



License Commission, Room 118  
Phone: 978-420-3623 Fax: 978-373-8490  
License\_comm@cityofhaverhill.com

The Haverhill License Commission held a **Meeting** on **Thursday June 7 2018 at 6:00 p.m.**  
**Room 202, City Hall.**

*Attendees: Chairman Edwards, Commissioner Sewel and Commissioner Coco  
Clerk Laura Angus  
Meeting called to order at 6:05 PM*

**1. PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF THE MINUTES:**

APPROVAL OF MINUTES OF MAY 3 2018

Motion to accept the minutes as presented made by Commissioner Sewell, seconded by Commissioner Coco.  
No public comment on this matter. Vote unanimous, motion passed.

**3. CONTINUED BUSINESS**

NO SCHEDULE

**4. MISCELLANEOUS APPLICATIONS/REQUESTS**

NO SCHEDULE

**5. ONE DAY APPLICATIONS**

NO SCHEDULE

**6. ENTERTAINMENT APPLICATIONS**

**BERNARD GOULET, MANAGER**

MOONSHINERS LOUNGE LLC, D/B/A MOONSHINERS

30 EMERSON STREET

**APPLICATION FOR NEW ENTERTAINMENT LICENSE FOR RADIO, JUKEBOX, TELEVISION, AMPLIFIERS, KARAOKE, DJ, PERFORMANCE WITH UP TO FIVE (5) INSTRUMENTS AND UP TO TWO (2) VOCAL PERFORMERS, COMEDY SHOW WITH ONE COMEDIAN, DANCING BY PATRONS ONLY, AMPLIFIED MUSIC AND SPORTING EVENTS – PENDING RECEIPT OF CERTIFICATE OF INSPECTION (OCCUPANCY PERMIT) AND LICENSE FEE.**

Items 6, 7 and 9A were all taken together as they are the same applicant.

## **7. COMMON VICTUALLER APPLICATIONS**

### **BERNARD GOULET, MANAGER**

MOONSHINERS LOUNGE LLC, D/B/A MOONSHINERS

30 EMERSON STREET

**APPLICATION FOR NEW COMMON VICTUALLER LICENSE – PENDING RECEIPT OF APPROVAL OF THE PLUMBING & GAS INSPECTOR, APPROVAL OF THE BUILDING INSPECTOR, APPROVAL OF THE FIRE INSPECTOR, APPROVAL OF THE ELECTRICAL INSPECTOR, APPROVAL OF THE HEALTH INSPECTOR, RECEIPT OF CERTIFICATE OF INSPECTION (OCCUPANCY PERMIT) AND LICENSE FEE.**

Items 6, 7 and 9A were all taken together as they are the same applicant.

## **8. OUTDOOR DINING APPLICATIONS**

NO SCHEDULE

## **9. ALCOHOL/ABCC APPLICATIONS**

### **A. BERNARD GOULET, MANAGER**

MOONSHINERS LOUNGE LLC, D/B/A MOONSHINERS

30 EMERSON STREET

**APPLICATION FOR NEW SECTION 12 ALL ALCOHOL LICENSE – PENDING RECEIPT OF 304 CERTIFICATE OF INSPECTION, LIQUOR LIABILITY INSURANCE, TIPS CERTIFICATES AND LICENSE FEE.**

Items 6, 7 and 9A were all taken together as they are the same applicant. Attorney Tim Connors represented the applicant. Bernard Goulet was also in attendance. This will be a country themed bar with an acoustic country band on Friday and Saturday. Mr. Goulet is the former owner of the Whiskey Barrel. Commissioner Coco told the applicant that live entertainment in the central business district requires a special permit from the City Council. The menu will be specialty gourmet grilled cheese sandwiches. Commissioner Coco indicated that the building inspector is looking for more formal drawing. The occupancy load is 99, but the building is not sprinkled. He would also like to see bank statements for the next meeting. There was much discussion about the building requirements. Commissioner Edwards suggested postponing until the July 12<sup>th</sup> meeting. Commissioner Sewell indicated that he would like all the residents notified not just the owners of the building. Motion to continue hearing until the July 12<sup>th</sup> meeting, with applicant to provide financial information, work with the Building Inspector and file an affidavit regarding notice to tenants made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

### **B. CESAR F RODRIGUEZ, MANAGER**

TROPICAL FIRE AND GRILL INC., D/B/A TROPICAL FIRE AND GRILL

145 WINTER STREET

**APPLICATION FOR NEW SECTION 12 WINES AND MALT ONLY LICENSE – PENDING RECEIPT OF 304 CERTIFICATE OF INSPECTION, LIQUOR LIABILITY INSURANCE, TIPS CERTIFICATES AND LICENSE FEE.**

Cesar Rodriguez appeared on this application. Pat Rughes (sp?) from P & C Consulting Group also attended with the applicant. Chairman Edwards asked if there were any residents that were part of the abutter notification. Commissioner Coco asked why they did not apply for an all alcohol license. Mr. Rodriguez indicated that it is a family restaurant and most patrons who have asked have asked for a beer or wine. Chairman Edwards inquired about the hours of operation. They are looking for Sunday through Thursday 11:00 AM to 9:00 PM and Friday and Saturday 11:00 AM – 9:00 PM. Motion to approve the application pending

receipt of 304 Certificate of Inspection, Liquor Liability Insurance, TIPS certificates and License Fee with hours of operation of Sunday through Thursday 11:00 AM to 9:00 PM and Friday and Saturday 11:00 AM – 9:00 PM made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

