



License Commission, Room 118
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LICENSE COMMISSION AGENDA
Thursday, December 2, 2021 at 6:00 p.m.-City Council Chambers
VIRTUAL and in person meeting

Attendees: Chairman Edwards, Commissioner Angus, Commissioner Driscoll, License Commission Clerk Rebecca Ambra, Captain Tracy- HPD

6pm

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF THE MINUTES

- a. APPROVAL OF REGULAR MEETING MINUTES FOR NOVEMBER 4, 2021

COMMISSIONER ANGUS MADE A MOTION TO APPROVE THE MINUTES AS PRESENTED FOR NOVEMBER 4 2021.

COMMISSIONER DRISCOLL SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

3. CONTINUED BUSINESS

a. **SMITH'S TAVERN**

124 ESSEX STREET

ROBERT LANGLOIS, OWNER

POSTPONED FROM OCTOBER 7, 2021

***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 THEREFOR, WHETHER PRESENT OR NOT — INCIDENT ON OR ABOUT AUGUST 25, 2021.**

CAPTAIN TRACY OF THE HAVERHILL POLICE DEPARTMENT APPEARED BEFORE THE COMMISSION, SUMMARIZED THE POLICE REPORT, AND STATED THE DRIVER REPORTED THEY CONSUMED THEIR LAST DRINK AT SMITH'S TAVERN. DUE TO THE UPCOMING SALE OF THE ESTABLISHMENT, CPT TRACEY RECOMMENDED PLACING SMITH'S TAVERN ON A PROBATIONARY PERIOD. THE COMMISSIONERS DISCUSSED HOW LONG THE PROBATIONARY PERIOD SHOULD LAST. COMMISSIONER DRISCOLL MADE A MOTION TO PLACE SMITH'S TAVERN ON A 2 WEEK PROBATIONARY PERIOD DURING WHICH IF ANY FURTHER INCIDENTS OCCUR THE COMMISSION COULD REVISIT THE DISCUSSED INCIDENT IN CONJUNCTION WITH ANY NEW INCIDENTS. COMMISSIONER ANGUS SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

4. MISCELLANEOUS APPLICATIONS/REQUESTS

5. ONE DAY APPLICATIONS

6. BUSINESS WITH MULTIPLE APPLICATIONS

A. CM DIRECT OF MA, LLC D/B/A SMITH'S TAVERN

124 ESSEX STREET

CHARLE MAROUN, OWNER

1. TRANSFER OF COMMON VICTUALER LICENSE FROM SMITH'S TAVERN INC OF HAVERHILL D/B/A SMITH'S TAVERN TO CM DIRECT OF MA, LLC D/B/A SMITH'S TAVERN

IT WAS DECIDED TO TAKE ITEMS 6A1, 2, AND 3 IN ONE MOTION. RACHEL JUDKINS, ESQ AND CHARLE MAROUN APPEARED BEFORE THE COMMISSION FOR THE COMMON VICTUALER, ENTERTAINMENT, AND SECTION 12 ALCOHOL APPLICATION. ATTORNEY JUDKINS STATED MR. MAROUN WILL BE PURCHASING THE REAL ESTATE AND THE BUSINESS IN CONJUNCTION WITH THE TRANSFER OF THE SECTION 12 ALCOHOL LICENSE. MR. MAROUN'S PREVIOUS EXPERIENCE AS A LICENSE HOLDER WITHOUT ANY INFRACTIONS CONCERNING THE SALES OF ALCOHOL WAS DISCUSSED. COMMISSIONER ANGUS DISCUSSED AMENDING FINANCIAL AREAS OF THE APPLICATION, AS WELL AS OBTAINING A WRITTEN PLEDGE AGREEMENT FROM THE

