

**Woburn License Commission
Woburn City Hall
Committee Room – 5:30 p.m.
March 15, 2018**

Voting Members: Chairman Paul Medeiros, Commissioner David Gilgun, Commissioner Thomas Skeffington.

Also present: Woburn Police Capt. John Murphy, liaison to the License Commission

Chairman Medeiros convened the meeting of the License Commission at 5:30 p.m.

St. Anthony Parish, 80 Elm St., application for a special 1-day liquor license for a religious festival at 851 Main St. on June 2, 2018, from 5 p.m. 10:30 p.m.: Appearing for the petitioner was Michael Millette, 53 Winter St., Woburn, who said this is his first year coordinating the festival and the parish is trying to have a successful event. Mr. Millette said there will be games, prizes, beer and wine and other attractions. Mr. Millette said the festival has been held for more than 40 years and has been going very well. Chairman Medeiros asked if Mr. Millette has obtained a special event permit from the City Council. Clerk of the Commission also said Mr. Millette is endeavoring to obtain an insurance binder from the archdiocese. Chairman Medeiros noted the date of the event is June 2 and thanked Mr. Millette for submitting the application in a timely manner and complimented Mr. Millette for submitting a thorough package. Commissioner Skeffington asked Mr. Millette to submit a list of persons who will be serving the beer at the festival. Chairman Medeiros asked Mr. Millette if a storage day will be needed for the alcohol. Commissioner Skeffington noted last year the beer was served in cans but in previous years there has been a truck for beer service. Mr. Millette asked if adding a storage day is an option and then requested to amend the application to include June 1 as a storage day. Chairman Medeiros asked Capt. Murphy if there have been any problems in the past with the event at St. Anthony. Capt. Murphy replied there have been minimal problems in the past and St. Anthony normally hires a police detail. Chairman Medeiros noted the meeting is being broadcast on local cable television and asked Mr. Millette if there will be anything new at this year's festival. Mr. Millette reiterated the event is designed to appeal to the entire community and he hopes attendance will be robust. Chairman Medeiros asked if anyone in the audience wished to address the Commission about the petition. There were no respondents. Commissioner Gilgun complimented Mr. Millette on submitting an excellent package with the application. Motion made by Commissioner Skeffington and seconded by Chairman Gilgun to grant the special 1-day liquor license, with the following amendments: 1.) The inclusion of a storage day for alcohol on June 1, 2018; 2.) Waive the \$50 application fee; 3.) Approval of the application is contingent upon the submission of an insurance binder and approval of a special event permit from the City Council; approved, 3-0.

James L. McKeown Boys & Girls Club of Woburn, application for a special 1-day liquor license for a Road Race and Health Walk at Library Park on Sunday, May 6, from 8 a.m. – 4 p.m.: Appearing for the petitioner was Dirk Slagmolen, 4 Forest Park Road, member of the Board of Directors of the James L. McKeown Boys & Girls Club of Woburn. Mr. Slagmolen said this will be the seventh year the road race has been held and it has been very successful in

the past. Mr. Slagmolen said the event is basically for runners but there is also a health walk. Mr. Slagmolen said club officials have notified officials from the abutting the Towanda Club about the event and they don't have a problem with it. Chairman Medeiros reminded Mr. Slagmolen that alcohol cannot be served until noon because the event is on a Sunday. Mr. Slagmolen said he is aware of the alcohol service prohibition until noon on Sunday and said there will not be a need for a storage day for the alcohol. Chairman Medeiros asked if the Boys & Girls Club has obtained a special event permit from the City Council Mr. Slagmolen said the special event permit application is on the agenda for the City Council's meeting on March 20, 2018. Chairman Medeiros suggested making the special 1-day liquor license application subject to approval of the special event permit Capt. Murphy said there have never been any problems with this event from a law enforcement perspective. Chairman Medeiros asked if anyone in the audience wished to address the Commission about the petition. There were no respondents. Motion made by Commissioner Skeffington and seconded by Chairman Gilgun to grant the license contingent upon approval of a special event permit by the City Council, and waive the \$50 application fee; approved, 3-0.

