



BOARD OF LICENSE COMMISSIONERS

City Clerk's Office, 166 Boulder Drive

Fitchburg MA 01420

(978) 829-1820

Daniel Sarefield, Chairman

Donna Pawlak

Glenn Fossa

REGULAR MEETING

6:00PM

May 7, 2018

Fitchburg Fire Department Community Room (basement level)

33 North Street, Fitchburg MA 01420

I. REVIEW AND ACCEPTANCE OF MINUTES FROM PREVIOUS MEETING

II. APPLICATIONS

Taxi Driver:

Diane Cordio – Twin City Kab (continued from April 18, 2018)

Michael Cline

Erin Montgrain- City Cab

Great Wolf Lodge, 150 Great Wolf Drive, for Automatic Amusement device license (Five (5) Video machines)
(Family Entertainment Group)

William F. McSheehy-Fitchburg Pride, for Special One Day Wine and Malt Beverages license for an Italian
Street Festival from 5P – 11P on June 2, 2018 on Main Street between Prichard and Putnam Streets.

Fitchburg Pride for Entertainment Permit on June 2, 2018 on Main Street between Prichard and Putnam Streets
(Live acoustic music, DJ, Dancing – Italian dancing demonstration)

III. CONTINUED HEARING

Twin City Kab – Kenneth Bergeron, Owner and Frederick Nikander, taxi driver regarding FPD report #17-30215-OF. (*First summons hearing was held on October 2, 2017 and continued to November 1, 2017. On November 1, 2017 the hearing was continued for six months. For reference, the minutes of the October 2, 2017 and November 1, 2017 hearings are attached.*)

IV. OTHER

1. Proposed change to License Commission regulation 3.12 Compliance Checks: "Notice of Violation" form.
2. Mr. and Mrs. Miller to discuss FPD report #17-42624-OF which was considered by the Commission at a summons hearing on December 6, 2017 with a decision of no violation.

V. CONTINUED MATTERS

1. Twin City Kab: Mr. Ken Bergeron Owner and Mr. Shawn Little Taxi Driver regarding FPD incident report #17-45271-OF (*Licensee is not required to attend – Board continued the hearing to review the findings of Commissioner Pawlak on her research pertaining to transportation laws/regis in Massachusetts.*)
2. Lodging House licensing procedure
3. BYOB regulations

Next Regular Meeting May 21, 2018



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MINUTES OF MEETING

The regular meeting of the Board of License Commissioners was held on November 1, 2017 in the City Clerk's office and called to order by Commissioner Sarefield at 6:02PM. Commissioner Fossa and FPD liaison Sgt. Leger were present. Commissioner Pawlak arrived at 6:15PM.

The agenda consisted of the following:

I. REVIEW AND ACCEPTANCE OF MINUTES FROM PREVIOUS MEETING

Minutes of the previous meeting were approved and signed.

II. TAXI DRIVER AND SOLICITOR APPLICATIONS

Taxi Drivers - Continued:

Candi Dufresne (new license application)

Ms. Dufresne was not present. Application as printed was denied 3/0

Phillip Tardiff (3 month review of existing license)

Mr. Tardiff was present. He stated that he is currently not working as a taxi driver in the City. He was advised to notify the Board if he resumes working in the City 3/0

Solicitor:

Vincent Cheney – Power Home Remodeling Group

Applicant not present. No action taken.

David Mason – Edward Jones

Mr. Mason was present. Application approved 3/0

III. CONTINUED HEARINGS

Twin City Kab – Kenneth Bergeron, Owner and Frederick Nikander, taxi driver regarding FPD report #17-30215-OF.

Commissioner Fossa recused himself and left the room.

Mr. Bergeron and Mr. Nikander were present. Mr. Nikander gave the Board his information about what happened during the incident described in the police report. Sgt. Leger suggested that he should have called an ambulance as soon as the passenger complained of an injury. Commissioner Pawlak stated that the real issue is that a Leominster company is dispatching Leominster taxis driven by Leominster taxi drivers for calls originating in Fitchburg and that the Board then has no jurisdiction over infractions. She also stated that there are conflicts with the statements of Mr. Nikander as compared to the police report.

Mr. Bergeron stated that, since this incident, they have changed their policy and no longer wait for customers – they are dropped off and then must call for a return ride.

