

**Woburn License Commission
Woburn City Hall
City Council Chamber – 5:30 p.m.
October 25, 2018**

Voting Members: Chairman Thomas Skeffington, Commissioner David Gilgun, and Commissioner William Pappalardo

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

Also present: Mayor Scott Galvin, Woburn Police Capt. John Murphy, Woburn Fire Lt. Keith Peary, Building Commissioner Thomas Quinn, Deputy Treasurer/Collector Alex Dizio

Mandatory meeting relative to liquor license renewals with all liquor license holders:

Chairman Skeffington thanked everyone for coming and said 2018 has been a pretty good year. He said the police department conducted compliance checks for alcohol service and there were no problems whatsoever. He said all the license renewal paperwork must be submitted by November 30, and any applications submitted after that date will be treated as new licenses. He said all paperwork should be submitted to the clerk of the commission by November 21. He said the November 30 deadline was imposed by the ABCC, not the License Commission. He said the original versions of the applications must be submitted and copies will not be accepted, and he asked managers who work for corporate entities to not send the renewal forms to their corporate offices. He said managers of social clubs are required to submit a list of officers. He said managers of any restaurants with Ziosk machines must submit an application for renewal of an amusement license. He asked managers who intend to stay open late on New Year's Eve to notify the clerk in writing by December 6. He said anyone who wants extended hours on Thanksgiving must notify the clerk by November 8. He said he wants to make the process as simple as possible. He said renewal forms for Common Victualer's licenses are due on May 1. He said there is still one outstanding renewal application from this year and if all the requirements are not met, the commission will suspend the Common Victualer's license. Mayor Galvin thanked the License Commission for its work and said new Commissioner Pappalardo is fitting in well. He also thanked the representatives from the various municipal departments for their work with the license renewals. He thanked the package store owners, and the managers of the restaurants and clubs in the city for their generosity and told them they really make a difference. Capt. Murphy said he is available for inspections during the first 10 days of November and the renewal paperwork should be left behind the bar so it is easily accessible. He said the clerk distributed a sheet from the ABCC of holiday hours for 2019 and told the managers to pay attention to that. He said the liquor license must be posted on premises. He said establishments cannot allow stand-up drinking unless they have a license to do so. He said if anyone wants a license for stand-up drinking, they should talk to the commission. He said clubs must keep a register. He said there are limited forms of identification that can be accepted, and if another form of ID is accepted, the establishment may be culpable. He said any establishment with a liquor license cannot offer cannabis in any form. He referred to regulations for corking of wines and said that is the only exception to allowing alcohol to be taken home. He said the only exception to the happy hour prohibition is a bottle of wine. He said establishments are not

allowed to serve intoxicated patrons. He said employees of establishments with liquor licenses have a responsibility to police their immediate curbage. He reminded managers to not send their paperwork to corporate. He advised them to keep it behind the bar. He said the forms cannot be signed until November 1, and to expect city officials by no later than November 10. Lt. Peary asked the managers to have their paperwork ready. He said sprinkler systems have to be tested once a year and oven hoods need to be cleaned. He said he would provide copies of the fire code to anyone who does not have one. Building Commissioner Quinn said this year he will be going out as the same schedule as the fire department. He asked the managers to have their paperwork ready. He said if anyone is unsure of anything, they can come to his office. He said he will be available starting November 1. Deputy Dizio said the treasurer/collector's certificate must have an original signature, and that fax copies are not allowed. He said if her gets a non-original copy of the form, it goes to the back of the pile. He told the license holders to make sure they fill out the form completely. He said if a licensee owns residential property in the city, those residential addresses must be listed on the form. He said it is important to leave a telephone number on the form. He said he will be away from the office in the middle of November. Chairman Skeffington said the License Commission puts in an incredible amount of work to make it as easy as possible for the license holders. He reiterated Capt. Murphy's request to keep the paperwork at the bar. Chairman Skeffington said city officials are here to help. He said the city is not here to hurt anyone, and if there are any issues, to make city officials aware of them as soon as possible. Chairman Skeffington reminded the license holders of the new fee schedule. He said the commission undertook a survey of 14 surrounding cities and towns and decided on figures that were in the middle of the pack.

Motion made by Commissioner Gligun and seconded by Commissioner Pappalardo to recess the meeting for five minutes; approved, 3-0.