LENDER BEFORE SUBMITTING THE INFORMATION TO THE ABCC. CHAIRMAN EDWARDS DISCUSSED THE IMPORTANCE OF THE SAFE SALE OF ALCOHOL, DENYING SALES TO INTOXICATED PATRONS, AND CONTACTING THE POLICE BEFORE SITUATIONS POTENTIALLY ESCALATE. COMMISSIONER ANGUS ASKED IF THEY WANTED THE SAME ITEMS ON THE ENTERTAINMENT LICENSE THAT ARE CURRENTLY IN PLACE. ATTORNEY JUDKINS STATED THAT THEY WERE REQUESTING THE SAME ITEMS PREVIOUSLY APPROVED FOR THE CURRENT BUSINESS. COMMISSIONER ANGUS ASKED IF THE CURRENT BUSINESS HAD RENEWED ALL THE LICENSURE FOR 2022 AND IF THEY WERE FOUND IN COMPLIANCE AND THE CLERK CONFIRMED THAT THE CURRENT OWNERS HAD DONE SO. COMMISSIONER ANGUS MADE A MOTION TO APPROVE THE TRANSFER OF THE COMMON VICTUALLER LICENSE; TO APPROVE THE TRANSFER OF ENTERTAINMENT LICENSE WITH ALL THE ITEMS CURRENTLY ISSUED ON THE ENTERTAINMENT LICENSE; AND TO APPROVE THE TRANSFER OF LICENSE APPLICATION FOR SECTION 12 ALL ALCOHOL AND PLEDGE OF INVENTORY PENDING ABCC APPROVAL, RECEIPT OF LIQUOR LIABILITY, TIPS CERTIFICATION, AND RECEIPT OF AMENDED APPLICATION. COMMISSIONER DRISCOLL SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

2. **TRANSFER OF ENTERTAINMENT LICENSE FROM SMITH'S TAVERN INC OF HAVERHILL D/B/A SMITH'S TAVERN TO CM DIRECT OF MA, LLC D/B/A SMITH'S TAVERN**
*PENDING ZONING APPROVAL

SEE 6A1 FOR DETAILS

3. **APPLICATION FOR A TRANSFER OF A SECTION 12 ALL ALCOHOL LICENSE AND PLEDGE OF INVENTORY FROM SMITH'S TAVERN INC OF HAVERHILL D/B/A SMITH'S TAVERN TO CM DIRECT OF MA, LLC D/B/A SMITH'S TAVERN**
*PENDING ABCC APPROVAL

SEE 6A1 FOR DETAILS

7. **ENTERTAINMENT APPLICATIONS**

- a. **APPROVAL OF RENEWAL APPLICATIONS FOR ALL ENTERTAINMENT LICENSES FOR 2022 UPON COMPLIANCE**

COMMISSIONER DRISCOLL MADE A MOTION TO APPROVE ALL THE ENTERTAINMENT LICENSE RENEWALS FOR 2022 UPON COMPLIANCE. COMMISSIONER ANGUS SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

8. **COMMON VICTUALLER APPLICATIONS**

- a. **FU YUN LAI, LLC D/B/A GOURMET HOUSE ASIAN CUISINE**
115 SOUTH MAIN ST
YOUJUAN LU, APPLICANT
APPLICATION FOR A NEW COMMON VICTUALLER LICENSE

* PENDING SURRENDER OF CURRENT COMMON VICTUALLER LICENSE AND DISCONTINUATION OF CURRENT BUSINESS CERTIFICATE

ATTORNEY RUSSELL CHIN APPEARED BEFORE THE COMMISSION REPRESENTING THE APPLICANT, YOUJUAN LU, FOR THIS APPLICATION. ATTORNEY CHIN STATED THERE WERE NO ANTICIPATED CHANGES TO THE OCCUPANCY, DESIGN, OR INTERIOR AND THE 3 NEW OWNERS HAVE OPERATED RESTAURANTS IN THE PAST. CHAIRMAN EDWARDS ASKED THE CLERK IF THE CURRENT RESTAURANT HAD ANY OTHER LICENSURE. THE CLERK STATED THE ONLY LICENSURE WAS A COMMON VICTUALLER AND WOULD CHECK THAT A NEW BUSINESS OCCUPANCY WAS FILED THE FOLLOWING DAY. XINYING LU, ONE OF THE NEW OWNERS, APPEARED BEFORE THE COMMISSION. MS. LU STATED RADIO OR TELEVISION WERE NOT PRESENTLY IN THE RESTAURANT AND THERE WERE NO PLANS FOR EITHER IN THE UPCOMING YEAR. COMMISSIONER ANGUS MADE A MOTION TO APPROVE THE APPLICATION PENDING THE RECEIPT OF THE CERTIFICATE OF OCCUPANCY. COMMISSIONER DRISCOLL SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

- b. **APPROVAL OF RENEWAL APPLICATIONS FOR ALL COMMON VICTUALLER LICENSES FOR 2022 UPON COMPLIANCE**

COMMISSIONER DRISCOLL MADE A MOTION TO APPROVE ALL THE COMMON VICTUALLER LICENSE RENEWALS FOR 2022 UPON COMPLIANCE. COMMISSIONER ANGUS SECONDED. NO PUBLIC COMMENT. MOTION PASSED UNANIMOUSLY.

