



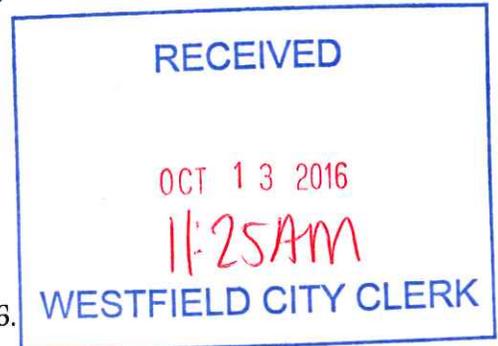
City of Westfield, Massachusetts

LICENSE COMMISSION

Commissioners
Christopher Mowatt, Chr.
Edward Diaz
Alice Dawicki

CITY HALL
59 COURT STREET
WESTFIELD, MA 01085
Phone 572-6202
Fax 572-6332

LICENSE COMMISSION MEETING Tuesday, September 13, 2016 MINUTES



Meeting convened at 6.00 p.m.

All Commissioners were present.

Next Commission meetings were confirmed as Wednesday, October 12, 2016.

PUBLIC PARTICIPATION:

None

INFORMATIONAL HEARING:

1. Westfield Sons of Erin, 22 Williams Street requesting change of club officers.

Note: originally Westfield Sons of Erin was called in for non compliance of club corporate officer change. Licensee submitted application for approval .

Present was James Kane, liquor manager.

Mr. Kane stated the following,

- Attorney Kevin Sullivan filled out the application.
- They are updating their liquor license with the current corporate officers per request from the ABCC.

The secretary stated all paperwork is in order.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the corporate officer change.

2. St. Joseph's Club, Inc.. 6 Hanover Street regarding non compliance of club corporate officer change. Chairman Mowatt read the letter calling the licensee into an informational meeting into the minutes.

Present was Phil Garlo, President who stated the following,

- He is president of the St. Joseph's Club.
- He is in the process of completing the paperwork for the new corporate officers.
- He downloaded the incorrect forms.
- He should have the application submitted for the October meeting.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to file.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to suspend the rules in order to wait for the public hearing time and move to regular meeting.

REGULAR MEETING.

1. Sec. 14 Wine & Malt one day request of Westfield Athenaeum for September 22, 2016 Reception.

Present was Mary Simeoli from the Westfield Athenaeum who stated the following,

- This is a private function.
- It is not open to the public.
- This is not a ticketed event and there will be no alcohol sales.
- The event will be held after hours when the Athenaeum is closed.
- The two vendors who will be supplying the beer & wine have mobile licenses and have liquor liability.

Chairman Mowatt stated that a one day license may not be required. It is a non ticket, not sales, not open to the public event.

Commissioner Dawicki agreed.

Commissioner Diaz thanked Mrs. Simeoli for coming to the Commission to check if a license is needed.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED that a one day license is not required for this event.

2. A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the following Sec. 14 wine & malt one day licenses for Westfield State University.
 - a. September 15, 2016
 - b. September 29, 2016
 - c. October 27, 2016

6:15 p.m. A motion as made by Chairman Mowatt, seconded and unanimously VOTED to revert back to the Public Hearing.

PUBLIC HEARING.

1. Gene Kosinski, d/b/a Kosinski Farms/Raven Hollow Winery, 420-436 Russellville Road for alteration of licensed premises.

Present was Gene & Susan Kosinski to represent the application.

Gene Kosinski stated the following:

- Governor Baker just signed a new law that licensees that have a Farmer Series Pouring permit can add their adjacent farmland or vineyards to their pouring permit.
- They would like to sell their bottled wine at their farm stand.
- They would have a small display area at the farm stand to sell their wine from April to October.
- All employees are over 21 and will be tips certified along with himself and his wife.
- The building is secure with a security system.
- There will be no inventory on the property.
- They would bring the wine over from the winery as needed.
- They do not want to become a package store.

Commissioner Dawicki reminded them that they must make sure there is a control in place to check ID's.

Commissioner Diaz stated that the farm stand is a relaxed atmosphere but it could get busy so you have to make sure to card everyone. He warned the licensee to protect their license and check ID's.

No one spoke in favor of the application

No one spoke in opposition of the application.

Chairman Mowatt stated that there will be no entertainment issued to the farm stand only for wine sales.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the alteration of licensed premises.

REGULAR MEETING.

1. The PAHK, 150-154 Elm Street regarding request for Pong at establishment.

Present was Richard Dowling, Owner and Cori Warrant, manager.

Cori stated the following,

- They are here today to request permission to do water pong at the establishment.
- There is no fee to play

Cori gave each Commissioner a packet with the rules & regulations of the game.

Chairman Mowatt stated the following,

- This is a fairly popular game.
- He questions if the water would be substituted for any other form of alcohol.
- He likes their rules & regulations and they clearly state this is not a drinking game or excessive consumption of alcohol.

Commissioner Diaz stated this is very popular with the college kids. Liability lies with the establishment and they need to guard their license and make sure it doesn't reference excessive drinking.