Hearing continued for six months by vote of 2/0

Commissioner Fossa returned to the room.

10-2-2017

Discussion ensued regarding the proposed expanded outdoor licensed area being in an area used for vehicular traffic to go around the building and that it will not be able to be made a part of their annual licensed premise.

Mr. David Streb spoke in favor of the application noting that outdoor patios for licensed liquor establishments are generally good for the Fitchburg economy. No one spoke in opposition to the application.

Application granted without the proposed new outdoor area but to include the existing, annually licensed outdoor area along with the existing and expanded indoor area as described in the application 2/0.

IV. SUMMONS HEARINGS

Twin City Kab – Kenneth Bergeron, Owner and Frederick Nikander, taxi driver regarding FPD report #17-30215-OF.

Mr. Bergeron was present. He stated that the taxi driver, Mr. Nikander, was hurt playing football and unable to attend. He stated that the incident is an insurance matter in process. He presented the Fitchburg and Leominster call logs for the date in question as requested.

Questions were raised by Commissioners as to what the driver knew and why he stayed to wait for the customer when he knew there was a drug deal occurring, why the logs were not clear about the origination and destination of calls and why cars are dispatched to Fitchburg from Leominster.

Officers Bellofatto and Polanco-Diaz were present and reiterated details of the police report. They stated that the driver stated he was "aware of constant drug pickups".

Commissioner Sarefield referred to the Fitchburg taxi regulations that give reason to revoke a license for circumstances of known criminal conduct.

Hearing continued to November 1, 2017 with repeat summons to the driver to attend 2/0

V. MISCELLANEOUS

1. Lodging House licensing procedure
Continued to October 16, 2017

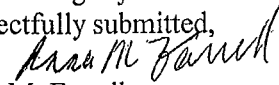
2. BYOB regulations
Continued to October 16, 2017

3. Request from Clerk to reschedule the December 4, 2017 meeting to December 6, 2017
December 4, 2017 meeting is cancelled and rescheduled to December 6, 2017 2/0

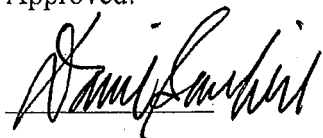
4. Item not on the agenda: Application made by Joel Kaddy for Special One Day wine and malt beverages license for Oktoburgfest to be held at the Senior Center on October 14, 2017.
Mr. Kaddy stated he was unaware that the 48 hour meeting notice requirement did not include Saturdays and Sundays and therefore did not submit the application in time for the agenda publication. The Board determined that the Chair was unaware of the matter at the time the agenda was prepared and therefore it was allowable to accept the application and proceed.
Mr. Kaddy explained that Beers for Good is helping with the event; all servers are TIPS certified and they have liability insurance for the event.
Application approved 2/0

The meeting adjourned at 7:45 PM

Respectfully submitted,

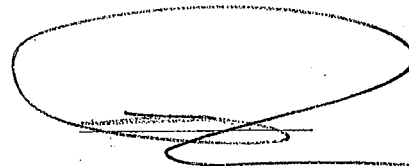

Anna M. Farrell
City Clerk

Approved:



Daniel Sarefield

Glenn Fossa



Donna Pawlak



BOARD OF LICENSE COMMISSIONERS

City Clerk's Office, 166 Boulder Drive

Fitchburg MA 01420

(978) 829-1820 2018 MAY -3 PM 3: 23

Daniel Sarefield, Chair

Donna Pawlak

Glenn Fossa

Addendum to the May 7, 2018 License Commission meeting agenda:

1. Mill City Pub, 19 Airport Road – Application for 2AM Late Closing 7 days per week.
2. Mill City Pub, 19 Airport Road – Application for Automatic Amusement Device Permits:
Two (2) video, Five (5) darts, One (1) juke box, One (1) pool table
3. Mill City Pub, 19 Airport Road – Application for Annual Sunday Entertainment Permit 12P – 12A:
Live acoustic music, live amplified music, DJ, dancing, karaoke, trivia, singo bingo
4. Mill City Pub, 19 Airport Road – Application for Annual Mon-Sat Entertainment Permit:
Live acoustic music, live amplified music, DJ, dancing, karaoke, trivia, singo bingo



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Municipal Offices, 166 Boulder Drive

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FITCHBURG CITY CLERK

2010 MAY -3 PM 2:47

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Daniel C. Sarefield, Chairman

Donna Pawlak

Glenn C. Fossa

APPLICATION FOR LATE CLOSING

The undersigned Licensee herewith applies for permission to remain open for the sale of Alcoholic Beverages until the time indicated below on the days indicated below during the license year, 20 10.