9. OUTDOOR DINING APPLICATIONS

- a. APPROVAL OF RENEWAL APPLICATIONS FOR ALL OUTDOOR DINING LICENSES FOR 2022 UPON COMPLIANCE AND UPON RECEIPT OF APPROVAL OF SET UP OF THE OUTDOOR DINING AREA FOR THE 2022 SEASON BY THE CITY ENGINEER**

THE COMMISSION DISCUSSED THE CITY ENGINEER VISITING THE OUTDOOR DINING LOCATIONS AT THE BEGINNING OF THE 2022 SEASON AND APPROVAL OF THE SET UP COMPLETED AT THAT TIME. COMMISSIONER DRISCOLL MADE A MOTION TO APPROVE ALL OUTDOOR DINING RENEWALS UPON RECEIPT OF APPROVAL BY THE CITY ENGINEER. COMMISSIONER ANGUS SECONDED. NO PUBLIC COMMENT. VOTE UNANIMOUSLY PASSED.

10. ALCOHOL/ABCC APPLICATIONS

- a. CIRCLE K MASSACHUSETTS D/B/A CIRCLE K**

32 KNIPE RD

CAROLE COWINGS, LICENSING MANAGER

APPLICATION FOR CHANGE OF OFFICERS

*PENDING ABCC APPROVAL

A LETTER WAS PROVIDED BY THE APPLICANT TO POSTPONE THIS ITEM.

- b. SHAMROCK LIQUORS**

400 LOWELL AVE SUITE 6

JOHN MOORADIAN, ESQ

***WITHDRAWAL OF PREVIOUS SECTION 15 TRANSFER APPLICATION POSTPONED FROM NOVEMBER 4TH**
ATTORNEY JOHN MOORADIAN APPEARED BEFORE THE COMMISSION AND REQUESTED A WITHDRAWAL OF THE APPLICATION FILED ON/ABOUT OCTOBER 13, 2021. ATTORNEY MOORADIAN STATED 3 MEMBERS OF THE LLC LISTED ON THE APPLICATION WERE REMOVED DUE TO AN ONGOING ABCC INVESTIGATION. COMMISSIONER DRISCOLL MADE A MOTION TO ACCEPT THE WITHDRAWAL OF THE PREVIOUS APPLICATION. COMMISSIONER ANGUS SECONDED. NO PUBLIC COMMENT. VOTE UNANIMOUSLY PASSED.

- c. SHAMROCK LIQUORS**

400 LOWELL AVE SUITE 6

JOHN MOORADIAN, ESQ

NEW APPLICATION FOR THE TRANSFER OF A SECTION 15 ALL ALCOHOL LICENSE FROM SHAMROCK HAVERHILL, LLC DBA SHAMROCK LIKKERS TO HARI SMRUTI, LLC DBA SHAMROCK LIQUORS

*PENDING ABCC APPROVAL

ATTORNEY JOHN MOORADIAN APPEARED BEFORE THE COMMISSION FOR THIS APPLICATION. COMMISSIONER ANGUS ASKED IF THE CLOSING WAS DECEMBER 15TH AS STATED ON THE COMMITMENT LETTER FROM THE LENDER. ATTORNEY MOORADIAN STATED THAT THE CLOSING WOULD TAKE PLACE PENDING ABCC APPROVAL AND A NEW LETTER FROM THE LENDER COULD BE OBTAINED. PREVIOUS EXPERIENCE IN THE SALE OF ALCOHOL WAS DISCUSSED FOR BOTH APPLICANTS LISTED ON THE APPLICATION, AND TIPS CERTIFICATIONS WILL BE PROVIDED BEFORE THE CLOSING. COMMISSIONER ANGUS ASKED IF THE APPLICANTS UNDERSTOOD THE RULES SURROUNDING THE PURCHASE OF ALCOHOL FROM AUTHORIZED SOURCES ONLY IN THE STATE OF MASSACHUSETTS AND DELIVERY OF ALCOHOL. ATTORNEY MOORADIAN STATED HE WOULD REVIEW WITH HIS CLIENTS TO ENSURE THEY HAVE A CLEAR UNDERSTANDING OF THE RULES. COMMISSIONER DRISCOLL MADE A MOTION TO APPROVE THE TRANSFER OF LICENSE APPLICATION PENDING ABCC APPROVAL AND RECEIPT OF TIPS CERTIFICATES. COMMISSIONER ANGUS SECONDED. NO PUBLIC COMMENT. VOTE UNANIMOUSLY PASSED.

