



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 October 4, 2018 at 6:00 p.m. Room 202, City Hall.**

*Attendees: Chairman Edwards and Commissioner Sewell  
Clerk Laura Angus*

**1. PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF THE MINUTES:**

**A. APPROVAL OF MINUTES OF SEPTEMBER 6, 2018**

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

**B. APPROVAL OF MINUTES OF SEPTEMBER 19, 2018**

Motion to approve the minutes as presented made by Commissioner Sewell, seconded by Chairman Edwards. 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**

**A. CYNTHIA GRAHAM**

HAVERHILL FIREFIGHTING MUSEUM  
75 KENOZA AVENUE

**APPLICATION FOR ONE DAY ALL ALCOHOL LICENSE FOR THE CHILI COOKOFF FUNDRAISER AT THE HAVERHILL FIREFIGHTING MUSEUM AT 75 KENOZA AVENUE ON OCTOBER 20 2018 FROM 5:00 PM TO 10:00 PM**

Cynthia Graham appeared on this application. Commissioner Sewell had questions about the history of the license. Chairman Edwards inquired about the bartenders and where they are buying alcohol. Motion to approve the application made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed.

**B. CHRIS GEORGIADIS**

HELLENIC ORTHODOX COMMUNITY  
154-156 WINTER STREET

**APPLICATION FOR ONE DAY ALL ALCOHOL LICENSE FOR THE GREEK FESTIVAL FUNDRAISER AT THE HELLENIC ORTHODOX COMMUNITY AT 154-156 WINTER STREET ON NOVEMBER 2 2018 FROM 11:00 AM TO 9:00 PM – POLICE APPROVAL CONDITIONAL UPON COORDINATING DETAIL OFFICERS WITH THE POLICE DEPARTMENT**

Applications 5B, 5C and 5D were all taken together Chris Georgiadis appeared on these applications. Chairman Edwards inquired about the police and fire details. Motion to approve the applications pending coordination of the detail officers made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed.

**C. CHRIS GEORGIADIS**

HELLENIC ORTHODOX COMMUNITY  
154-156 WINTER STREET

**APPLICATION FOR ONE DAY ALL ALCOHOL LICENSE FOR THE GREEK FESTIVAL FUNDRAISER AT THE HELLENIC ORTHODOX COMMUNITY AT 154-156 WINTER STREET ON NOVEMBER 3, 2018 FROM 11:00 AM TO 1:00 AM - POLICE APPROVAL CONDITIONAL UPON COORDINATING DETAIL OFFICERS WITH THE POLICE DEPARTMENT**

Applications 5B, 5C and 5D were all taken together.

**D. CHRIS GEORGIADIS**

HELLENIC ORTHODOX COMMUNITY  
154-156 WINTER STREET

**APPLICATION FOR ONE DAY WINE AND MALT ONLY LICENSE FOR THE GREEK FESTIVAL FUNDRAISER AT THE HELLENIC ORTHODOX COMMUNITY AT 154-156 WINTER STREET ON NOVEMBER 4 2018 FROM 11:00 AM TO 3:00 PM - POLICE APPROVAL CONDITIONAL UPON COORDINATING DETAIL OFFICERS WITH THE POLICE DEPARTMENT**

Applications 5B, 5C and 5D were all taken together.

**6. ENTERTAINMENT APPLICATIONS**

NO SCHEDULE

**7. COMMON VICTUALLER APPLICATIONS**

**KIMRAJ SINGH, MANAGER**

KIMRAJ SINGH, D/B/A SPAZIANO'S PIZZERIA  
64 WASHINGTON STREET

**APPLICATION FOR TRANSFER OF COMMON VICTUALLER LICENSE -PENDING DISCONTINUANCE OF BUSINESS CERTIFICATE BY CHARLES STEARNS, D/B/A SPAZIANO'S PIZZERIA AND ISSUANCE OF BUSINESS CERTIFICATE TO KIMRAJ SINGH, D/B/A SPAZIANO'S PIZZERIA**

Kimraj Singh appeared on this application. Commissioner Sewell had questions about the experience of the applicant, the menu and whether he was renting or buying. Chairman Edwards inquired of the Haverhill Police Department if there were any problems with the current licensee. Captain Pistone indicated that the only issue in the past was with loitering and they police department does not want to see any loitering in the area. Motion

to approve the application made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed.

## **8. OUTDOOR DINING APPLICATIONS**

NO SCHEDULE

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

### **A. NANCY PEGNAM, MANAGER**

CRESCENT YACHT CLUB, D/B/A CRESCENT YACHT CLUB  
30 FERRY STREET REAR

#### **RECONSIDERATION OF APPLICATION FOR NEW OFFICERS AND DIRECTORS**

Nancy Pegnam and David Burrill appeared on this application. Chairman Edwards inquired about issues in the past with the guest book and serving intoxicated people. He also inquired if all other licenses are up to date. Motion to approve the application made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed.

