

**REGULAR MEETING OF THE
WOBURN LICENSE COMMISSION
OCTOBER 27, 2016 – 5:30 P.M.
COMMITTEE ROOM
WOBURN CITY HALL**

Present: Chair Paul Medeiros, Comm. David Gilgun and Comm. Thomas Skeffington.

Absent: None.

Mandatory meeting relative to liquor licenses renewals with all liquor license holders. Chair Medeiros stated that renewal packages have not been received from ABCC, that the packages will be distributed when available and that the city appreciates the cooperation of the businesses in this process. Mayor Scott Galvin stated that he appreciates the businesses doing the right thing, that some issues need to be addressed but that overall the businesses represent the city well, and that his office is open to any business with a concern. Chair Medeiros stated that the original renewal forms have to be returned to the License Commission, and that changes have to be made in red ink. Police Chief Robert Ferullo stated that communication between the business and the police department is necessary, that he wants to know when there is an issue so that the matter can be addressed, that he wants to work with the establishments, that the police department will work openly and honestly with the businesses, and that he asks for the same in return. Police Captain John Murphy stated that the police department is in the business of compliance, that sometimes there are negative consequences with an issue but it is better to get ahead of the issues, that the detective bureau will do underage compliance checks, that businesses must check identifications, that an out-of-state identification if not genuine is an issue for the establishment, that if the identification is a Massachusetts ID or Massachusetts driver's license and the document is a forgery the business has a defense, that United States passport cards and United States passports as acceptable identification, that if a customer of a hotel for example has only an out-of-state identification there are resources that can be used to determine if the document is a genuine identification, that alcohol-infused ice cream is a new trend, is not a beverage and cannot be sold under the Massachusetts liquor licenses, that that alcohol cannot be sold on Memorial Day, Thanksgiving or Christmas, that an open bar cannot be publically advertised, can be by invitation only and a guest list must be available for inspection, that there cannot be a happy hour, that the renewal paperwork when received must be available for sign off by the city department personnel when they make the inspections, that the city will begin on-site inspections next week, and that the renewal papers must be filed with the License Commission before Thanksgiving. Chair Medeiros stated that the renewal forms are due with the License Commission by November 23, 2016, and that the forms are required to be filed in November. Fire Inspector Keith Peary stated that sprinklers, fire alarms and hoods are checked, that sprinklers must be tested once a year, that the sprinkler will be tagged with the date of testing, that hoods must be cleaned two to four times a year depending on the type of use, that if there are any issues with the hood cleaning companies the fire department can be contacted for assistance, that hood cleaning companies can lose their licenses if they do not clean the hoods properly, and that kitchen fires often start in the hoods. Chair Medeiros stated that fire safety certificates and

liquor liability insurance certificates must be available at the inspection except for package stores. Treasurer/Collector Timothy Donovan stated that the policy of the city is to be certain that taxes are paid, that moto vehicle excise, real estate, personal property and water bills must be paid, that only original documents are accepted and no fax is accepted, that the forms can be dropped off in the office of the Treasurer/Collector, that the review is usually completed in one to three days, that the businesses should not wait until the end of the month to submit the form, that to obtain the block and lot number for the form the information can be found on the tax assessor database on the city's website, that the tenant list the property address, the owner's name, the business name, location, tenant's name, address and telephone number, and that the form must be signed by the applicant. Chair Medeiros stated that there is a new electronic e-licensing form currently being used in eight communities, that at some point all businesses in Woburn will have to file the renewal forms electronically, and that a certificate of good standing is no longer required to be filed. Building Commissioner Thomas Quinn stated that all papers are due by November 23, 2016, that his department will inspect all package stores, that the renewal papers should be available on-site during the inspection for signing, that signs must comply with the zoning code, and that no more than 25% of the front windows may be covered by signs. Chair Medeiros stated that all clubs must provide an updated list of officers, and that the Secretary of the Commonwealth may take action with respect to clubs with out of date officer lists. Comm. Skeffington stated that if a business will be open on Thanksgiving morning notice should be sent to the License Commission. Chair Medeiros stated that if the License Commission is not notified by December 8, 2016 a business will not be allowed extended hours and there will be no special meeting for the issue, that the License Commission rules and regulations have been revised, that there are no major changes, and that the closing hour has been extended to 12:30 a.m. Thursday through Saturday if the hours are listed in the application. Comm. Skeffington stated that last call for service of alcohol will be 12:30 p.m. with all items off the tables by 1:00 a.m. Chair Medeiros stated that this change results in all license holders having the same closing hours, that a partially consumed bottle of wine must be resealed, the bottle wrapped up and the customer can take the bottle home, that this regulation was adopted and is now in effect.

Motion made and 2nd for a five minute recess, all in favor, 3-0.

Chair Medeiros called the meeting back to order.

Relative to the minutes of the September 15, 2016 and September 29, 2016 License Commission meetings. Motion made and accepted that the minutes be accepted, all in favor, 3-0.