- d. WILBUR M COMEAU POST #4 AMERICAN LEGION**

1314 MAIN STREET

DAVID DiCEGLIE, TREASURER

APPLICATION FOR CHANGE OF OFFICERS

*PENDING ABCC APPROVAL

DAVID DeCEGLIE, TREASURER, AND CHRIS MANNING, COMMANDER, APPEARED BEFORE THE COMMISSION FOR THIS APPLICATION. THE NEED FOR ANOTHER CHANGE OF OFFICERS APPLICATION AFTER THE ORGANIZATION'S NEXT ELECTION

WAS DISCUSSED. IT WAS STATED A LETTER OF CLARIFICATION CONCERNING THIS WOULD BE NEEDED BEFORE THE APPLICATION COULD BE SUBMITTED TO THE ABCC. COMMISSIONER ANGUS MADE A MOTION TO APPROVE THE CHANGE OF OFFICERS APPLICATION PENDING RECEIPT OF CLARIFICATION LETTER. COMMISSIONER DRISCOLL SECONDED. NO PUBLIC COMMENT. VOTE UNANIMOUSLY PASSED.

e. APPROVAL OF RENEWAL APPLICATIONS FOR ALL ALCOHOL LICENSES FOR 2022 UPON COMPLIANCE

COMMISSIONER ANGUS MADE A MOTION TO APPROVE ALL THE ALCOHOL LICENSE RENEWALS FOR 2022 UPON COMPLIANCE. COMMISSIONER DRISCOLL SECONDED. NO PUBLIC COMMENT. VOTE UNANIMOUSLY PASSED.

11. MOTOR VEHICLE APPLICATIONS

**a. TTSB OF BROADWAY, LLC D/B/A AUTOFAIR SUBARU
503 BROADWAY**

JASON LACROIX, REPRESENTATIVE

APPLICATION FOR A TRANSFER/NEW MOTOR VEHICLE DEALER CLASS 1 LICENSE

PENDING APPROVAL FROM VARIOUS DEPARTMENTS

JASON LACROIX (REPRESENTING AUTOFAIR), DANIEL WOOD (GENERAL MANAGER OF AUTOFAIR SUBARU), STEVE TERRY (ASST. SECRETARY), AND BRANDON LUSHINSKI (SECRETARY) APPEARED BEFORE THE COMMISSION FOR THIS APPLICATION. MR. LACROIX STATED THAT EMPLOYEES, MANAGEMENT, AND THE PREMISES WOULD REMAIN THE SAME AND THE ONLY CHANGE WILL BE THE PARENT COMPANY. CHAIRMAN EDWARDS ASKED FOR THE SALE PRICE FOR BOTH LOCATIONS. MR. LUSHINSKI STATED AUTOFAIR FORD WAS SOLD FOR 5 MILLION AND AUTOFAIR SUBARU SOLD FOR 19 MILLION WHICH DOES NOT INCLUDE EQUIPMENT OR USED CARS. COMMISSIONER ANGUS REMINDED THE REPRESENTATIVES THE IMPORTANCE OF ADHERING TO THE NUMBER OF CARS ALLOWED ON THE LOT AT ANY GIVEN TIME AND MAINTAINING ACCESS FOR EMERGENCY VEHICLES. COMMISSIONER ANGUS MADE A MOTION TO APPROVE THE APPLICATION FOR MV CLASS I DEALER LICENSE, PENDING APPROVAL OF VARIOUS DEPARTMENTS, WITH PARKING FOR 46 EMPLOYEES, 19 FOR CUSTOMERS, 256 FOR SALES AND SERVICE- FOR A TOTAL OF 321 CARS. COMMISSIONER DRISCOLL SECONDED. NO PUBLIC COMMENT. MOTION PASSED UNANIMOUSLY.