### **B. RIPAL KANAIYALAL PATEL, MANAGER**

JAY DEVEN CORPORATION, D/B/A PARE'S LIQUORS  
106 LAFAYETTE SQUARE

#### **APPLICATION FOR TRANSFER OF SECTION 15 ALL ALCOHOL PACKAGE STORE LICENSE – PENDING DISCONTINUANCE OF BUSINESS CERTIFICATE BY GARCIA ESPINAL LLC, D/B/A PARE'S LIQUORS AND ISSUANCE OF BUSINESS CERTIFICATE TO JAY DEVEN CORPORATION, D/B/A PARE'S LIQUORS, AND RECEIPT OF SAFE SERVICE OF ALCOHOL CERTIFICATES FOR ALL SELLERS OF ALCOHOL**

Attorney Kara Andrew and Ripal Patel appeared on this application. Commissioner Sewell had questions the purchase and the traffic being blocked in the area. Attorney Andrew spoke about this business is not a new business and the applicant/manager understands the responsibility of the license and has many years of experience in the business. Chairman Edwards reminded Mr. Patel not to sell to someone intoxicated and do not sell to minors. Make sure to check everyone's ID. He recommended an ID scanner for the cash register. Chairman Edwards also inquired about the financial information. Attorney indicated that the majority of the financing is coming from Rockland Trust. Motion to approve the application pending receipt of outstanding items made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed.

## **10. MOTOR VEHICLE APPLICATIONS**

### **A. ELISABETH N DUFORT, MANAGER**

SOUTH ELM AUTO SALES LLC, D/B/A SOUTH ELM AUTO SALES  
193 SOUTH ELM STREET

#### **APPLICATION FOR NEW CLASS II CAR DEALER LICENSE FOR 3 CARS FOR SALE OR SERVICE, REMAINING 3 SPACES TO BE USED FOR CUSTOMER PARKING – PENDING RECEIPT OF CERTIFICATE OF OCCUPANCY AND RECEIPT FOR PAYMENT OF OUTSTANDING TAXES**

Attorney Bryan Chase and Elisabeth Dufort appeared on this application. Attorney Chase indicating that this sale transaction is dependent on approval of the transfer of the Class II Dealer's License, which is currently owned by Schroeder's Auto. Commissioner Sewell had questions about the location. Motion to approve the application pending receipt of outstanding items made by Commissioner Sewell, seconded by Chairman

Edwards. No public comment on this matter. Vote unanimous, motion passed.

**B. ROBERT S BAKER, MANAGER**

DMS AUTO SALES LLC, D/B/A BOB BAKER'S AUTO SALES  
551 RIVER STREET

**APPLICATION FOR NEW CLASS II CAR DEALER LICENSE FOR 30 CARS FOR SALE OR SERVICE, 5 SPACES TO BE USED FOR CUSTOMER AND EMPLOYEE PARKING AND 2 HANDICAPPED PARKING SPACES – PENDING RECEIPT OF CERTIFICATE OF OCCUPANCY**

Attorney Wendy Micale and Robert Baker appeared on this application. Mr. Baker indicated that he is moving his inventory and business to Haverhill. He has been in business for over 20 years. He worked at dealerships in high school and college. He is also a member and former officer of Massachusetts Independent Auto Dealers Assoc. He will be closing his business in Dorchester which has been in existence for over 40 years. Motion to approve the application pending receipt of certificate of occupancy made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed.

**11. CARRY IN LICENSE APPLICATIONS**

NO SCHEDULE

**12. ITEM FOR DISCUSSION**

NO SCHEDULE

**13. SHOW CAUSE HEARINGS**

**A. JONUS RUSTANI, MANAGER**

NEW LANTERN CAFÉ, INC., D/B/A NEW LANTERN CAFÉ  
240 ESSEX STREET

**SHOW CAUSE HEARING: ALLEGED VIOLATION: OF 204 CMR 2.05 (2) PERMITTING AN ILLEGALITY ON THE PREMISES, TO WIT: OVERSERVING**

Jonus Rustani and Clirim Rustani appeared on this matter. Captain Pistone of the Haverhill Police Department summarized the report for the record. Chairman Edwards had questions of Captain Pistone about whether there was information as to where the defendant had been drinking and what the response time of the police was. As Clirim Rustani was the one present at the time of the incident, he spoke on behalf of the licensee. He indicated that he knew the defendant who was not allowed in the establishment due to prior issues with him being intoxicated. He did not immediately escort the defendant off the premises. Both Commissioner Sewell and Chairman Edwards had many questions about the response by Clirim Rustani and the area the incident happened. Motion to continue this matter to the November meeting for an appropriate reason to hear this item made by Chairman Edwards, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

**B. ROBERT P LANGLOIS, MANAGER**

SMITH'S TAVERN INC. OF HAVERHILL, D/B/A SMITH'S TAVERN  
124 ESSEX STREET

**SHOW CAUSE HEARING: ALLEGED VIOLATION: OF 204 CMR 2.05 (2) PERMITTING AN ILLEGALITY ON THE PREMISES, TO WIT: OVERSERVING**

Due to a potential conflict by Chairman Edwards, this item has been continued until the November meeting.

**14. COMMUNICATIONS**

NO SCHEDULE

**15. PUBLIC PARTICIPATION**

**16. OTHER BUSINESS**

Meeting adjourned at 6:55 PM

Attest:       *Laura D Angus*        
Laura D Angus, Clerk