



**NORTHAMPTON LICENSE  
COMMISSION  
September 1, 2010  
MINUTES**

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

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Commissioners Shimel and Rosen were present. Commissioner Levin arrived at 4:05 pm.

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

- 1. REVIEW OF LICENSE #090000065 WINE & MALT PACKAGE STORE**  
Smith Store, Inc. d/b/a The Village General Store  
311 Riverside Drive, Florence, MA 01062

Ms. Judy Rys was present for the update. Ms. Rys stated that they are trying to re-open. Her husband has been in conversation with the Small Business Association for approximately three weeks. This has been a great toll on their family. To re-open would be their preference. The bridge closing caused turmoil for their business and family. The bridge was closed for 17 months. The business has been closed since February 14, 2010. One offer was received for the business, but it was less than value.

Commissioner Rosen noted that the licensee is showing a good faith effort to salvage the business, and the loss of Smitty's affects the community.

Commissioner Shimel suggested this issue be re-visited in three months. The Clerk noted that renewals are coming in November, and the licensee would need to pay the \$1,000.00 fee to renew the license by November 30, 2010. Commissioner Shimel stated that the licensee should come to the **November 3, 2010** meeting with an update.

- 2. APPLICATION FOR SHORT TERM WINE & MALT LIQUOR LICENSE**  
Sunderland Center for Positive Change d/b/a Sugarloaf Adult Day & Respite Care Program  
Event: Benefit Dance to benefit the Scholarship and Respite programs of the Sugarloaf Adult Day & Respite Program  
Date and Time of Event: September 19, 2010 4:30-7:30 p.m.  
Location: Northampton Senior Center  
Servers' Information is pending  
Liquor Liability Insurance is pending

Christine Westerholm, Program Manager, was present for the application. This event is a benefit dance for the Sugarloaf program.

**Commissioner Rosen moved approval of the application, contingent upon the providing of servers' information and insurance information; Commissioner Levin seconded. The vote passed unanimously (3-0).**

**3. APPLICATION FOR SHORT TERM WINE & MALT LIQUOR LICENSE**

The Apollo Grill

116 Pleasant Street, Easthampton, MA

Event: 20<sup>th</sup> Anniversary fundraising gala for the Rosenberg Fund for Children

Date and Time of Event: Sunday, October 17, 2010, 4:00 p.m. – 7:00 p.m.

Location: Northampton Center for the Arts

Servers' Information has been provided✓

Liquor Liability Insurance was provided at the meeting✓

John Casey Douglass was present for the application. This event would serve 300 people.

Commissioner Levin questioned that The Apollo Grill is not a Northampton business, and would this license be allowed. Commissioners Rosen and Shimel noted that the profits will go to a non-profit organization, and therefore, meets the rules of this Commission regarding Short Term licenses.

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

The Clerk explained that the next application was received after publication of the agenda.

**4. APPLICATION FOR SHORT TERM WINE & MALT LIQUOR LICENSE**

Academy of Music Theatre

Event: 4<sup>th</sup> Annual Gala Event to benefit the Academy

Date and Time of Event: Friday, October 1, 2010 6:30 pm – 10:00 pm

Location: Academy of Music Theatre, 274 Main Street

Servers' Information has been provided✓

Insurance information is pending renewal✓

Ms. Navae Rodriguez was present for the application. The application also requests a fee waiver.

**Commissioner Shimel moved approval of the application, with fee waiver; Commissioner Rosen seconded. The vote passed unanimously (3-0).**

5. **APPLICATION OF CHANGE OF MANAGER**

Papa Gino's  
301 King Street, Northampton, MA  
Proposed Manager: Charles Louison

Charles Louison, proposed manager was present for the application. The previous manager has retired. Commissioners asked Mr. Louison for his experience in management. Mr. Louison has worked in catering and for Papa Gino's since July 2008.

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

6. **APPLICATION FOR EXTENSION OF PREMISES**

World War II Veterans Association Hampshire County, Inc.  
D/b/a American Veterans' Association of Western Mass.  
50 Conz Street, Northampton, MA  
License #090000007 Annual All Alcohol Restaurant

Commissioner stated that this item was continued from last month. At that time, the Commission was awaiting feedback from the Building Commission regarding the application. The Clerk noted that Mr. Louis Hasbrouck, Building Commissioner, was present.

Jason Harder, board member, and Bill Williams, manager, were present for the application. Mr. Harder presented to the License Commission a letter from Wayne Feiden, Director of Planning and Development, and a Mission Statement from the World War II Club to answer the question at last month's meeting of what type of organization the licensee is (attached).

Chairman Shimel read from Mr. Feiden's letter that, "You should be aware, however, that while there is clearly going to be a focus on Conz Street, there is no specific timeline for making such zoning changes and there is no guarantee as to what boards will recommend or what City Council will adopt."

Mr. Harder stated that they have filed an application through the Building Commissioner to get a special permit.

Commissioner Shimel asked, "Tell me again about the extension of premise you are looking for."