Motion by Commissioner Gilgun and seconded by Commissioner Pappalardo to reconvene the meeting; approved, 3-0. Commissioner Skeffington reconvened the meeting at 6:01 p.m.

Dave & Buster's, 275 Mishawum Road, request for a lock-in event, Wakefield High Senior Night 2019, from 11 p.m. on Wednesday, May 29, 2019, to 5 a.m. on Thursday, May 30, 2019: Appearing for the petitioner were Attorney Christopher Fox, Murtha Cullina, 600 Unicorn Park, Woburn, MA, and Brandon Kurtich, Senior Sales Manager, Dave & Buster's, 275 Mishawum Road, Woburn, MA. Attorney Fox said the lock-in event will be for Wakefield High students and run between 11 p.m. on Wednesday, May 29, 2019 to 5 a.m. on Thursday, May 30, 2019. Commissioner Pappalardo asked if this is an after-graduation event. Attorney Fox said it is a post-prom event. Chairman Skeffington asked if anyone in the audience wished to address the commission about the petition. There were no respondents. Chairman Skeffington said the lock-in events are great and Dave & Buster's does a nice job. He said the bar is closed to the students. He said Dave & Buster's does a few of these events every year and there have never been any problems. Motion made by Commissioner Pappalardo and seconded by Commissioner Gilgun to grant the request for the lock-in event on May 29-30; approved, 3-0.

Woburn Social Capital Inc, application for a special 1-day liquor license for a non-profit fund-raiser at J. Mulkerin Realty 616 Main Street, on Sunday, December 9, 2018, from 4-6:30 p.m. Appearing for the petitioner was David Crowley, President, Woburn Social Capital

Inc., 165M New Boston Street, Suite 223, Woburn, MA. Mr. Crowley said the event is a wine-tasting fund-raiser. Tickets will be sold for \$25. He said there will be a professional wine taster on hand. He said the event has been held in the past and it is usually a nice time. Commissioner Gilgun asked if only one person will be serving the wine, as listed on the application. Mr. Crowley responded that is correct. Chairman Skeffington 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 Commissioner Pappalardo to grant the special 1-day liquor license and waive the \$50 application fee; approved, 3-0.

Motion made by Commissioner Pappalardo and seconded by Commissioner Gilgun to take the next two items on the agenda collectively; approved, 3-0.

Empire Liquors, 2 Elm Street, Woburn, MA, request for change of hours (continued from September 20 meeting): Appearing for the petitioner was Anuradha Kumar, 6 Lafayette Place, Woburn, MA. Ms. Kumar said they are seeking change of regular hours to 10 a.m.-10 p.m. Monday-Wednesday, 10 a.m.-11 p.m. on Thursday, 9 a.m. to 11 p.m. on Friday and Saturday, and 10 a.m.-6 p.m. She asked for the store to remain open between 10 a.m.-11 p.m. on November 19-21, 2018, and from 9 a.m. to 11 p.m. between December 17-27. She said they would revert to regular hours on January 2, 2019. Commissioner Gilgun asked for a list of hours to be submitted to the Woburn Police Dept. Chairman Skeffington asked if this is the same list that was submitted to the commission last month. Ms. Kumar said it is. Chairman Skeffington asked if anyone in the audience wished to address the commission about the petition. There were no respondents. Motion made by Commissioner Pappalardo and seconded by Commissioner Gilgun to approve the change of hours; approved, 3-0.

Memo from State Lottery Commission regarding Keno-to-Go at Empire Liquors, 2 Elm Street: Appearing for Empire Liquors were Anuradha Kumar, 6 Lafayette Place, Woburn, MA; and Rajesh Malrani, 33 Liberty Road, Bedford, MA. Mr. Malrani said he is unsure why the memo was sent to the city of Woburn, as there is already Keno in North Woburn Package Store. Commissioner Gilgun said the Lottery Commission is giving notice and the Commission must approve the presence of Keno. Commissioner Gilgun said the commission does not have the authority to take away the Keno license. Chairman Skeffington said the letter goes into the commission's official record. Motion made by Commissioner Gilgun and seconded by Commissioner Pappalardo to grant Empire Liquors' request for Keno; approved, 3-0.

