NORTHAMPTON LICENSE COMMISSION
JUNE 3, 2009
Minutes

Commission Chairman Brad Shimel, Commissioner William Rosen, Commissioner Stephanie Levin

Chairman Shimel opened the meeting at 4:00 P.M., in City Council Chambers, 212 Main Street, Northampton, on the following:

Chairman Shimel welcomed back Commissioner Stephanie Levin, returned from India. Chairman Shimel also thanked Andrew Shelffo for his service on the License Commission.

1. **APPLICATION FOR SHORT TERM ALL ALCOHOLIC LICENSE**
   New England Morgan Horse Association d/b/a New England Regional Morgan Horse Show
   DATE: July 18 –25, 2009
   TIME: 12:00 PM – 1:00 AM
   LOCATION: Three County Fairgrounds, Fair Street, Northampton, MA
   FEE: $100.00 per day X 8 Days = $800.00

Aaron Jolly from The Pub in Amherst was present. This event has been held over ten years now. All servers are TIPS trained. The application should read "11:00 AM" starting time.

Commissioner Rosen moved approval, providing that serving cannot begin until 12:00 p.m. on Sunday, July 19, 2009; Commissioner Levin seconded. The vote passed unanimously (3-0).

2. **APPLICATION FOR COMMON VICTUALLER LICENSE**
   Hao Chen, Inc. d/b/a Sakura Asian Seafood Buffet
   261 King Street, Northampton

Yong Hao Chen, president, and Yun Chen, manager, were present for the application. This will be a buffet restaurant with 130 seats and 3 buffet tables. This is the site of the former Hunan Gourmet. The new owners hope to also buy the liquor license of the previous owner in the near future.

The Clerk explained that the previous owner, Teh-Shu Sun's application for transfer of Annual All Alcohol Restaurant license to Y & B Realty, Inc. is still at the ABCC for review/approval.

Commissioner Levin moved approval of the application; Commissioner Rosen seconded. The vote passed unanimously (3-0).

3. **Violation Hearing- Paradise City Tavern (Continued from April 15, 2009) POSTPONED TO JULY 1, 2009 PER REQUEST FROM POLICE CHIEF SIENKIEWICZ ON JUNE 1, 2009**
   1 Bridge Street, Northampton, MA
   Date of Violation: February 8, 2009

4. **Violation Hearing – Tully O'Reilly's and The Elevens (Continued from April 15, 2009) POSTPONED TO JULY 1, 2009 PER REQUEST FROM POLICE CHIEF SIENKIEWICZ ON JUNE 1, 2009**
   1 Pearl Street, Northampton, MA
   Dates of Violation: January 11, 2009 and January 24, 2009

5. **Recommendations of Police Chief Russell Sienkiewicz Regarding Operational Regulations and Pre-Emptive Measures (Continued from April 15, 2009) POSTPONED TO JULY 1, 2009 PER REQUEST FROM POLICE CHIEF SIENKIEWICZ ON JUNE 1, 2009**

6. **Request to Set Violation Hearing for Bishop's Lounge**
   41 Strong Avenue
   Date of Violation: April 12, 2009

   Request to Set Violation Hearing for Bishop's Lounge
   41 Strong Avenue
   Date of Violation: May 8, 2009 (Submitted on June 1, 2009 by Chief Sienkiewicz)

There was a discussion about the next License Commission meeting. The date of July 1, 2009 is not convenient for Commissioners Rosen and Levin. The Clerk was instructed to contact Chief Sienkiewicz for his approval of the meeting being rescheduled to July 8, 2009 or other date. The above Violation Hearings should all be scheduled at the convenience of the Police Department.

Commissioner Rosen instructed the Clerk to bring to the Violation Hearings copies of the November and December 2008 minutes that addressed the issue of the balcony problems.

The Clerk was also instructed to hire the Court Stenographer for the Violation Hearings for Bishop's Lounge.

Commissioner Shimel moved approval to set both Violation Hearings to the next License Commission meeting; Commissioner Rosen seconded. The vote passed unanimously (3-0).

7. **Approval of May 6, 2009 Minutes**

Commissioner Rosen moved approval of the minutes of May 6, 2009; Commissioner Shimel seconded. The vote passed 2 Yes, 0 No, 1 Abstention (Commissioner Levin abstaining).

8. **New Business:**

APPLICATION FOR SHORT TERM WINE & MALT LIQUOR LICENSE
Jazzical Arts, Inc.
Event: Swing Music and Dance, Featuring Joel Martin & New York Swing Band
Held at Northampton Center for the Arts, Main Street and South Street, Northampton
Sponsor Contact: Sam Harbey, Sam's Pizzeria & Cafe
Date of Event: Wednesday, June 17, 2009
Time of Serving: 7:00 p.m. – 12:00 a.m.
(Submitted on June 3, 2009)

Sam Harbey was present for the application. This is a new event to be held at the Northampton Center for the Arts on Wednesday, June 17, 2009. Joel Martin and the New York Swing Band will perform, and the bar will be small. Mr. Harbey and another of his employees from Sam's Pizzeria & Café will be the servers. Both are certified. Jazzical Arts, Inc. is a non-profit organization.

Commissioner Rosen moved approval of the application; Commissioner Levin seconded. The vote passed unanimously (3-0).