Cori stated the following,

- She will be the one running the game.
- She has been researching this.
- They will not start this on a busy night.
- They will start on a slower night to see how it does and to make sure the rules are followed.
- She will be making them sign the rules.
- There will be no prize for winning.

Richard Dowling stated the following,

- He is the bar manager and owner.
- Cori is the assistant manager.
- There might be a trophy on the wall with the winners names or a food prize. They are not sure yet. There will not be any alcohol as a prize.

Chairman Mowatt stated he doesn't see this any different than darts. He does not have a problem with it. The licensee just needs to apply for a change in the entertainment license to add this.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the entertainment request of water pong contingent upon receiving an amended entertainment application. Secretary can issue the license when the application is submitted.

2. Papps Bar & Grill, LLC, 110 Airport Road entertainment request.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the request to have YOGA on the deck.

3. The Commission received and reviewed Officer Stoyak's 2016 Auto Dealer inspections.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to file the inspections reports in the licensee's file.

4. The following monthly police incidents were reviewed and filed.

- The PAHK incident# 16-25930 8/6/16
- American Legion incident# 16-26246 8-8-16
- Spider Monkey incident# 16-28534 8-26-16
- Applebee's incident# 16-28686 8-27-16
- The PAHK incident# 16-28664 8-28-16
- The PAHK incident# 16-28732 8-28-16

- Ryan's Liquors incident# 16-26989 8-14-16

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to call the licensee into an informational hearing.

- Spider Monkey incident# 16-28672 8-28-16

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to call the licensee into an informational hearing.

5. A discussion was held regarding CORI checks for Auto agent Class 2 and liquor licensee's. Chairman Mowatt stated he would reach out to Mayor Sullivan to find out what his thoughts are on this subject.
6. A discussion was held regarding creating a set of standards for Sec. 15 licensees that should meet to ensure the license is exercised correctly and provides the intended benefit for public need.

A motion was made by Chairman Mowatt seconded and unanimously VOTED to have the secretary contact the law department and ask for a legal opinion on creating these standards for Sec. 15 licensees.

LATE COMMUNICATION

1. Boys & Girls Club of Greater Westfield, Inc. 28 W. Silver Street requesting a one day Sec. 14 license for all alcohol to be held at the Boys & Girls Club Facility for their Annual Meeting on September 28, 2016 7.30pm – 9.30pm.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the one day request and waive the fee for non profit.

2. A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve a one day Sec. 14 Wine & Malt License for Westfield on Weekends for October 7, 2016 and that the fee be waived for non profit.
3. A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve a one day Sec. 14 Wine & Malt License for Westfield on Weekends for November , 2016 and that the fee be waived for non profit.
4. A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the following Sec. 14 wine & malt one day licenses for Westfield State University.
 - a. September 21, 2016
 - b. September 22, 2016
 - c. September 30, 2016
 - d. October 1, 2016
5. The secretary reported to the commission a complaint received in the office for DC Cycle on Southampton selling cars on Craig's list. DC Cycle currently does not have an auto agent license with the City.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to request Officer Stoyak investigate DC Cycle on Southampton road for possible illegal car sales.

ADMINISTRATIVE BUSINESS

1. Secretary stated that all liquor renewals will be done one line and starting January 2017 any new applications or amendments will also be done on line thru the ABCC.

2. The Commission received copies of the latest ABCC advisory's regarding,
 - a. Sec. 12 & Sec 15 licenses in the same City or Town.
 - b. Extension of Farmer-Series Pouring Permit Premises & New Sec 19H Pouring Permit
 - c. Alcohol sales the day after Christmas.

3. The Commission received notification of upcoming violation hearings to be held at the ABCC for the following,
 - a. Panda House, 589 East Main Street
 - b. Four Mile Country Store, 1230 Russell Road
 - c. The PAHK, 285-287 Elm Street

4. The secretary stated she sent a reminder letter to all Sec. 12 licensee's reminding them of their COI Inspections.

5. The secretary stated she received information that FL Roberts, 88-90 Southwick Road will be selling their business and there could be a potential transfer of license.

6. A motion was made by Chairman Mowatt, seconded and unanimously VOTED to send a letter to Spider Monkey, 252 Elm Street that they must file a request for a name change by September 27, 2016 or they will be in violation.

7. A motion was made by Chairman Mowatt, seconded and unanimously VOTED to request Officer Stoyak investigate DC Cycle on Southampton road for possible illegal car sales.

8. The secretary stated that the Hangar special permit for indoor place of amusement was approved by City Council and recorded at the Registry of deeds. When they are ready to bring in all the amusement devices the secretary will inform the commission.

9. The secretary stated that Skyline Trading Company, 124 Elm Street is still under construction. As soon as they receive their COI signed by building & fire the liquor license will be issued to them.

10. The Commission received copies of the latest ABCC advisory regarding on that David Allen from Dave's Auto Sales, 256 Union Street, turned in his class 2 auto license.

With no further business the meeting adjourned at 8:00 p.m.


Christopher Mowatt - Chairman Approved.

