



NORTHAMPTON LICENSE COMMISSION

City Hall, Office of the Mayor

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Northampton, MA 01060

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COMMISSIONERS

Brian Campedelli, Chair

Natasha Yakovlev

Helen Kahn

Executive Assistant

Annie Lesko

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MEETING MINUTES

January 3, 2019

City Council Chambers, 212 Main Street

4:00 p.m.

1. **ROLL CALL** – Commissioner Campedelli and Commission Kahn were present. Commissioner Yakovlev was absent. **MEETING CALLED TO ORDER** by Commissioner Campedelli at 4 p.m.
ANNOUNCEMENT OF AUDIO/VIDEO RECORDING made by Commissioner Campedelli.

2. **PUBLIC COMMENT** - None

3. **APPLICATIONS FOR SHORT TERM LIQUOR LICENSES**

Trustees of Forbes Library d/b/a Forbes Library

Place: Forbes Library, 20 West St.

Type: Wine & Malt

Fee: Request Fee Waiver

Date/Time: January 26, 2019, 2 – 4 p.m.

Event: Gallery Reception with Amanda Maciuba & Colleen Keough

Date/Time: February 6, 2019, 5:30 – 7:30 p.m.

Event: Gallery Reception: Sara Karz Reid, Bob Pelletier, Tad Malek

Date/Time: March 2, 2019, 2 – 4 p.m.

Event: Gallery Reception: Emily Tareila, Bonnie Sennott, Lou Peugh

Faith Kaufman, Arts and Music Librarian for Forbes Library, was present on behalf of the applications. Wine, cheese, snacks and seltzer will be provided. Commissioner Kahn noted there is no alcohol distributor indicated on the application. Ms. Kaufman stated they used to use Yankee Distributing but they have stopped covering the western Massachusetts area and are currently looking for a new distributor. The clerk offered to send a list of current distributors to Ms. Kaufman. **Commissioner Kahn made a motion to approve the short term liquor licenses for Forbes Library contingent upon securing a distributor and sending the information to the clerk. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

4. **APPLICATIONS FOR TRANSFER OF COMMON VICTUALLER LICENSE AND TRANSFER OF ENTERTAINMENT LICENSE**

MP Majestic Enterprises, LLC d/b/a The Majestic Saloon

24 Main Street

Formerly: Noblehan, LLC d/b/a The Foundry

Proposed Manager: Michael Prosciak

Proposed Entertainment: Live acoustic and amplified music, DJ, karaoke, comedy and spoken word performances

Hours of Entertainment: Sunday – Wednesday, 4 p.m. – Midnight; Thursday – Saturday, 4 p.m. – 1 a.m.

Michael Prosciak was present for both applications. Mr. Prosciak stated there will be some jazz and acoustic bands but nothing major and very simplified. The hours may vary however they will not exceed the proposed hours. Commissioner Campedelli stated the Building Commissioner wanted the Commission to pass on a message that The Majestic Saloon's occupancy is limited to 49 because there is no sprinkler system. Mr. Prosciak stated there may be some advancement in the future but for now they were just looking to get their foot in the door. Commissioner Campedelli inquired whether there are any future plans for expanding. Mr. Prosciak stated the only improvement they are looking to make is to gain access to the back bathroom, which is currently for employees only. There is a hallway between the kitchen and the bathroom which they are trying to maneuver to make accessible for customers.

Commissioner Kahn made a motion to approve the transfer of Common Victualler license and the Entertainment license from Noblehan, LLC to MP Majestic Enterprises, LLC. Commissioner Campedelli seconded. The motion passed unanimously 2-0.

5. APPLICATION FOR COMMON VICTUALLER LICENSE

Zen's Ramen, Inc. d/b/a Yokohama Ramen
88 Main Street

Proposed Manager: Xiu Zhen Li

Xiu Zhen Li was present for this application. Commissioner Kahn asked if acquiring the Common Victualler license fell through the cracks, since Yokohama Ramen is already open and operating. There is a slight language barrier so the clerk stated that Xiu Zhen thought she was all set when she received her Health Department license and wasn't aware she needed to apply for a Common Victualler license as well. **Commissioner Kahn made a motion to approve the application for a Common Victualler license for Zen's Ramen, Inc. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

6. APPLICATIONS FOR SHORT TERM LIQUOR LICENSES

Click Workspace

Place: Click Workspace, 9 ½ Market St.

Type: Wine & Malt

Date/Time: January 25, 2019, 7 – 9 p.m.

Event: Music Performance

Date/Time: February 15, 2019, 7 – 9 p.m.

Event: Music Performance

Date/Time: February 23, 2019, 5:30 – 10 p.m.