**C. JAMES PARKER, MANAGER**

WILLOW SPRING VINEYARDS, LLC, D/B/A WILLOW SPRING VINEYARDS  
840 WEST LOWELL AVENUE

**APPLICATION BY A FARMER WINERY FOR LICENSE TO SELL AT A FARMER'S MARKET AT THE HAVERHILL FARMERS MARKET ON SATURDAYS FROM JUNE 23<sup>RD</sup> TO OCTOBER 27<sup>TH</sup>, 2018 FROM 9:00 AM TO 1:00 PM IN THE FRONT AREA OF THE PARKING LOT AT 51 MERRIMACK STREET- PENDING CERTIFICATION OF THE EVENT BY MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES**

James Parker appeared on this application. The Clerk indicated that the Certification from MDAR has been received. Commissioner Sewell asked how long they have been doing the Farmer's Market. This year will be eight years. No other comments or questions from the Commission. Motion to approve the application made Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

**D. DAN CLAPP, MANAGER**

1634 MEADERY  
3 SHORT ST., IPSWICH, MA

**APPLICATION BY A FARMER WINERY FOR LICENSE TO SELL AT A FARMER'S MARKET AT THE HAVERHILL FARMERS MARKET ON SATURDAYS FROM JUNE 23<sup>RD</sup> TO OCTOBER 27<sup>TH</sup>, 2018 FROM 9:00 AM TO 1:00 PM IN THE FRONT AREA OF THE PARKING LOT AT 51 MERRIMACK STREET- CERTIFICATION OF THE EVENT HAS BEEN RECEIVED BY MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES.**

Dan Clapp appeared on this application. This year will be his second year at the Farmer's Market. Commissioner Sewell asked how long he has been making wine. Mr. Clapp has been making mead for 15 years. Motion to approve the application made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

**10. MOTOR VEHICLE APPLICATIONS**

NO SCHEDULE

**11. CARRY IN LICENSE APPLICATIONS**

NO SCHEDULE

**12. ITEM FOR DISCUSSION**

NO SCHEDULE

### **13. SHOW CAUSE HEARINGS**

#### **A. SHARON COHEN, MANAGER**

HAVERHILL BREWERY INC., D/B/A THE TAP  
100 WASHINGTON STREET

**ALLEGED VIOLATION: 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 THEREFOR, WHETHER PRESENT OR NOT. --OVERSERVING AND/OR SERVING INTOXICATED CUSTOMERS ON OR ABOUT MAY 5 2018 AT APPROXIMATELY 00:59**

#### **B. SHARON COHEN, MANAGER**

HAVERHILL BREWERY INC., D/B/A THE TAP  
100 WASHINGTON STREET

**ALLEGED VIOLATION: 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 THEREFOR, WHETHER PRESENT OR NOT. --OVERSERVING AND/OR SERVING INTOXICATED CUSTOMERS ON OR ABOUT MAY 10 2018 AT APPROXIMATELY 14:41**

Agenda Items 13A and 13B were taken together. Sharon Cohen appeared on this matter. Captain Stephen Doherty of the Haverhill Police Department spoke about the matter that happened on May 5<sup>th</sup>. He indicated that a statement of an employee of the Licensee indicated that the party had been on the premises and had been causing problems all night. Mrs. Cohen indicated that The Tap is generally the one who calls the police. The report indicates that the incident took place in The Tap parking lot, but it is the municipal parking lot. Captain Stephen Doherty of the Haverhill Police department also summarized the report from the May 10<sup>th</sup> incident. Mrs. Cohen indicated that the bartender didn't think the person was intoxicated. He noticed when he brought the food for the children that he was intoxicated. He had already consumed the shot, but the bartender removed the beer. When he went to leave, the staff of The Tap surrounded him so he could not drive off with the children in the car. Commissioner Coco applauded the actions of The Tap staff. Chairman Edwards indicated that if the staff had been paying attention, the person would not have been served. Captain Doherty stated that there have been incidents in the recent past with The Tap. The Staff/Bartenders/Bouncers are not identifying issues early enough to avoid the problems. They need to retrain, especially in identifying people who are overserved. Commissioner Sewell wants a statement from Mrs. Cohen that she has spoken to the staff indicating that the Commission is not happy about this matter and what she will be doing to improve this matter. Chairman Edwards recommends that Mrs. Cohen meet with the employees to discuss the seriousness of the situation and get herself and her staff retrained. Motion that the Commission instructs the licensee and manager to meet with employees, discuss the seriousness of the situation and discuss best practices and have entire staff take a course in best practices and present evidence of this training to the Commission made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

**14. COMMUNICATIONS**

NO SCHEDULE

**15. PUBLIC PARTICIPATION**

**16. OTHER BUSINESS**

**A. COMMISSIONER EDWARDS REQUESTED THE COMMISSION CONSIDER REQUIRING NOTIFICATION OF RESIDENTS ABUTTING PROPERTIES OF ALCOHOL APPLICATIONS AND ENTERTAINMENT APPLICATIONS NOT JUST PROPERTY OWNERS**

So moved by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

**B. COMMISSIONER COCO REQUESTED THE COMMISSION CODIFY A SET OF RULES**

Motion to set up an ad hoc committee of the License Commission to prepare codification of rules of the License Commission for the October meeting made by Chairman Edwards, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

**C. UPDATE ON ALCOHOL LICENSES CURRENTLY ISSUED BY THE CITY OF HAVERHILL**

Update was given by the Clerk – Document on file with the License Commission Clerk.

ATTEST: \_\_\_\_\_  
LAURA D ANGUS, CLERK