**b. TT OF FD HAVERHILL, LLC D/B/A AUTOFAIR FORD OF HAVERHILL
501 BROADWAY**

JASON LACROIX, REPRESENTATIVE

APPLICATION FOR A TRANSFER/NEW MOTOR VEHICLE DEALER CLASS 1 LICENSE

PENDING APPROVAL FROM VARIOUS DEPARTMENTS

JASON LACROIX (REPRESENTING AUTOFAIR), DANIEL WOOD (GENERAL MANAGER OF AUTOFAIR SUBARU), STEVE TERRY (ASST. SECRETARY), AND BRANDON LUSHINSKI (SECRETARY) APPEARED BEFORE THE COMMISSION FOR THIS APPLICATION. COMMISSIONER ANGUS MADE A MOTION TO APPROVE THE APPLICATION FOR MV CLASS I DEALER LICENSE, PENDING APPROVAL OF VARIOUS DEPARTMENTS, WITH PARKING FOR 47 EMPLOYEES, 19 FOR CUSTOMERS, 257 FOR SALES AND SERVICE- FOR A TOTAL OF 323 CARS. COMMISSIONER DRISCOLL SECONDED. NO PUBLIC COMMENT. MOTION PASSED UNANIMOUSLY.

c. APPROVAL OF RENEWAL APPLICATIONS FOR ALL MOTOR VEHICLE LICENSES FOR 2022 UPON COMPLIANCE

COMMISSIONER DRISCOLL MADE A MOTION TO APPROVE ALL THE MOTOR VEHICLE LICENSE RENEWALS FOR 2022 UPON COMPLIANCE. COMMISSIONER ANGUS SECONDED. NO PUBLIC COMMENT. MOTION PASSED UNANIMOUSLY.

12. CARRY IN LICENSE APPLICATIONS

13. ITEM FOR DISCUSSION

a) REQUEST CAR DEALER LICENSE AND RENEWALS TO INCLUDE NO CARS TO BE PARKED AGAINST THE BUILDING- PER BUILDINGS & INSPECTIONAL SERVICES AND THE FIRE DEPARTMENT

IT WAS DECIDED TO COMBINE ITEM 13A AND 13B IN ONE MOTION. THE COMMISSIONERS DISCUSSED THE IMPORTANCE OF MAINTAINING ACCESS FOR EMERGENCY VEHICLES, ENSURING CARS ARE KEPT AT LEAST 5FT AWAY FROM THE BUILDINGS, AND

THE BENEFITS OF HAVING THE TOTAL NUMBER OF CARS ALLOWED ON THE LOT FOR TRAFFIC AND SAFETY INSPECTIONS. COMMISSIONER DRISCOLL MADE A MOTION TO APPROVE ITEMS 13A AND 13B. COMMISSIONER ANGUS SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

b) REQUEST TO INCLUDE ON PHYSICAL CAR DEALER LICENSES THE TOTAL NUMBER OF CARS ON LOT AT ANY GIVEN TIME AND “NO JUNK CARS”- PER BUILDINGS & INSPECTIONAL SERVICES AND THE FIRE DEPARTMENT

