

License Commission Meeting Minutes
4 Green Street, Police Station Conference Room
November 6, 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, Richard Sharp, Donald Zabriskie

2. Minutes

Sept. 30, 2013 Motion to accept the minutes as amended by Joe Devlin, seconded by Craig Holt. So voted.

4. Hearing New License Kolie Enterprises, LLC dba Lexie's on State Street

Mark Janos, attorney for Casey Cargill, principal operator for Lexie's on State Street. He is the proprietor of a similar restaurant in Portsmouth, NH, and has been a liquor manager for many years. They are requesting a beer and wine license only and will be serving mainly burgers. Plan hours to be 11am to 9pm for lunch and early dinners Sunday to Saturday. No plans for Sunday brunch. Hope to do window service for burgers and fries. Kitchen is on 2nd floor with storage. Booths and seats at the counter. No plans to offer sidewalk dining. They have 10 employees in Portsmouth, and Casey will be dedicating his time here. Table service for delivery of alcohol. He will be the manager of record. They will have 30 seats.

Joe Devlin made a motion to approve the new retail on premises Wine and Malt Beverages license, seconded by Richard Sharp. Motion approved.

Votes Cast:

Joseph Devlin: Yes

Craig Holt: Yes

Richard Sharp: Yes

Donald Zabriskie: Yes

Brad Duffin: Yes

5. Other Business

1.) Eric Metzdorf of 17 55th Street made an inquiry regarding mobile food vendors. Discussion of hawker peddler and transient vendor licenses. Commission stated that a food truck vendor serving businesses in the industrial park would be regulated by the Health department. If the truck were to be parked in public spaces, in fixed locations, had tables, then the Licensing Commission would have jurisdiction. The Commission may also discuss this with City Council's License & Permits sub-committee.

2) *Newburyport Education Foundation Auction 1 Day All Alcohol License*

Representative at meeting: Mark Wright

Type of License Requested: All alcohol

Information discussed about Event: This is the fourth year for the auction. This year it is at the Masonic Temple on Nov. 16 from 5pm to 11pm. They are expecting about 200 people. Currently have 1 TIPs certified server, they will provide TIPs for additional servers. Commission requested 1 police detail.

Purpose of Event: Proceeds support 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: One, additional certificates to come
- 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, seconded by Richard Sharp.

Votes Cast:

Joseph Devlin: Yes
Craig Holt: Yes
Richard Sharp: Yes
Donald Zabriskie: Yes
Brad Duffin: Yes

3) Andrew Elliott of Fowle's Market inquired as to requirements for wine tastings paired with foods and charging admission. The commission stated that under the off premises Beer & Wine license they are allowed to do tastings with serving sizes restricted. They need to follow the regulations under Ch. 138 sec. 15 of MGL. He made an additional inquiry about seating. Food only seating requires a common victualler license. The current alcohol license is for off-premises only.

4) Continued review of policies and procedures.

5) Feedback on GreenStrides ½ Marathon event, draft letter.

6) Upcoming meeting dates: December 17 (license renewal pick-up), Jan. 8, 2014, Feb.5, 2014.

9. Adjourn

Motion to adjourn at 8:35pm by Craig Holt, seconded by Don Zabriskie. So voted.