The applicant understands that this permission may be revoked, after Hearing, by the License Commission and must be renewed during December of each year unless previously revoked.

Name of Establishment: Mill City Pub

Address of Establishment: 19 Airport Rd

Owner of Establishment: Jessica Lagoy

Manger of Record: Jessica Lagoy

Signature of Manager: *Jessica Lagoy*

Daytime telephone number of Manager: 978-413-6683

Late Closing Time Requested: 2:00 A.M.

Days of the Week for which the Late Closing Time is Requested (check all that apply):

Sun Mon Tue Wed Thu Fri Sat



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FITCHBURG CITY CLERK

2018 MAY -3 PM 2:11
 \$100.90 Fee
 Per Machine

APPLICATION FOR LICENSE

Date of Application: 5/3/18

Date of Hearing: May 21, 2018

APPLICATION FOR AUTOMATIC AMUSEMENT DEVICE/S

Name of Establishment: Mill City Pub

Address of Premises: 19 Airport Rd

Kind of Business Engaged In: Bar/Restaurant

Have you ever been convicted of Gaming? NO
 If Yes When _____ Where _____

Have you ever been refused a License for Amusement Devices? NO
 If Yes By Whom? _____

Distributor: A-Z Vending

Please Specify Type: Video 2 Pinball _____ Basketball _____ Dart 5

(indicate # in each category) Juke Box 1 Pool 1 Bumper Pool _____ Bowler _____
 #50

Other _____
 (Please be Specific)

Signature of Manager or Record/Owner [Signature]

Address 3 E. Prospect St Fitchburg, MA Tel.No. 978-413-6683



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G

Fitchburg MA 01420

FITCHBURG CITY CLERK

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2010 MAY -3 PM 2:47

Daniel C. Sarefield, Chairman
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SUNDAY ENTERTAINMENT PERMIT APPLICATION

THIS SERVES TO MAKE APPLICATION FOR A SUNDAY ENTERTAINMENT PERMIT ON THE FOLLOWING PREMISES:

Mill City Pub _____ Name of Establishment
 19 Airport Rd _____ Address
 Jessica Lagay _____ Manager
 978-413-6683 _____ Telephone Number
 Lagay _____ Signature

SPECIFIC TYPE OF SUNDAY ENTERTAINMENT REQUESTED – Check all that apply

Live Acoustic Music Live Amplified Music

DJ Dancing

Other – please describe:

Karaoke, Trivia, Jingo Bingo

ON THE FOLLOWING SUNDAYS:

Annual

FEES payable to the Commonwealth of Massachusetts as follows:

ONE Sunday license from 1:00PM to midnight	\$2.00
ONE Sunday license from 12PM to midnight	\$5.00
ANNUAL Sunday license from 1:00PM to midnight	\$50.00
ANNUAL Sunday license from 12:00PM to midnight	<u>\$100.00</u>

FEE payable to the City of Fitchburg - \$25.00

Please be advised that, if this application is granted by vote of the Board, the permit may be revoked, after hearing, at any time.



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2010 MAY -3 PM 2:47

Daniel C. Sarefield, Chairman

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ENTERTAINMENT PERMIT APPLICATION

Monday through Saturday

THIS APPLICATION FORM SERVES TO MAKE APPLICATION FOR AN ENTERTAINMENT PERMIT ON THE FOLLOWING PREMISES:

Mill City Pub _____ Name of Establishment

19 Airport Rd _____ Address

Jessica Lagoy _____ Manager

978-413-6683 _____ Telephone Number

J Lagoy _____ Signature

SPECIFIC TYPE OF ENTERTAINMENT REQUESTED – Check all that apply

Live Acoustic Music Live Amplified Music

DJ Dancing

Other – please describe:

Karaoke, Trivia, Singo Bingo

ON THE FOLLOWING NIGHTS:

Annual - Monday, Tuesday, Wednesday, Thursday, Friday, Saturday

\$25.00 Fee payable to the City of Fitchburg

Please be advised that, if this application is granted by vote of the Board, the permit may be revoked, after hearing, at any time.