



NORTHAMPTON LICENSE COMMISSION

City Hall, Office of the Mayor
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(413) 587-1212

COMMISSIONERS

Brian Campedelli, Chair
Natasha Yakovlev
Helen Kahn

Executive Assistant

Annie Lesko

alesko@northamptonma.gov

MEETING MINUTES

Wednesday, October 7, 2020
Virtual Meeting
4:00 p.m.

The October 7, 2020, License Commission meeting will be held via remote participation.

Join Virtual Meeting

- **Video Conference:** <https://zoom.us/j/93466443794?pwd=WXdPOG43RXZxTW5aRFRGcXFLRXFVZz09>

OR

- **Telephone, call:** +1-929-436-2866, Meeting ID: 934 6644 3794, Password: 572596

1. **MEETING CALLED TO ORDER** by Commissioner Yakovlev at 4:01 p.m.

ROLL CALL - Commissioners Yakovlev and Kahn were present. Commissioner Campedelli was absent.

ANNOUNCEMENT OF ZOOM RECORDING made by Commissioner Yakovlev

2. **PUBLIC COMMENT** - Amy Cahillane, Executive Director of the DNA, stated she is supportive of the fee reduction put forth by Mayor Narkewicz but asked the Commission to consider a 50% fee reduction instead of 25% because of the burden on businesses. Amy also asked the Commission to consider extending the payment deadline to June 30, 2020, which is still within the city's fiscal year. Amy concluded by saying she is very supportive of the recommendation to extend outdoor dining up until 60 days after the end of the state of emergency.

3. **APPLICATION FOR A NEW COMMON VICTUALLER LICENSE**

Starbucks Corporation d/b/a Starbucks Coffee
303 King St., Suite E

Daniel Brennan was present for this application and stated that the new Starbucks location will be opening within two weeks, hopefully on October 16. Starbucks will be located on the end of the building and there will be either two or three other tenants. Starbucks will be about 2,000 sq. ft. which is the typical Starbucks size. The store manager will be William Bell.

Commissioner Yakovlev moved approval of the application for a new Common Victualler license for Starbucks Corporation located at 303 King Street. Commissioner Kahn seconded. The motion passed unanimously 2-0.

4. **APPLICATION FOR A NEW COMMON VICTUALLER LICENSE**

Masa Mexicano, LLC d/b/a Masa Mexicano
176 Pine Street, Florence

Roberto Saravia was present for this application and stated he is opening a Mexican restaurant next to Great Wall in Florence. This will be an authentic Mexican restaurant with ingredients that are made from scratch, are non-GMO and organic. November 1 is the slated opening date and the restaurant will commence operations with just take-out.

Commissioner Kahn moved approval of the application for a new Common Victualler license for Masa Mexicano, LLC, located at 176 Pine Street. Commissioner Yakovlev seconded. The motion passed unanimously 2-0.

5. DISCUSSION AND POSSIBLE VOTE REGARDING STATUS OF CORDIALS PERMIT FOR Highbrow, Inc.

Andrew Brow was present and stated that he feels that blocks are constantly being put up and he is losing table tops because only six people can be at a table. Andrew mentioned that he is working on obtaining a full liquor license but in the meantime would appreciate some leniency to get him through the slow period.

Annie Lesko read a text message from Commission Campedelli in his absence, "I did speak to ABCC. He explained. I'm good with voting or should I say supporting Natasha and Helen's view regarding the cordial license."

Commissioner Kahn stated that after speaking with the Executive Director of the ABCC, Ralph Sacramone, the problem has been clarified and now seems cut and dry. She stated that Mr. Sacramone explicitly stated that the bottle needs to indicate that it is in fact a cordial or liqueur. If it doesn't, then paperwork from the Alcohol and Tobacco Tax and Trade Bureau needs to be obtained indicating the bottle is a cordial. Commissioner Kahn pointed out that the Commission doesn't need to pay attention to what is being done in Boston because it is very different. Commissioner Kahn pointed out that if the Commission continued to let Andrew serve the drinks he was serving, the license is too close to that of a full liquor license.