Mr. Williams stated it is a closed-in patio for three years now, for people to go out and smoke, and the intention is to be able to take drinks out while smoking. There would be no bar service, no waitress, and the time would be limited to 9:30-10:00 p.m.

Commissioner Shimel asked if there was anything else to be considered?

Mr. Harder stated that they are applying for the special permit, and this would simply allow patrons to bring drinks onto the enclosed deck.

Commissioner Shimel asked how close the closest neighbors were? There is the Murphy real estate office next door and tenants upstairs. Commissioner Shimel asked if there have been any noise complaints? Neighbors have said that, when the crowd is leaving, there is loud talking and sounds of people walking by.

Commissioner Rosen asked about bands – there have been only four bands in two years. Commissioner Rosen asked if the doors are open – the answer was no. The bands are usually in the banquet room in the back. Commissioner Rosen asked if the patio was closed? The patio is fenced off, concrete, with 3 tables that seat 4 patrons, no roof, with a capacity of about 25-30, according to Mr. Williams.

Mr. Harder noted that the club has been in the neighborhood since 1971.

Commissioner Shimel recognized Ben Wood, Director of Board of Health, for his comments. Mr. Wood presented a copy of the Northampton Ordinances that are governing smoking. Mr. Wood stated that, not as judgment, but to clarify regulations, he directed the Commission to section 7.5 Smoking Prohibited. Regarding outdoors seating, Mr. Wood directed the Commission to section 7.3 Outdoor Seating. Mr. Wood stated that, with attention to these facts, these proposed plans might be in violation of Northampton Ordinances.

Commissioner Shimel asked how recently these Ordinances were amended? Mr. Wood stated that the most recent amendments were in 2006, and regulations date to 1984. Commissioner Shimel asked if the recent amendments changed the outdoor seating regulations, but Mr. Wood stated he did not know, but could find out that information. Mr. Wood stated that regulation of outdoor seating could be difficult.

Commissioner Shimel asked if he was correct in understanding Mr. Wood that in Mr. Wood's reading of the regulations, this plan would be in violation of those regulations? Mr. Wood answered yes.

Commissioner Rosen stated that this venue appears to be in violation of the regulations. If there were no seating, would this still be the case? Mr. Wood stated that the regulation expressly stated "seating", not standing only.

Commissioner Shimel recognized Louis Hasbrouck, Building Commissioner. Mr. Hasbrouck stated he'd like to talk about what the World War II Club has done recently. They are operating in a neighborhood that requires a special permit and they requested a determination. Mr. Hasbrouck stated, "I did determine that they need a special permit", and they had begun discussion with Planning and know the materials to submit and some of the criteria that the permit is decided upon. Mr. Hasbrouck further stated, "I believe

this permit will be granted because much of it is how impacted the neighborhood is, and they have been there since 1971." There will be no difference in impact on the neighborhood.

Commissioner Shimel stated that he understood what Mr. Hasbrouck just said as that now the World War II Club is operating in violation of zoning, have begun the special permit process that is still pending, and not currently does this allow operation as a restaurant. Commissioner Shimel stated that he understood that Mr. Hasbrouck's opinion is that probably the special permit will be justified.

Mr. Hasbrouck stated that the requirements have been on the books since 1978, and all these years have gone unnoticed. This establishment has been operating without the required permit in a neighborly fashion. The extension of premise is 8'x10', enclosed with vinyl fence, a door from the bar into the patio, and no outside entrance. Mr. Hasbrouck believes the capacity is 16 persons, not 30.

Commissioner Shimel recognized Mr. John Andrulis. Mr. Andrulis stated that he and his wife own the property at 62 Conz Street, across the street from the parking lot. These are two rentals. Mr. Andrulis was not notified. Commissioner Shimel asked a best guess of distance from the establishment – approximately 50 ft. or less, according to Mr. Andrulis.

Mr. Hasbrouck clarified that this application is not an addition, and will not change the footprint of, the establishment. The application is to allow alcohol onto the existing deck.

Mr. Andrulis stated that the parking lot has 6-8 spaces for cars sideways. All the bedrooms of his rentals overlook the parking lot of the establishment. He has had tenant complaints of noise, people urinating on the hedges, drug paraphernalia, and rowdiness at closing; his renters must get up in the morning. To allow the drinks outside will carry more noise. Mr. Andrulis stated that this is a bad neighbor, and he doesn't want the expansion. The zoning on the other side is classified as residential housing. Mr. Andrulis sent a letter to the Commission (attached). Further, Mr. Andrulis stated that the club was set up for WWII veterans. He is a veteran himself of a less popular war. There are few WWII veterans left, so the club served its purpose, should close, not expand, and stop being a neighborhood nuisance.

Commissioner Shimel wished to point out that Mr. Andrulis' letter references notice requirements, but the A.B.C.C. rules that Mr. Andrulis is not an abutter to be notified as the property is across the street.