Relative to the petition by Bertucci's Restaurant Corp., 17 Commerce Way for change of manager. Appearing was David Dobrinsky and stated that he resides in Natick, that he has worked for the company for three years, and that he wants to build community ties. Motion made and 2nd that the change of manager to David Dobrinsky be approved, all in favor, 3-0.

Relative to the petition by Bickfords Family Restaurants, Inc., 325 Montvale Avenue for change of manager. Appearing was Attorney Ronald C. MacKenzie, 172 Cambridge Street, Burlington, Massachusetts 01801 and stated that Derrick Gagnon would serve as manager, that the grew up in Billerica, that he has been with Bickford's for ten years, and that he wants to maintain the business model. Motion made and 2nd that the change of manager to Derrick Gagnon be approved, all in favor, 3 -0.

Relative to the petition by Bayberry Café, 502 Main Street for a carry-in alcoholic beverage license. Appearing for the petitioner was Ruby Jiang and she stated that the petitioner wanted a BYOB option for their patrons, that she understands that the staff cannot handle or pour the alcohol, and that the petitioner cannot store alcohol on the premises. Alderman Medeiros stated that the petitioner must have an on-site shift manager who is TIP certified. Comm. Gilgun stated that the petitioner cannot charge for ice, glass or corking, and that the patrons must be allowed to bring the alcohol in to the premises without charge. Motion made and 2nd that the carry-in alcoholic beverage license for Bayberry Café be approved, all in favor, 3-0.

Relative to the petition by The Local, 350 Cambridge Street for a common victualler's license. Appearing for the petitioner was Richard Abbott and he stated that he works for the new restaurant, that they restaurant will open in the next ten or fifteen days, that this is a gastro pub serving hamburgers, fish and steaks, that the petitioner has locations in Wellesley, West Newton and Wayland, that the owner if from Woburn, that the petitioner will serve brunch, and that the petitioner will close at 11:30 p.m. Motion made and 2nd that the common victualler's license for The Local be approved, all in favor, 3-0.

Relative to petition by Waxy O'Connor's, 1 Rainin Road for a common victualler's license. Chair Medeiros stated that he did not understand why this matter was before the License Commission as the common victualler's license was approved earlier this year, and that the petitioner's representative was at the meeting earlier but is not now present. Clerk Campbell stated that the Treasurer/Collector Certification was signed on October 21, 2016. Motion made and 2nd that the common victualler's license for Waxy O'Connor's be approved, all in favor, 3-0.

Relative to petition by A& D Corp. dba Brothers Pizza, 186 Cambridge Road for a common victualler's license. Chair Medeiros stated that the petitioner already has the common victualler's license. Motion made and 2nd that the common victualler's license for A&D Corp. dba Brothers Pizza be approved, all in favor, 3-0.

Relative to the petition by Mayor's Annual Senior Appreciation Committee, 10 Common Street for a special one-day liquor license. Chair Medeiros stated that the Mayor was unable to attend this meeting. Motion made and 2nd that the special one-day liquor license for the Mayor's Annual Senior Appreciation Committee be approved and the fee waived, all in favor, 3-0.

Relative to the petition by Social Capital, Inc., 165M New Boston Street for a special one-day liquor license. Appearing for the petitioner was David Crowley and he stated that the petitioner seeks a special one-day liquor license for a fundraising event, that the event will be hosted by Joanne Mulkerin Realty at 616 Main Street, that this will be a two hour wine tasting with food and wine, that the pourer will be Jen Murray of Urban Chef which is a caterer in Woburn, that tickets are \$25.00, and that the petitioner understands that the wine must be purchased from a distributor. Motion made and 2nd that the special one-day liquor license for the Social Capital, Inc. be approved and the fee waived, all in favor, 3-0.

Relative to petitions by Annunciation Greek Orthodox Church, 70 Montvale Avenue for special one-day liquor licenses. Appearing for the petitioner was Wilma Thomas. Motion made and 2nd that the special one-day liquor license for the Annunciation Greek Orthodox Church for October 30, 2016 for a concert between the hours of 6:30 p.m. and 11:30 p.m. with full bar and police detail present be approved and the fee waived, 2 in favor, 1 opposed (Medeiros opposed). Motion made and 2nd that the special one-day liquor license for the Annunciation Greek Orthodox Church for a taverna on November 12, 2016 between the hours of 6:30 p.m. and 11:30 p.m. with beer and wine only be approved and the fee waived, all in favor, 3-0. Ms. Thomas stated that the event to be held on November 13, 2016 is a retirement party being held by the church, that she is not certain where the profits will be going, and that some profits will be donated to the retiree. Motion made and 2nd that the special one-day liquor license for the Annunciation Greek Orthodox Church for a retirement party on November 13, 2016 between the hours of 5:00 p.m. and 10:00 p.m. with beer and wine only be approved, all in favor, 3-0. Motion made and 2nd that the special one-day liquor license for the Annunciation Greek Orthodox Church for a baptism on November 27, 2016 between the hours of 2:00 p.m. and 7:00 p.m. with beer and wine only be approved, all in favor, 3-0. Motion made and 2nd that the special one-day liquor license for the Annunciation Greek Orthodox Church for a taverna on December 3, 2016 between the hours of 6:30 p.m. and 11:30 p.m. with beer and wine only be approved and the fee waived, all in favor, 3-0.

