

June 6, 2012

Newburyport Police Station Conference Room
Minutes

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

1. Roll Call

In attendance: Brad Duffin, Richard Sharp, Donald Zabriskie
Absent: Margaret Lucey

2. Minutes

May 2, 2012 Minutes

Motion to approve by Richard Sharp, seconded by Donald Zabriskie.

Brad Duffin – approve

Richard Sharp – approve

Donald Zabriskie - approve

3. One Day Licenses

1) Rotary Club Dogs & Beer at the Foot of the Yankee Homecoming Bed Race

Representative at meeting: Jim Connolly

Type of License Requested: Beer Only

Information discussed about Event: Second time holding this event. Expect about 100 people, under a tent at the Tannery Marketplace parking lot. Last year no issues. Marshall Howard doesn't think they will need a police detail. They have a TIPs certified server from Mercury Brewing Company. Only serving to those of age after the race. To be held on August 2, 2012 from 4:30pm to 7:30pm.

Purpose of Event: Fundraiser for the Rotary Club's various causes

License Check-list:

- ✓ Charitable and/or non-profit organization
- ✓ 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

Brad Duffin made a motion to approve the One day Beer/Wine license contingent upon receiving the Tips certification, and Donald Zabriskie seconded.

Votes Cast:

Brad Duffin: approve

Richard Sharp: approve

Donald Zabriskie: approve

4. Farmer's Market

Representative at meeting: Lily March

Type of License Requested: Sample and Serve at the Farmer's Market

Information discussed about Event: This is an amendment to the existing license to sell. They have been selling at the Farmer's Market since last year. They would like to also be able to provide samples beginning at 10:00am. The servers will all be TIPs certified.

Richard Sharp made a motion to approve the amendment to sample and sell at the Farmer's Market, and Donald Zabriskie seconded the motion.

Votes Cast:

Brad Duffin: approve

Richard Sharp: approve

Donald Zabriskie: approve

5. Hearings

7:15 PM Angie's Restaurant transfer of license

Chris Latham representing Steve Luz, Angie's Diner, Inc. to transfer the license from Angie's. Steve recently purchased the business. He has an year lease with and option for an additional seven years. They will not be doing any alterations or construction. He has been the manager for the past 10 years. They will be open 6am to 8pm Monday through Saturday and 6am to 6pm on Sunday. This is for beer and wine only.

No questions from the board.

No public comment in favor of, nor against the transfer.

He is also requesting a transfer of the common victualler license and the entertainment license.

Donald Zabriskie made a motion to approve common victualler license, and Richard Sharp seconded the motion.

Votes Cast:

Brad Duffin: approve

Richard Sharp: approve

Donald Zabriskie: approve

Richard Sharp made a motion to approve the entertainment license, and Donald Zabriskie seconded the motion.

Votes Cast:

Brad Duffin: approve

Richard Sharp: approve

Donald Zabriskie: approve

Richard Sharp made a motion to approve the transfer of beer and wine license, and Donald Zabriskie seconded the motion.

Votes Cast:

Brad Duffin: approve

Richard Sharp: approve

Donald Zabriskie: approve

7:30 PM 17 State Street Cafe new all-alcohol license

Grace Connolly representing Cathy Moulton said that Cathy will be opening 17 State St. Cafe on State Street in the former Fowle's restaurant and news stand. They received approval for the common victualler's license last month, and are now requesting a new all-alcohol license. She owned Cathy's Country kitchen in Rowley and

has been in the business for over 18 years. They are doing a meticulous restoration of the space, and keeping the same number of seats in a different configuration. They had anticipated opening already but have had delays with National Grid. It will be a breakfast, lunch and early dinner restaurant with weekday hours of 6am to 7pm and Sat. from 7am to 7pm and Sunday 7am to 3pm. They do not have any plans for outdoor seating at this time. They provided the floor plans and reviewed them.

The board asked who the general manager would be. It is Heather Patterson and she is TIPs certified. They will also have several other TIPs certified employees. They will not have any outside seating, or entertainment. No public comment in favor of, nor against the application.

Richard Sharp made a motion to approve the all-alcohol license, and Brad Duffin seconded the motion.

Votes Cast:

Brad Duffin: approve

Richard Sharp: approve

Donald Zabriskie: approve

6. Miscellaneous

1) Mark Janos, attorney, appeared with Brian White and Tracy Janvrin, inquiring about Transient Vendor license availability and if a license can be leased out by the license holder.

The board responded that the license holder would be responsible for the whomever is operating under their license. From their perspective, an employee type relationship, where the license holder is accountable and responsible for the operation of the (cart) would be best. The relationship of the license holder and operator of the cart would be outside of the scope of the License Commission, but the board stressed the importance of having clear lines of responsibility and roles as employee or sub-contractor.

If a current license that has been granted and not picked up is abandoned, then that license would not be available.

Nina Fournier of Nina's Wieners was granted a license for Atkinson Common and Cashman Park. She has not picked up the Cashman Park license, nor paid for it. The board will send her a letter requesting her to appear before the board regarding this license.

2) Councillor Herzog emailed the board asking for clarification on brown bag regulations. Richard Sharp will respond.

The board asked that the City Clerk be contacted to provide Brad Duffin his interpretation of the ordinance pertaining to brown bag regulations.

3) The July meeting is scheduled for July 4, 2012. The commission will look at dates either the last week in June or the third week of July to reschedule.

Motion to adjourn at 8:15pm by Brad Duffin, seconded by Richard Sharp. So voted all.