

**License Commission Meeting Minutes**  
**4 Green Street, Police Station Conference Room**  
**February 4, 2015**

The meeting was called to order at 7:00 P.M.  
A quorum was present.

**1. Roll Call**

**In attendance:** Joseph Devlin (7:05pm), Craig Holt, Gregg Ogden, Richard Sharp, Brad Duffin

**2. Minutes**

Motion to accept the Jan. 7, 2015 minutes by Craig Holt, seconded by Gregg Ogden. So voted.

**3. One Day Licenses**

**1) *Friends of the Library 4<sup>th</sup> Annual Books in Bloom***

**Representative at meeting:** Judy Avery

**Type of License Requested:** Beer and Wine

**Information discussed about Event:** This is the 4th annual event to raise money for the Friends that directly benefits the Newburyport Public Library. This event partners with the Horticultural Society. Floral arrangements are made to go along with book titles. Northshore Bartending will provide two bartenders. They aim for 250 people but they have not had that many. The event takes place in the library after hours on Saturday April 11, 2015 from 6:30pm to 9:00pm.

**Purpose of Event:** Proceeds support the Newburyport Public Library.

**License Check-list:**

- ☒ Charitable and/or non-profit organization (to benefit)
- ☒ Event to be legally conducted and revenues raised should further goals of organization
- ☐ TIPs certified bartender: Yes
- ☒ Proof of Liability Insurance
- ☒ \$100.00 check
- ☒ Other: Fire Department Sign Off

Motion to approve the one day beer & wine license conditionally on TIPs certifications by Joseph Devlin, seconded by Gregg Ogden. So voted.

**Votes Cast:**

Joseph Devlin: Yes

Gregg Ogden: Yes

Craig Holt: Yes

Brad Duffin: Yes

Richard Sharp: Yes

**2) *Newburyport Education Foundation Poker Tournament***

**Representative at meeting:** Kevin Fruh

**Type of License Requested:** All Alcohol

**Information discussed about Event:** This is the 5th annual event to raise money for the NEF that benefits the Newburyport Public Schools. This event is one of three fundraising events each year put on by the NEF. There are two TIPs certified servers, and no others will be serving. They will have one police officer and they will be stamping hands. They have not had any problems at previous events. The event takes place in the City Hall Auditorium on Friday March 13, 2015 from 6:00pm to 1:00am.

**Purpose of Event:** Proceeds support the Newburyport Public Schools.

**License Check-list:**

- ☒ Charitable and/or non-profit organization (to benefit)
- ☒ Event to be legally conducted and revenues raised should further goals of organization
- ☐ TIPs certified bartender: Yes
- ☐ Proof of Liability Insurance
- ☒ \$100.00 check

√ Other: Fire Department Sign Off

Motion to approve the one day all alcohol license conditionally on TIPs certifications and certificate of insurance by Joseph Devlin, seconded by Richard Sharp. So voted.

**Votes Cast:**

Joseph Devlin: Yes

Gregg Ogden: Yes

Craig Holt: Yes

Brad Duffin: Yes

Richard Sharp: Yes

**3) Immaculate Conception School Auction**

**Representative at meeting:** Carrie Davis

**Type of License Requested:** Beer and Wine

**Information discussed about Event:** This is an annual event to raise money for the I.C. school. They have provided TIPs certifications and certificate of insurance. Primarily family members of I.C. students. The event takes place in the school on Saturday March 21, 2015 from 6:00pm to 10:00pm.

**Purpose of Event:** Proceeds support the Immaculate Conception School.

**License Check-list:**

√ Charitable and/or non-profit organization (to benefit)

√ Event to be legally conducted and revenues raised should further goals of organization

√ TIPs certified bartender: Yes

√ Proof of Liability Insurance

√ \$100.00 check

√ Other: Fire Department Sign Off

Motion to approve the one day beer & wine license by Joseph Devlin, seconded by Craig Holt. So voted.

**Votes Cast:**

Joseph Devlin: Yes

Gregg Ogden: Yes

Craig Holt: Yes

Brad Duffin: Yes

Richard Sharp: Yes

**4. Change of Manager**

**1) The Grog, 13 Middle Street**

Grace Connolly, attorney for the Grog, and William and Nicole Nichelmann were present. All pertinent paperwork pertaining to the change in manager from Richard Simpkins to Nicole Nichelmann were presented. No questions from the commission.

Gregg Ogden made a motion to approve the Change of Manager, seconded by Craig Holt. So voted.

**Votes Cast:**

Joseph Devlin: Yes

Craig Holt: Yes

Richard Sharp: Yes

Gregg Ogden: Yes

Brad Duffin: Yes

The commission also signed a Form 43 for the Grog to correct a change of DBA that the ABCC requested.

**5. John Brown, Spirit of Newburyport, Transient Vendor**

The commission requested Mr. Brown appear to address his vendor cart being located on Inn Street after December 31, 2014.

Mr. Brown stated that the cart was removed in January just prior to his receipt of the letter to come before the commission. He apologized and stated that it is now off-site in storage.

Discussion of the issue of the vendor cart being on Inn Street and complaints ensued.

Motion to get the vendor cart off Inn Street by December 31<sup>st</sup> every year by Joseph Devlin, seconded by Craig Holt.

**Votes Cast:**

Joseph Devlin: Yes

Gregg Ogden: Yes

Craig Holt: Yes

Brad Duffin: Yes

Richard Sharp: Yes

**6. Miscellaneous**

- a) Heidi Whittier, of Fowle's Market on High Street, provided the commission with a letter stating that she is providing delivery service licensed directly through the commonwealth.
- b) Commissioners discussed the Transient Vendor ordinance regarding calendar timeframes and intent of the ordinance for vending opportunities. As part of the discussion it was agreed that the party(ies) who initiate a complaint will be required to attend a meeting in which the complainant is ALSO in attendance. Failure to do so will remove the complaint from that evenings meeting. Both parties are required to attend to insure a successful discussion. Commisioner Duffin apologized for not including all in the discussion of the Spirit of Newburyport.
- c) Commissioners discussed the Transient Vendor license renewal process.

Motion to have Transient Vendors submit renewal paperwork and then be approved without attending a meeting following the procedure for alcohol and common victualler renewals by Richard Sharp, seconded by Joseph Devlin.

**Votes Cast:**

Joseph Devlin: Yes

Gregg Ogden: Yes

Craig Holt: Yes

Brad Duffin: Yes

Richard Sharp: Yes

- d) Brad Duffin was re-appointed chair by his grateful fellow commissioners.

**7. Adjourn**

Motion to adjourn at 8:05pm by Craig Holt, seconded by Joseph Devlin. So voted.