Scoreboard Sports Bar & Grill, 15 Middlesex Canal Park Drive, request for early opening hours on Sunday, April 1 (Easter) and Sunday, May 13 (Mother's Day): Appearing for the petitioner was Catherine Stevens, General Manager, Scoreboard Sports Bar & Grill. Ms. Stevens said Scoreboard would like to start serving Bloody Marys at 11 a.m. instead of noon. She said she expects between 200-250 people at each event, about 100 of whom will be of legal drinking age. Commissioner Skeffington asked if the Easter Bunny will make an appearance at the event on Easter. Ms. Stevens said the Easter Bunny will be there. Chairman Medeiros asked if anyone in the audience wished to address the Commission about the petition. There were no respondents. Motion made by Commissioner Gilgun and seconded by Chairman Skeffington to grant the petitions for early opening hours; approved, 3-0.

Dave & Buster's of Massachusetts Inc., 271 Mishawum Road, request for a lock-in event from 11:30 p.m. on Sunday, June 3, 2018 to 5:30 a.m. on Monday, June 4, 2018: Appearing for the petitioner were Attorney Joseph Tarby, 600 Unicorn Park, and Brandon Kurtich, Senior Sales Manager, Dave & Buster's, Woburn. Attorney Tarby noted this will be a third lockdown event of the annual five that are allowed under the terms of the special permit granted by the City Council. Attorney Tarby said the event will be similar to the lockdown events held in the past. He said there will be no alcohol served and the bar will be closed at all times. Mr. Kurtich said there will be desserts offered along with breakfast before the students depart in the morning. Mr. Kurtich said he believes the students eat dinner at a separate event before they arrive. Attorney Tarby said the manager will greet the students at the door, and that the event is fully-chaperoned and there will be a 15-minute call before the event ends and the students will be escorted to buses that will bring them back to Newburyport. Commissioner Skeffington said he attended a previous lockdown event at Dave & Buster's and noted the bar was completely sealed off from the students and that Dave & Buster's staff does a great job with the lockdown events. Commissioner Gilgun asked how many students are expected to attend. Mr. Kurtich said about 180 students have been contacted and that 90 percent of them are expected to attend. Chairman Medeiros asked if anyone in the audience wished to address the Commission about the petition.

There were no respondents. Motion made by Commissioner Skeffington and seconded by Chairman Gilgun to grant the petition for the lock-in event; approved, 3-0.

Show Cause hearing for change of manager at Waxy O'Connor's, 1 Rainin Road:

