

License Commission Meeting Minutes
4 Green Street, Police Station Conference Room
August 13, 2013

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

1. Roll Call

In attendance: Joseph Devlin, Brad Duffin, Craig Holt

Absent: Richard Sharp, Donald Zabriskie

2. Minutes

June 26, 2013 Motion to accept the minutes by Craig Holt, seconded by Joe Devlin. So voted.

July 15, 2013 Minutes moved to the next meeting.

3. One Day License

1) North East Boat Club

Representative at meeting: Pat Mahoney for the commodore

Type of License Requested: All Alcohol

Information discussed about Event: This is an annual outdoor members only event from 10am to 5pm on August 24, 2013. The club is closed and they have a tent outside. Tom Capelluzo is their TIPs certified server. Expect up to 250 people, usually 100 - 125. No guests are allowed, only members. Tickets sold in advance and need ticket to enter. Crowd control manager is Michael Rurak. Commission wants at least two people handling crowd control and at least two TIPs certified bartenders.

Purpose of Event: Members Social

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

Joe Devlin made a motion to approve the 1 Day All Alcohol License with additional TIPs certified server and additional crowd control, seconded by Craig Holt.

Votes Cast:

Craig Holt: Yes

Joseph Devlin: Yes

Brad Duffin: Yes

2) Newburyport Art Association Seven Fall events

Representative at meeting: Elena Bachrach

Type of License Requested: Beer & Wine

Information discussed about Event: These are art opening receptions on Sept. 15, Sept. 16, Oct. 5, Nov. 2, and a member's open reception on Sept. 14 and Invitation nights on Dec. 6 and 13, 2013. Most events they expect approximately 40 people, and 100 at the Sept. 14th fall members reception.

Purpose of Event: Artist opening receptions, invitation nights

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

Joseph Devlin made a motion to take all Newburyport Art Association One Day License events in one motion. So voted. Joseph Devlin motioned to approve the seven 1 Day Beer/Wine Licenses, seconded by Craig Holt.

Votes Cast:

Craig Holt: Yes

Joseph Devlin: Yes

Brad Duffin: Yes

4. New License Hearing 7:15pm

Atomic Coffee Company of Newburyport, LLC. Lisa Mead, attorney with Blatman, Mead & Borowski was representing Andrew Mahoney, manager and owner of the business. Bob and John Hughes, owners of the property were also present. The applicant is seeking to open a coffee and beer and wine café in northern section of the current Book Rack store. The Book Rack would remain in one section of the building. They plan to serve food, wine, craft beers and coffee. The space is approximately 2009 sf, 1482 sf to be restaurant, 342 sf outdoors and 704 sf storage and office in the basement. There are three egresses. They will have someone at a POS station at the door way going into the Book Rack to prevent any alcohol from leaving the restaurant. Expect to have 4-6 employees on at a time. No table service, people would order at the counters. Staff would be cleaning up and walking around. Capacity is 42 seats inside and 24 seats outside.

The commission stressed the need for signage indicating “no alcohol beyond this point” at doorway between café and book store. They also stressed need for controlling alcohol on patio especially during busy times and questioned whether total number of staffers working would be sufficient.

The applicant proposed that at the south entrance patio they would not serve alcohol and would post no alcohol service. The north side patio would be stationed by one person and be the only outdoor area to serve alcohol. The café and Book Rack will have the same operating hours. They will have strong signage at the entrance to the book rack and training for no alcohol beyond this point. The applicant will have staffing of seven to ensure control of alcohol.

Joseph Devlin made a motion to approve the Retail Beer & Wine license with the application amended so no alcohol is served in the south patio, a dedicated server is stationed in the north patio for alcohol service, signage at the entrance to the Book Rack that clearly states “no alcohol beyond this point” and signage at the Point of Sale stations with requirements for serving alcohol, seconded by Craig Holt.

Votes Cast:

Craig Holt: Yes

Joseph Devlin: Yes

Brad Duffin: Yes

5. Brown Sugar by the Sea Alteration of Premises

David Hall, landlord for Brown Sugar by the Sea and Caroline Jolliffe were present to submit the revised, original size plans. They have excluded the elevator from the licensed area. Only access to the elevator is with a key. Exit doors on stairwell at second level will be labeled that door is alarmed.

6. Change of Manager

1) Comins, Inc. dba Port Wine and Spirits is changing manager to Richard Comeau. Currently the manager in Haverhill. It is a family owned business that he has worked with for 33 years. He will run both stores. He will be spending most of his time in Newburyport and expects between the two stores to be putting in about 70 hours. Suggested to the commission that Newburyport have mandated server training in the city.

Motion to approve the change of manager by Joe Devlin, seconded by Craig Holt. So voted.

Votes Cast:

Craig Holt: Yes
Joseph Devlin: Yes
Brad Duffin: Yes

2) Ben Pro Order of Elks Lodge #909 is changing managers to Kyle Sicard, current Vice President. Donna Gilberti, President was also in attendance. Kyle has been an officer with the Elks for 3 years. He has been a member for 13 years. He does not have a lot of experience. All of the bartenders/servers are TIPs certified. They are currently looking for a bar manager with qualifications. Kyle will be President next year, and they are looking to have continuity. He will be getting TIPs certified.

Motion to approve the change of manager by Craig Holt, seconded by Joseph Devlin. So voted.

Votes Cast:

Craig Holt: Yes
Joseph Devlin: Yes
Brad Duffin: Yes

7. Farmer's Market

Alfalfa Winery of Topsfield is requesting to sample and sell at the new Farmer's Market on Sundays at the Tannery. They were in the past approved at the other Sunday farmer's market but are not participating this year. MDAR letter submitted had the incorrect day of week. Jim Ellis is TIPs certified and all paperwork is in order.

Motion to approve with a copy of the amended letter by MDAR by Craig Holt, seconded by Joe Devlin. So voted.

Votes Cast:

Craig Holt: Yes
Joseph Devlin: Yes
Brad Duffin: Yes

8. Miscellaneous

1) Ashleigh from the Mission Oak Grill had questions regarding the use of Brown's Square for occasional cocktail parties for receptions being held inside at the restaurant.

2) Kristin Schaffner, dog walking business. Had questions regarding vending licenses.

9. Adjourn

Motion to adjourn at 9:15pm by Craig Holt, seconded by Joe Devlin. So voted.