Commissioner Kahn moved to impose a cease and desist on Highbrow, Inc., from serving spirits that are not strictly categorized as cordials or liqueurs AND spirits that do not have a label that defines them as a cordial or liqueurs AND spirits that do not have paperwork from the TTB defining them as cordials, effective immediately. Commissioner Yakovlev seconded. The motion passed unanimously 2-0.

6. DISCUSSION AND VOTE ON MAYOR NARKEWICZ'S RECOMMENDATION OF A 25% FEE REDUCTION FOR SECTION 12 LICENSE HOLDERS FOR THE 2021 LICENSE RENEWAL SEASON

The clerk explained the recommendation set forth by Mayor Narkewicz. There was a brief discussion about fee deadlines and reducing liquor license fees by more than 25%. The general consensus was that payment must be collected prior to issuing the license and that if the fees were reduced by 50%, to offset the costs, taxpayers would be liable for the deficit.

Commissioner Kahn moved to approve the recommendation of a 25% fee reduction for on-premises license holders the 2021 liquor license renewal season. Commissioner Yakovlev second. The motion passed unanimously 2-0.

7. DISCUSSION AND POSSIBLE VOTE TO IMPOSE AN ANNUAL RENEWAL FEE FOR HOLDERS OF A CORDIALS/LIQUEURS PERMIT

After a brief discussion, the Commission determined that this agenda item should be placed on a future agenda because neither Commissioner feels comfortable with imposing an additional fee at this time.

8. DISCUSSION AND POSSIBLE VOTE TO EXTEND THE NOVEMBER 1, 2020, DEADLINE FOR OUTDOOR DINING EXPANSION OPERATIONS FOR ANY PERIOD UP TO AND UNTIL SIXTY (60) DAYS AFTER THE END OF THE STATE OF EMERGENCY IN ACCORDANCE WITH GOVERNOR BAKER'S COVID-19 ORDER NO. 35

The clerk explained that the City Council provided authority to the city to allow tables and chairs in the public way until November 15, 2020. City Solicitor Seewald originally determined that the deadline for outdoor dining operations in accordance with Phase II of the Commonwealth's Reopening Plan would be November 1, 2020.

The first part of this agenda item is to discuss and vote on extending the deadline for ALL outdoor dining operations from November 1, 2020, to November 15, 2020.

The other part of this agenda item is to discuss and vote on extending outdoor dining operations that are on private property and/or on sidewalks, for any period up to and until sixty (60) days after the end of the state of emergency in accordance with Governor Baker's COVID-19 order no. 35.

Unfortunately, outdoor dining that is operating in the streets as part of the street modification project (Lower Main St., Market St., Pearl St., Strong Ave., and Masonic St.) must cease outdoor operations by November 15 because the city doesn't have authority to extend the deadline. Mayor Narkewicz has always stated that November 15 is the deadline because the city must prepare for snow removal operations for the public way.

Commissioner Yakovlev moved to extend the deadline from November 1, 2020, to November 15, 020 for all outdoor dining expansion operations in accordance with Phase II of the Commonwealth's Reopening Plan. Commissioner Kahn seconded. The motion passed unanimously 2-0.

Commissioner Yakovlev moved to extend the deadline for outdoor dining operations currently operating on private property and/or sidewalks up to 60 days after the end of the state of emergency in accordance with Governor Baker's COVID-19 order no. 35. Commissioner Kahn seconded. The motion passed unanimously 2-0.

9. APPROVAL OF MINUTES

- July 22, 2020
- August 5, 2020
- September 2, 2020

Commissioner Yakovlev moved approval of the July 22, 2020 and August 5, 2020 minutes as written. Commission Kahn seconded. The motion passed unanimously 2-0.

10. NEW BUSINESS - None

11. ADJOURN

Commissioner Yakovlev moved to adjourn the meeting at 4:39 p.m. Commissioner Kahn seconded. The motion passed unanimously and the meeting was adjourned.