SEE 13A FOR MINUTES

14. SHOW CAUSE HEARING

a. AMERICAN VETERANS OF HAVERHILL

576 PRIMROSE STREET

GERARD MARCHAND, PRESIDENT

***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 THEREFOR, WHETHER PRESENT OR NOT –**

INCIDENT ON OR ABOUT OCTOBER 9, 2021

CAPTAIN TRACY APPEARED BEFORE THE COMMISSION AND SUMMARIZED THE POLICE REPORT CONCERNING THE INCIDENT. CAPTAIN TRACY STATED ALTHOUGH THERE WAS NO EVIDENCE OF MINORS BEING SERVED ALCOHOL AT THE ESTABLISHMENT, THE POLICE NEED TO BE NOTIFIED IF MINORS ARRIVE AT A FUNCTIONS INTOXICATED. CONCERNS OVER ONE BARTENDER WORKING THE DOWNSTAIRS BAR AND OCCASIONALLY CHECK IN ON THE UPSTAIRS FUNCTION WERE ALSO DISCUSSED. GERARD MARCHAND, PRESIDENT OF THE ESTABLISHMENT, APPEARED BEFORE THE COMMISSION. IN THE TIME SINCE THE INCIDENT, THEY ARE REQUIRING THOSE WHO BOOK FUNCTIONS TO BOOK A SECURITY OR POLICE DETAIL. MR. MARCHAND STATED THAT MULTIPLE EMPTY BOTTLES WERE FOUND IN THE PARKING LOT THE NEXT DAY. JUANITA MARCHAND, ASSISTANT MANAGER OF THE AM VETS, APPEARED BEFORE THE COMMISSION. SHE STATED THAT WHEN THE FUNCTION WAS BOOKED IT WAS FOR 35 PEOPLE WHICH TURNED OUT TO BE MUCH MORE THAN THAT. MS. MARCHAND STATED NORMALLY THERE ARE 2 PEOPLE ON STAFF BUT DUE TO BUSINESS BEING SLOW, THEY ONLY HAD ONE PERSON WORKING THAT NIGHT. MS. MARCHAND STATED THAT SHE HAD INQUIRED ABOUT THE COST OF A POLICE DETAIL FOR FUTURE EVENTS AS SHE WOULD LIKE TO AVOID A SITUATION LIKE THIS IN THE FUTURE. A STATEMENT FROM THE BARTENDER WORKING THAT EVENING WAS PROVIDED. COMMISSIONER DRISCOLL REITERATED CAPTAIN TRACY’S STATEMENT TO NOTIFY THE POLICE BEFORE POTENTIAL ISSUES ESCALATE. COMMISSIONER ANGUS STATED HER CONCERNS THAT A STAFF MEMBER WAS NOT WORKING ON THE SAME FLOOR AS THE PRIVATE PARTY. COMMISSIONER ANGUS MADE A MOTION TO PLACE THE AMERICAN VETERANS OF HAVERHILL ON A 2 WEEK PROBATIONARY PERIOD, DURING WHICH IF ANY FURTHER INCIDENTS OCCUR THE COMMISSION COULD REVISIT THE DISCUSSED INCIDENT IN CONJUNCTION WITH ANY NEW INCIDENTS. COMMISSIONER DRISCOLL SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

b. MR. MIKE’S RESTAURANT

1149 MAIN ST

MICHAEL DIFEO III, MANAGER

***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 THEREFOR, WHETHER PRESENT OR NOT**

INCIDENT ON OR ABOUT NOVEMBER 8, 2021.

CAPTAIN TRACY APPEARED BEFORE THE COMMISSION AND SUMMARIZED THE POLICE REPORT CONCERNING THE INCIDENT. CAPTAIN TRACY EXPRESSED CONCERN AS THIS INCIDENT WAS THE 2ND OUI FROM THE ESTABLISHMENT SINCE SEPTEMBER AND REQUESTED A PROBATIONARY PERIOD BE PUT IN PLACE. MICHAEL DIFEO, MANAGER OF THE ESTABLISHMENT, APPEARED BEFORE THE COMMISSION. MR. DIFEO CONFIRMED THAT THE PATRON HAD CONSUMED THE SAME AMOUNT OF ALCOHOL THAT WAS INCLUDED IN THE POLICE REPORT, BUT STATED A MALE, WHO WAS NOT DRINKING, WAS WITH THE INDIVIDUAL AND THE BARTENDER ASSUMED HE WAS DRIVING. MR. DIFEO PROVIDED THE CUSTOMER’S RECEIPT THAT SHOWED 3 DRINKS WERE CONSUMED IN 1 ½ HRS AND 20MIN HAD PASSED BETWEEN LEAVING THE ESTABLISHMENT AND THE

TIME THE OFFICER MADE CONTACT WITH THE INDIVIDUAL. COMMISSIONER DRISCOLL MADE A MOTION TO PLACE MR. MIKE'S RESTAURANT ON A 2 WEEK PROBATIONARY PERIOD, DURING WHICH IF ANY FURTHER INCIDENTS OCCUR THE COMMISSION COULD REVISIT THE DISCUSSED INCIDENT IN CONJUNCTION WITH ANY NEW INCIDENTS. COMMISSIONER ANGUS SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

15. COMMUNICATIONS

16. PUBLIC PARTICIPATION

17. OTHER BUSINESS

CALENDAR OF MEETINGS FOR 2022

JANUARY 6

FEBRUARY 3

MARCH 3

APRIL 7

MAY 5

JUNE 2

JULY 7

AUGUST 4

SEPTEMBER 1

OCTOBER 6

NOVEMBER 3

DECEMBER 1

COMMISSIONER DRISCOLL MADE A MOTION TO APPROVE THE PROPOSED MEETING DATES FOR THE 2022 YEAR. COMMISSIONER ANGUS SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

18. ADJOURNMENT 7:33PM