Event: Spoken Word Album Release Event

Catherine Iannucci was present for these applications. She stated the first two applications are for part of their music series which include local bands from western Mass. She stated the bar is set up on the main floor and there is no access to other floors, they also have a table set up with seltzer and snacks. Commissioner Kahn inquired about the Spoken Word Album. Ms. Iannucci stated that Nicole Young, a local writer, recorded her album at Click so she wanted to have her album release party there. **Commissioner Kahn made a motion to approve the short term liquor licenses for Click Workspace. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

7. UPDATE ON 2019 LICENSE RENEWALS

The clerk informed the Commission that she was letting them know of the following renewal issues in case there is a need to take action in the future.

- Spoleto, Inc. d/b/a Pizzeria Paradiso has not passed inspection but has been issued a temporary license and temporary certificate of inspection which will expire January 31, 2019. The clerk relayed from the Building Commissioner that he will not be issuing additional certificates so all issues must be rectified before the end of January. He mentioned that some establishments are dragging their feet while others are on top of it.
- Michael F. Curtin Post 8006 VFW Home Association has not passed inspection yet but have been issued a temporary license and temporary certificate of inspection.
- Kungbao, LLC d/b/a Taipei & Tokyo has not passed inspection yet but have been issued a temporary license and temporary certificate of inspection.

- World War II Veterans' Association of Hampshire County, Inc. has not passed inspection and has not returned mandatory liquor liability insurance or workers compensation insurance. They have not been sent a temporary certificate since all paperwork has not been returned. They are now operating without a license. Commissioner Campedelli stated they are breaking the law and instructed the clerk to send a certified letter on behalf of the Commission informing them they have five days to return the proper paperwork or further action will be taken by the Commission.
- NBZ, Inc. d/b/a Smithsonian Café & Chowderhouse had not renewed when the agenda was posted however the licensee returned renewal paperwork the day of the meeting and was issued their 2019 license.
- LimeRed Teahouse has not returned renewal paperwork however the owner came to the office the day of the meeting to pick up renewal paperwork that was misplaced, and will be back the following day to renew.
- Bouley's Service Center has not returned renewal paperwork and also owe back taxes.
- Raymond Learned d/b/a Affordable Used Cars has not returned renewal paperwork yet.
- Humayun, LLC d/b/a Jim's Variety has returned paperwork with the exception of mandatory workers compensation insurance so they have not been issued their liquor license. Commissioner Campedelli instructed the clerk to send a certified letter to Jim's Variety requiring paperwork immediately.
- The Elm Street Inn, LLC has not returned renewal paperwork.

Commissioner Campedelli instructed the clerk to send certified letters to World War II Veterans' Association, Humayun, LLC, The Elm Street Inn, LLC, Bouley's Service Center and Affordable Used Cars and inform them on receipt of the letter they have five business days to comply or further action will be taken.

Commissioner Campedelli asked the clerk whether she had a list of auctions around the area that can aid in finding out if the Class II licenses are valid. Commissioner Campedelli stated we might have to send a blanket letter to all auction dealers to inform them of dealers that have not renewed.

Commissioner Campedelli stated the police may have to get involved to shut down the Class II auto dealers. Commissioner Campedelli stated the state police go to Easthampton dealers and inspect their premises and wondered whether they do the same in Northampton. The clerk was going to research whether this is this case or not.

Commissioner Kahn stated that 1812 Paint & Body has an RV for sale at their facility and asked if this meant they are operating illegally. The clerk noted that there is a Class II license on the same property for Jeremy Pease, and the RV most likely falls under the Class II license.

8. DISCUSSION ON PROCEDURE FOR DETERMINING FAIR WAGE BOND AMOUNTS

Commissioner Campedelli stated that at the previous meeting, Attorney Shimel made a fair point about the amount of the bond that was imposed on Osaka. Commissioner Campedelli stated he thinks the way wage bonds are determined should be revisited before the next renewal season and should be based off a percentage instead of three or four times the amount of the penalty. Commissioner Campedelli stated the clerk should reach out to City Solicitor Seewald to attend a meeting before the next renewal season, at least a month prior to when the bond is required to renew, so there can be a discussion on the matter.

9. APPROVAL OF MINUTES

- December 5, 2018 – This item is tabled until the following meeting as Commission Yakovlev is not present.
- December 17, 2018 – **Commissioner Kahn made a motion to approve the minutes of December 17, 2018 as written. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

10. NEW BUSINESS - *Reserved for topics that the Chair did not reasonably anticipate would be discussed.*

The clerk stated that Osaka handed in their valid wage bond for the year. Oriental Taste has not received their renewal yet however it is being processed. Val from Whalen Insurance emailed the clerk and informed her the bond is processing and should be in shortly.

11. ADJOURN

Commissioner Campedelli made a motion to adjourn the meeting at 4:35 p.m. Commissioner Kahn seconded. The motion passed unanimously 2-0. The meeting was adjourned.

The next meeting of the Northampton License Commission is scheduled for February 6, 2019.