Relative to petition by The Varano Group dba Strega Prime, 100 Sylvan Road for a special one-day liquor license. Appearing for the petitioner was Joe Esposito, Vice President of The Varano Group and he stated that the event is a 40th birthday party, that there will be 100 people in attendance, that the event will be held in the atrium in the TradeCenter, that the event will be hosted by the petitioner's employees, and that all party events will be in the atrium. Chair Medeiros asked that the petitioner provide a plan for the record. Motion made and 2nd that the special one-day liquor license for The Varano Group dba Strega Prime for November 5, 2016 between the hours of 6:30 p.m. and 11:30 p.m. for beer and wine only in the atrium space at 100 Sylvan Road, all in favor, 3-0.

Relative to the petition by Jake and Joes, 230 Mishawum Road to extend hours of closing for an event. Appearing for the petitioner was Brian Guglielmo and he stated that this is a UFC event, that the closing hours would be extended to 1:15 a.m. with no change in last call, that all alcohol will be off the table by 12:30 a.m., that there will be no alcohol in plastic cups after 12:20 a.m., and that a police detail would be present. Motion made and 2nd that the closing hours of Jake and Joe's be extended on November 12, 2016 to 1:15 a.m., all in favor, 3-0.

On the petition by Nathan Green to allow alcohol service at a car club. Chair Medeiros stated that the petitioner has customers on site while vehicles are being repaired and wants to serve alcohol at the car club. Motion made and 2nd that the matter be continued to the License Commission meeting to be held on November 17, 2016, all in favor, 3-0.

Relative to the notification from The Massachusetts Lottery Commission, 60 Columbian Street, Braintree, Massachusetts 02184-1738 concerning the installation of Keno To Go monitors at 7-Eleven, 289 Montvale Avenue and 7-Eleven, 163 Cambridge Street. Chair Medeiros stated that the 20 day comment period expired, that he would have recommended that the monitor screens be facing inside the building rather than outside, and that the uses become hangouts with trash. Comm. Skeffington stated that there are businesses with the monitors facing outside and people stand outside the building to look at the numbers, and that this issue should be addressed if possible. Chair Medeiros stated that the Lottery Commission could be asked for guidance. Motion made and 2nd that the matter be received and placed on file and that a communication be sent to The Massachusetts Lottery Commission about the issue of screens being visible from outside the businesses, all in favor, 3-0.

Relative to the notice of catering and alcohol service received for an event held at Landscape Express, 218 New Boston Street. Chair Medeiros stated that the petitioner was required to notify the License Commission and the Police Department about the event, that the event has already been held, and that he did not hear of any issues. Motion made and 2nd that the matter be received and placed on file, all in favor, 3-0.

Relative to the petition by 99 Restaurant, 291 Mishawum Road for extended hours for opening for an event. Appearing for the petitioner was Robert Capello, 11 Magnolia Way, Peabody and stated that the petitioner is holding a Boys and Girls Club month chain-wide, that \$15,000.00 has been raised so far, that the event will be a breakfast of pancakes, eggs and sausage at \$10.00 per adult and \$5.00 per child, that no alcohol will be served, that beverages will include juice, coffee and water, that there will be some in-house raffles, and that all proceeds will be donated to the Boys and Girls Club. Comm. Skeffington stated that the event is good however the License Commission needs to be notified of events of hours of operation are to be extended, that all businesses have to comply with this requirement, and that it is important to keep all businesses in compliance. Motion made and 2nd that 99 Restaurant hours of operation extended to between 8:00 a.m. and 10:00 a.m. on October 29, 2016 be approved, all in favor, 3-0.

The representative for the Woburn Bowladrome and the Crestview Plaza arrived late at the meeting for liquor licenses holders.

Motion made and 2nd that a communication be sent to the following license holders advising that a representative of each firm must attend the License Commission meeting on November 17, 2016 and advise why they were not in attendance at the mandatory liquor license renewal meeting held today: Godavari, 345 Washington Street; Red Robin, 369 Washington Street; South End Italian Club, 44 Fowle Street; Tuda Na Brasa, 414 Main Street; and Uno's, 300 Mishawum Road, all in favor, 3-0.

Motion made and second to adjourn, all in favor, 3-0. Meeting adjourned at 6:52 p.m.

William C. Campbell
Clerk of Committees, Pro Tem