Appearing for the petitioner was Ashok Patel, Jamsan Hotel Management, 83 Hartwell Ave., Lexington, MA. Chairman Medeiros asked Mr. Patel what his role is with Waxy O'Connor's. Mr. Patel said he is a member of the LLC that owns the property upon which the restaurant and the adjacent hotel are located and he is attending the meeting in lieu of Waxy O'Connor's principal Paul McKenna, who is in transit from Ireland. Chairman Medeiros said Waxy O'Connor's has been before the License Commission too many times for disciplinary reasons and the latest problems is Waxy's has been operating without a manager since Ms. Lindsay Curran left the company's employ in January. Chairman Medeiros said the name of a proposed new manager, Richard Lambiase, was submitted on March 7 but now that candidate abruptly removed his name from consideration just yesterday. Mr. Patel said he did not expect Mr. Lambiase to withdraw and Waxy's has installed Kenneth O'Reilly as an interim manager until a new manager can be put in place. Chairman Medeiros told Mr. Patel the Commission should have been notified of an interim manager the day after Ms. Curran left. Mr. Patel said he is not involved with the day-to-day operations of Waxy O'Connor's and the selection of a new manager and notification to the Commission of such would ordinarily fall under the realm of operations personnel. Chairman Medeiros said the Commission has heard the same excuses from Waxy's officials whenever there have been problems in the past and he does not know how Waxy's has remained in business with all the chaos surrounding it. Mr. Patel acknowledged the going has been tough for Waxy O'Connor's. Commissioner Skeffington said when Mr. McKenna last appeared before the Commission in January it was clear he was also not aware of the day-to-day operations at Waxy's and that seems to be one of the biggest problems plaguing the restaurant. Commissioner Skeffington asked Mr. Patel if he is aware the sign in front of the restaurant is broken. Mr. Patel said he is aware the sign is broken but there have been delays with repairing it due to the weather but he hopes a new sign will be installed within the next couple of days. Commissioner Skeffington asked if Waxy's will be fully-staffed for St. Patrick's Day. Mr. Patel replied he expects all staff to be working on St. Patrick's Day. Commissioner Skeffington asked if Waxy's has hired a police detail St. Patrick's Day. Mr. Patel said he expects there will be a police detail on St. Patrick's Day. Commissioner Skeffington said that is unlikely because Waxy's still owes the Woburn Police Dept. \$1,500 for unpaid police details in the past. Mr. Patel reiterated he is not privy to the day-to-day operations of the restaurant but said he will pay the outstanding balance for police details on Friday so there will be police details during St. Patrick's Day weekend. Commissioner Skeffington said it was apparent during previous meetings that Mr. McKenna is also unaware of the day-to-day operations and asked who is in charge at Waxy's. Mr. Patel said there has been a turnover in personnel recently and the current staff is trying to clean up what was left behind. Mr. Skeffington advised Mr. Patel and Mr. McKenna to take a long look in the mirror because Waxy O'Connor's has not left a good impression with the city of Woburn. Commissioner Gilgun said he is frustrated with Waxy O'Connor's. He said Mr. Patel is not the man who should be before the Commission because he is not in charge of operations. Mr. Patel said he got an email from Mr. Lambiase the day before the meeting indicating Mr. Lambiase was no longer interested in working for the company and said he was as taken aback by his sudden departure. Commissioner Skeffington said he doesn't blame Mr. Lambiase for his

reticence because he would not want to work for Waxy O'Connor's either. Mr. Patel said he does not like to be running a business that has so many unknowns and added there have not been problems with the hotel next door. Mr. Patel said part of the problem was there were 6-7 Waxy's locations opened within a short time period and there are people in the organization who haven't been doing their jobs well. Mr. Patel said of those half-dozen restaurants, only three remain open now. Mr. Patel acknowledged the Waxy's in Woburn is in a prime location and should be doing better than it is. Commissioner Skeffington said there has been a revolving door of managers at Waxy's. Mr. Patel said he thinks the location can do better if there is a competent general manager brought on board within the next couple of months. Commissioner Gilgun asked if Mr. McKenna is in charge of the day-to-day operations. Mr. Patel said Mr. O'Reilly will be handling the day-to-day operations and that he was the former assistant manager and the company is going to find someone to handle the operational side of the restaurant. Chairman Medeiros said the operations at Waxy's have been chaotic. He said Waxy's should have submitted to the Commission the name of the new person in charge the day after Ms. Curran left the company. Chairman Medeiros said the Commission can suspend Waxy's license for every day the restaurant has been without an on-premises manager, which has been for more than a month. Commissioner Skeffington said he thinks it has actually been about two months that Waxy's has been without a manager. Chairman Medeiros said he thinks the Commission has been patient with Waxy's but it has to take action. Commissioner Gilgun said he does not think closing Waxy's for a month or two is not the answer. He said it was an insult that Mr. McKenna did not attend the meeting and that Waxy's needs to communicate better with the city, citing the unpaid details as another issue between the city and Waxy's. Mr. Patel said he will try to pay the bill for police details on Friday. Capt. Murphy advised Mr. Patel the administrative component of the police department closes at 1 p.m. on Fridays and he would have to pay the bill by then. Chairman Medeiros said he wants to know what the Commission has to do to get Waxy's to listen to them. Motion made by Commissioner Skeffington to suspend Waxy O'Connor's liquor license on the following days: March 19, March 26, April 2, April 9 and April 16. Commissioner Skeffington said this is the last time Waxy's license will be suspended on Mondays and if there are subsequent infractions the suspensions will be on weekends. Chairman Medeiros said the Commission's next meeting is the week of April 16 and he hopes Waxy's will have an application for a new manager in to the Commission by then. He said Waxy's needs to submit the name and contact information of an interim manager to the Commission because someone has to be in charge. Mr. Patel said there are people in charge, but the notification piece is broken. Commissioner Skeffington said if someone from the city needs to go to Waxy's, they need to know whom to contact. Chairman Medeiros said no one on the Commission is trying to hurt Waxy's, but the Commission's rules need to be followed. Commissioner Skeffington said if the Commission was trying to hurt Waxy's, the restaurant would not be open St. Patrick's Day weekend. Chairman Medeiros said the Commission was excited when Waxy's first came to Woburn. Commissioner Skeffington said Waxy's must post there is no alcohol service. Mr. Patel asked if the restaurant has to remain open. Chairman Medeiros said the restaurant has to remain open and they can give early notice to their customers that there will be no alcohol service on the other four days covered by the suspension. Commissioner Gilgun said Waxy's has to have a hands-on manager and that if that's Mr. McKenna, that's the person to whom he wants to talk. Mr. Patel said he hopes the situation at Waxy's gets sorted out. Commissioner Gilgun said he