Canal Park Servers LLC, dba Crowne Plaza, 15 Middlesex Canal Park, application for change of premises: Appearing for the petitioner was Bruce Wennerstrom, General Manager, Crowne Plaza, 15 Middlesex Canal Park Drive, Woburn, MA. Mr. Wennerstrom said the Crowne Plaza is seeking permission for an alteration of premises, for its ballroom space. Commissioner Gilgun asked if the premises included the patio. Mr. Wennerstrom said that is correct. Chairman Skeffington asked if anyone in the audience wished to address the commission about the petition. There were no respondents. Motion made by Commissioner Pappalardo and seconded by Commissioner Gilgun to grant the petition for change of premises; approved, 3-0.

JSK Liquors, dba Colonial Liquors, 3 Russell Street, application for transfer of license: Appearing for the petitioner were Attorney Matthew Porter, Vieira DiGianfilippo, 480 Turnpike Street, South Easton, MA; and Harshit Patel, 1835 Middlesex Street, Lowell, MA. Attorney

Porter said his client is seeking approval for the transfer of a package store license at 3 Russell Street. He said his client has experience in the liquor industry and thus far the transaction has been smooth. He said there are no major structural changes planned for the building.

Commissioner Gilgun said Woburn has traditionally not allowed liquor licenses to be pledged. He said even though pledging licenses is common these days, there is language in the License Commission's rules and regulations that prohibits licenses from being pledged. He said he is in favor of the transfer but he would like the clerk of the commission to check it out with the City Solicitor. If she has no objection, he won't have an objection either. Attorney Porter said he is aware there are a few municipalities that prevent the pledging of licenses, but his client must get a pledge of the license to obtain financing. He said if pledging the license is a concern, his client will have to look at alternate ways to complete the transaction. Chairman Skeffington asked if anyone in the audience wished to address the commission about the petition. There were no respondents. Commissioner Gilgun suggested approving the transfer subject to the ability to pledge the license to Rockland Trust. Attorney Porter said the bank will not have the rights to take over the license, which he said is a misconception. Chairman Skeffington said the license would revert to the city in case of foreclosure. Motion made by Commissioner Gilgun and seconded by Commissioner Pappalardo to approve the license. Chairman Skeffington suggested amending the motion to approve the license transfer subject to the ability to pledge the license to Rockland Trust; approved, 3-0. Commissioner Gilgun told Attorney Porter to contact the commission if the condition of the ability to pledge the license turns out to be a deal-breaker.

Update on Common Victualer's licenses: Clerk of the commission said Dunkin' Donuts at 880 Main Street was the last applicant to file paperwork, which was received on October 17. Appearing for Catalano Properties, 880 Main Street, Woburn, MA, was Stacy Missaggia. Chairman Skeffington asked Ms. Missaggia why the paperwork wasn't filed until October 17. Ms. Missaggia replied she thought the forms were due on May 1. Chairman Skeffington said the paperwork must be filed on time next year or there will be consequences. Motion made by Commissioner Gilgun and seconded by Commissioner Pappalardo to issue the 2018 Common Victualer's license to Dunkin' Donuts at 880 Main Street; approved, 3-0.

Update on status of ABCC hearing on October 2, 2018, relative to violations at Woburn Elks, 295 Washington Street: Motion made by Commissioner Gilgun and seconded by Member Pappalardo to receive the memorandum from the ABCC and place it on file; approved, 3-0.

Approval of meeting minutes from September 20, 2018, and September 15, 2016: Clerk of the commission said a portion of the September 15, 2016 meeting was held in executive session to accommodate a conversation with the City Solicitor regarding legal action by a petitioner for a fortune teller's license. Clerk said he was advised by the City Clerk that the minutes can be released since the matter has been adjudicated. Clerk distributed the minutes by hand because sending them via U.S. Mail or email would have constituted making the minutes a public record. Commissioner Pappalardo said he would like to review the minutes. Motion made by Commissioner Gilgun and seconded by Commissioner Pappalardo to continue the matter until the Commission's meeting in November; approved, 3-0.

Motion made by Commissioner Gilgun and seconded by Commissioner Pappalardo to adjourn; approved, 3-0. Chairman Skeffington adjourned the meeting at 6:25 p.m.

A TRUE RECORD

Gordon Vincent
Clerk of Committees