APPLICATION FOR SHORT TERM WINE & MALT LIQUOR LICENSE
Commonwealth Center for Change
126 Main Street, Northampton
Event: A reception and dance party to honor and bid farewell to Commonwealth Center for Change's founder and Executive Director David Simpson.
Date of Event: Sunday, June 28, 2009
Time of Serving: 8:00 p.m. – 1:00 a.m.
(Submitted on June 3, 2009)

Julia Handschuh, co-director of Commonwealth Center for Change, was present for the application. Her servers will be trained, plus Peter Simpson, who is trained. Julia will provide liability insurance, also. Commonwealth Center for Change is a non-profit organization.

Commissioner Levin moved approval of the application; Commissioner Shimel seconded. The vote passed unanimously (3-0).

At 4:28 p.m., Commissioner Rosen moved to adjourn and was seconded by Commissioner Shimel. The vote passed unanimously (3-0).

The Clerk will contact the Commissioners and all parties when the date is set for the next License Commission meeting, based on the convenience of the Police Department.

Respectfully submitted,
Mary L. Midura
Executive Secretary

Name	Address	Date of Violation	Violation and Decision
VAEP, Inc. d/b/a Mulino's Trattoria and Bishop's Lounge	41 Strong Ave	May 8, 2009	204 CMR 2.05 (2)
VAEP, Inc. d/b/a Mulino's Trattoria and Bishop's Lounge	41 Strong Ave	April 12, 2009	204 CMR 2.05 (2)
One Bridge Street, Inc. d/b/a Paradise City Tavern	1 Bridge Street	February 8, 2009	204 CMR 2.05 (2), 2 a.m. Closing Rules
One Pearl Street, Inc. d/b/a Tully O'Reilly's and the Elevens	1 Pearl Street	January 11, 2009 and January 24, 2009	204 CMR 2.05 (2), MGL C265-15A, MGL C265-13A
Osaka Japanese, Inc.	7 Old South Street	January 14, 2009	Compliance Check – MGL Chap 138, Sec 34 – 2Dsusp,6mo – Sept6,2009
Veracruz Foods, Inc. d/b/a La Veracruzana	31 Main Street	January 14, 2009	Compliance Check – MGL Chap 138, Sec 34 – – 2Dsusp,6mo-Oct2,2009
Annmarlu, Inc. d/b/a Pinnocchio's Pizza By The Slice	122 Main Street	January 14, 2009	Compliance Check – MGL Chap 138, Sec 34 – – 2Dsusp,6mo-Sept6,2009
Bowl New England, Inc. d/b/a Spare Time Northampton	525 Pleasant Street	December 27, 2008	2 am Closing Rules – No Sanctions imposed
One Bridge Street, Inc. d/b/a Paradise City Tavern	1 Bridge Street	October 5, 2008	2 am Closing Rules – 2Day susp, susp 6mo-May 6, 2009
LanRan LLC d/b/a Paragraph 11(The Dirty Truth)	29 Main Street	August 10, 2007, November 15, 2007, December 8, 2007 and January 5, 2008	MGL Chap138 §1 and 2 am Closing Rules – One day surrender of license on April 21, 2008
Florina Beer & Wine, Inc. d/b/a Florence Beer & Wine	176 Pine Street	June 2006-February 2007	Business sold March 2007
Sunflower, Inc. d/b/a Green Street Café	62-64 Green Street	January 31, 2007	Chap 304 of Acts of 2004 and Chap138 Sec 12 – Surrender license on February 28, 2007 until inspection completed
Satnam Inc. d/b/a Pop's Package Store	1 Market Street	October 25, 2006	MGL 138 Sec 69 – Probation until October 25, 2007
One Pearl Street, Inc. d/b/a Tully O'Reilly's &	1 Pearl Street	September 26, 2005	MGL Chap138 Sec 34 and MGL Chap 138, Sec 69-

The Elevens			Surrender License January 2-8, 2006, second 7 Day Suspended sentence for One Year
Copper Rose, Inc. d/b/a Mulino's Trattoria, Bishop's Lounge and Brasserie 40-A	41 Strong Avenue	May 23, 2005	2 am Closing Rules – No Violation
Hakkasan LLC d/b/a Silk Road Café	29 Main Street	May 22, 2005	MGL Chap 138, Sec 12 and Northampton Rules & Regs – Suspend 7 Days July 17-23, 2005
Florence Café Corporation d/b/a The Florence Café (Silk City Tap Room)	99 Main Street	May 13, 2005	MGL Chap 138, Sec 12 and 2 am closing rules – No Violation
World War II Veterans Association of Hampshire County d/b/a American Veterans Association of Western Mass	50 Conz Street	April 2, 2005	2 am Closing Rules – No Violation
Zingara LTD d/b/a Packard's Restaurant	14 Masonic Street	March 28, 2005	MGL Chap 138 Sec 12 and 2 am Closing Rules – No Violation
Millennium Package Store	243 Pleasant Street	July 26, 2003	MGL Chap 138 Sec 34 – 3 Day Suspension, suspend one year.
Driscoll & McColgan, Inc. d/b/a City Cafe	1 Pearl Street	October 13, 2002	MGL Chap 138 Sec 12 – 1 Day Suspension, stayed for six months, forgiven after
Carol Hyde d/b/a Pearl Street Nightclub	10 Pearl Street	March 11, 1998	MGL Chap 140 Sec 183A – modification of Weekday Entertainment prohibiting entry of persons under 21 years when alcohol on premises.
Northampton Bay State Hotel, Inc.	41 Strong Ave	April 10,1994	MGL Chap 140 Sect 183A – Warning issued
Pearl Street Nightclub	10 Pearl Street	November 16, 1993	No decision letter in file
Bowl New England, Inc. d/b/a Northampton Bowl a/k/a Alley Oops		December 6, 1992	3 Day Suspension, suspended for one year