understands Mr. Patel put a lot of money into refurbishing the restaurant and said he may have backed the wrong horse in Waxy's. Mr. Patel said he doesn't want to see his image tarnished in a negative way. Commissioner Gilgun said Waxy's does not have a very good reputation within the city. Commissioner Gilgun seconded the motion to suspend Waxy O'Connor's liquor license on the five aforementioned dates; approved, 3-0. Motion made by Commissioner Skeffington and seconded by Commissioner Gilgun to end the show cause hearing; approved, 3-0.

Change of manager application for change of manager, Waxy O'Connor's, 1 Rainin Road:

Motion made by Commissioner Skeffington to table the matter. Chairman Medeiros suggesting allowing Mr. Lambiase to leave to withdraw his application without prejudice. Motion made by Commissioner Skeffington and seconded by Commissioner Gilgun to allow Mr. Lambiase leave of withdrawal without prejudice his application to become manager of Waxy O'Connor's; approved, 3-0. Ahtok Patel, Jamsan Hotel Management, 83 Hartwell Ave., Lexington, MA, thanked the Commission for its time. Chairman Medeiros told Mr. Patel the Commission wants Waxy O'Connor's to succeed. Commissioner Gilgun said he does not think he gets a lot of cooperation from Mr. McKenna. Commissioner Skeffington asked Mr. Patel to please get the outstanding bill for police details paid on Friday because if there are no police details at Waxy's on St. Patrick's Day there is a disaster waiting to happen.

Change of License Commission meeting date from May 17, 2018 to May 24, 2018: Chairman Medeiros said Commissioner Skeffington will be out-of-town on May 17. Commissioner Skeffington said he appreciates the Commission making an accommodation for his schedule. Motion made by Commissioner Gilgun and seconded by Chairman Medeiros to change the date of the Commission's meeting in May from May 17 to May 24; approved, 3-0.

Approval of minutes of February 15, 2018 meeting: Motion made by Commissioner Skeffington and seconded by Commissioner Gilgun to accept the minutes of the February 15, 2018, as submitted; approved, 3-0.

Any other matter that may be legally before the License Commission: Commissioner Skeffington asked Capt. Murphy to visit the convenience store at 80 Winn Street and ask them to turn the Keno monitor so it is not visible from the street. Chairman Medeiros asked for Capt. Murphy to perform the same task at the Minit Mart on Main Street in the South End. Commissioner Skeffington said he went to the store at 80 Winn Street to buy a soda before the meeting and there were four people in the parking lot playing Keno.

Motion made by Commissioner Gilgun and seconded by Chairman Skeffington to adjourn; approved, 3-0. Chairman Medeiros adjourned the meeting at 6:18 p.m.

A TRUE RECORD

Gordon Vincent
Clerk of Committees