over the 26 car limit he could do either. Commissioner Koutoulas asked if the number between sales and rentals will be going up and down. Tes said yes he thinks the numbers will be changing. The Commission asked Tes how many cars that he has that fit the rental category. Tes said that he has about 13 and that he has 4 more personal ones that he is going to transfer over to the business.

Sergeant Lynch was concerned that if the cars do not come to Haverhill that there could be unlimited number of cars that are registered to the business, and they will not know about it. Sergeant Lynch said that if he has a license for 26 cars that he should have 26 cars total on and off the lot. Commissioner Driscoll asked what kind of license Enterprise has, Chairperson Angus said there is currently not a rental license in the city of Haverhill.

**Commissioner Driscoll made a motion to approve the application for amendment for DM Motors to have the max amount of cars on the lot for sale or rent cannot exceed 26 on or off the lot. With the following restrictions: To require that all vehicles available for rental be registered to the business, no personal or private vehicles will be rented.**

**All vehicles for rent are required to be registered and property insured per MGL 90§32E. Rental car must have business insurance similar to livery vehicles.**

**The business renting motor vehicles will follow all MGL related to vehicle rentals in addition to City of Haverhill Ordinances.**

**If renting motor vehicles, the business will be registered with the Massachusetts Department of Revenue (DOR) as a rental car agency.**

**the person renting the vehicle to present a physical driver's license upon pick up.**

**The rental agency will turn over the rental records to the police when asked.**

**No dealer/repair plates allowed on rental vehicles.**

**No vehicles for sales are allowed to be rented. There must be a distinction between vehicles for sale and those for rental.**

**Also, this is contingent on the same number of vehicles allowed on the lot as the current lot plan dictates.**

**This was seconded by Commissioner Koutoulas. No public comment, vote unanimous, motion passed.**

1. **carry in license applications**

No Schedule

1. **item for discussion**

No schedule

1. **show cause hearing**

**14.1 Russell Littlefield, Manager**

Russ-Lynn Inc.

d/b/a R.G.’s Pub

242 ½ Winter Street

**-Show cause hearing: Alleged violation of 204 CMR 2.05 Permitting an illegality on the licensed premises, to wit.**

**-Incident that occurred on or about March 8, 2024, at approximately 20:19**

Sergeant Lynch described the incident as the following. On March 8, 2024, at approximately 20:19 officers were dispatched the R.G.’s pub for an intoxicated male. The male was screaming and verbally degrading the EMTs. The man had to be handcuffed for everyone’s safety. The man was intoxicated and fell off the barstool. The officers observed blood shot glassy eyes, and he was unable to form a sentence. Sergeant lynch went over to the establishment after the man was transported to the hospital. The bartender told him that the man was at the bar all afternoon and he did not have any drinks. Sergeant Lynch requested video and the video only recorded for 6 days.

Russell Littlefield appeared for this application. He said the gentleman that was involved is regular and that he comes every few months. Russell said that the bartender shut him off as soon as he saw something wrong. Russell said the man was on a scooter and they had even arranged for transportation home for him. Russell said he got up to get onto the scooter and he fell down. They thought he was more embarrassed than anything else. Russell said the man was on a water soda regime.

Chairperson Angus asked if he was drinking. Russell said he had a few drinks and then the bartender shut him off and the time he was shut off he was drinking water. The bartender shut him off because he saw movement and talk. Russell said he is feisty, and he was embarrassed when the EMTs came.

Chairperson Angus asked if there was a change of shift of the bartenders? Russell said yes there was, and the second bartender did not serve him at all.

Commissioner Koutoulas asked what time he was at the bar? Russell said he did not know. A woman was present with Russell. She did not state her name. She has access to the camera and watched the incident on camera. She said the cameras showed him around 4pm. The women said the cameras showed the daytime bartender served him 2 drinks and the nighttime bartender did not serve any alcoholic drinks. She said the incident did not happen until 8:19 and for 2 and a half hours he was sitting there with nothing in front of him. She said she saw him fall and she saw him fighting with the EMTs. She also thinks it was an embarrassment. She also said the EMTs did not notice the smell of alcohol. She thinks that this issue was more of something medical and not overserving. Russell said the man is very sickly and he does not get around very well.

Commissioner Driscoll asked what the man drank? The woman said he drank 2 Budweiser’s. Chairperson Angus said she is concerned that the cameras only record for 6 days. The woman said they are going to start putting the footage onto flash drives. Chairperson Angus said we require 30 days retention time for the video cameras. Sergeant lynch said 30-day retention time is important because if something happened and the police have to come look at the footage if it is a minor event, it might not be saved.

Commissioner Koutoulas told Russell the camera needs to be updated within 30 days.

Sergeant Lynch said he is concerned because this person has been coming to their establishment for 25 years and this person is sickly and still being served. This person should not be served. If they are sickly and they are on medication and now they are being served alcohol they are still impaired.

Commissioner Koutoulas said she is very concerned about the man’s behavior towards the EMTs. She asked what if a patron asked him to stop drinking. You do not want to have someone that volatile in the establishment, and possibly attacking Russell or the staff or even the patrons.

Commissioner Koutoulas told Russell that kind of behavior is dangerous for everyone and there comes a time when you have to protect your business over your friendships.

Commissioner Koutoulas said this happened while they were still on probation, and this is a serious violation. She asked Russell if this person knew their actions are unacceptable.

Chairperson Angus asked how many people were in the bar that night, The woman told them there were about 8 patrons and there was one bartender leaving their shift and 1 coming on shift. Chairperson Angus told them the Commission has recommended they have 2 people on back in June 2022. The woman said that with only 8 people on they do not need 2 people because 1 person can watch 8 people.

Commissioner Koutoulas asked if they have any receipts of what the man bought that night. Russell said no they do not. Commissioner Koutoulas asked Sergeant Lynch if the officer detected any smell of alcoholic beverages. Sergeant Lynch said it is not in the report.

Chairperson Angus said it was the EMTs who noticed signs of intoxication.

Chairperson Angus said we will have you back in June to give an update on the cameras and in the meantime, you will put everything on flash drive. The probation will be extended to the June 6, 2024, meeting. If the cameras are not complete at the point, we will extend it further.

**Commissioner Driscoll made a motion to extend the probation until June 6, 2024, meeting, have footage be placed onto a flash drive until cameras are complete and have cameras retention time extended to 30 days by June 6, 2024. Russell will be present at the June meeting to give an update on the cameras. This was seconded by Commissioner Koutoulas. No public comment, vote unanimous, motion passed.**

1. **communication**
2. **Public Participation**

No Schedule

1. **other business**

No Schedule

1. **ADJOURNMENT**
2. Commissioner Driscoll made a motion to adjourn at 7:28pm.