Commissioner Shimel asked the club representatives about the noise complaints – would this plan make the noise worse? Mr. Harder stated it would not, and the application has a limit of 9:30-10:00 p.m.

Mr. Harder also wished to address the comments about the veterans: The club has made donations to charitable events already this year totaling over \$4,500. This year the club held its first dinner for homeless veterans, serving 130 veterans. The club's Vice-

President is currently serving in Afghanistan. Mr. Harder is a retired veteran having served in the first Gulf war, Somalia and 3 times in Iraq. There are still veterans in the area.

Commissioner asked for clarification of where the patio is. Mr. Harder indicated on a photo that the patio was to the right and behind the main entrance.

Mr. Konstantinos Serrios, owner of Silk City Tap Room, spoke about smoking in establishments. It is necessary to take a drink, and dangerous to leave a drink unattended. At Silk City, for example, the patrons do not congregate on the front stairs. The Deck (Union Station) has smoking and drinking, and it is part of their bread and butter. It is more of a controlled atmosphere to protect patrons.

Commissioner Shimel, hearing no others wishing to speak, turned the discussion back to the Commission.

Commissioner Levin stated she is torn between the logic of the smoking needs, and the regulations for not smoking in these establishments. This extension would allow this to continue with drinking, and she is uncomfortable with this application.

Commissioner Shimel noted Mr. Wood's comments about the regulations prohibiting the sitting, but not standing.

Commissioner Rosen noted that the chairs should be removed.

Commissioner Shimel noted that Mr. Hasbrouck believed the permit would be allowed, but technically the establishment is now in violation and the permit is not in place. The concern of neighbors is valid, and rentals are impacted. On the other hand, this is not a change. Commissioner Shimel stated his two concerns are 1) the non-compliance on zoning right now, and 2) the requested extension involves seating and violates smoking regulations. It is his inclination not to grant the application now, but if the special permit came through and it was standing only, he would reconsider.

Commissioner Rosen stated that if the establishment complies with all City ordinances, the Commission cannot deny based on the smoking. Other establishments allow smoking. The special permit needs to be resolved, and if so, the application should be handled as if for any other establishment.

Commissioner Shimel agreed that he would grant this application if the establishment gets the special permit. Commissioner Rosen stated the application should wait.

Mr. Serrios explained that Silk City Tap Room has wooden stumps, but not as a seating area.

Commissioner Shimel asked the applicants – and Mr. Harder replied – that they are not asking for seating, but only to bring drinks outside to the patio while smoking (see attached from application).

**Commissioner Levin made a motion to postpone consideration of the application until the World War II Club has obtained the special permit for zoning; Commissioner Rosen seconded. The vote passed unanimously (3-0).**

7. APPROVAL OF MINUTES OF June 29, 2010 and July 21, 2010

**Commissioner Rosen moved approval of the minutes of June 29, 2010; Commissioner Shimel seconded. The vote passed as 2 Yes, 1 Abstention (Commissioner Levin abstained).**

Commissioner Levin stated she had not received the minutes of July 21, 2010. Commissioner Rosen was absent from the July 21, 2010 meeting, and could not now vote. The Clerk was asked to re-send the minutes of July 21, 2010 to Commissioner Levin. The minutes of July 21, 2010 will be considered for approval at the October 6, 2010 meeting.

8. UPDATE RE: 10 AM LIQUOR SALES ON SUNDAYS  
Passed First Reading in City Council August 19, 2010, Scheduled Second Reading is September 2, 2010

The Clerk explained that, if the Order in second reading is passed by City Council on September 2, 2010, a public hearing should be scheduled to discuss this matter by the License Commission on October 6, 2010. The Commission agreed to set the public hearing for October 6, 2010.

9. Renewal of Licenses:

- Consideration to Increase Late Fees on License Renewals to \$15.00 per month for each month late after February 1, 2011
- Early notice letter mailed to Section 12 Licensees on August 9, 2010

The Clerk explained that the late fee for license pickup is currently at \$5.00 per month after February. Many departments can charge as much as \$25.00 per month late fees.

**Commissioner Shimel moved to increase the late fee on license renewals to \$15.00 per month for each month late after February 1, 2011; Commissioner Levin seconded. The vote passed unanimously (3-0).**

The Clerk will note this increase in the renewal letter to all licenses in October 2010.

An early notice regarding Fire Safety Inspections for renewal of liquor licenses was mailed to all Section 12 licensees on August 9, 2010 (attached).

#### 10. New A.B.C.C. website information

The Clerk explained that the A.B.C.C. website has been greatly updated. Applicants for new liquor licenses or for existing license changes must now use the website to download appropriate forms. A new matrix has also been provided (attached). All applications are now sent to a Bank of America lockbox, not directly to the A.B.C.C., for processing.

#### 11. SPIFFY news

SPIFFY is providing TIPS training and certification on September 13, 2010 for package store owners, managers and employees, and on September 14, 2010 for bar and restaurant owners, managers, and employees (attached).

#### 12. Discussion Regarding Sunday Entertainment Licenses

The Clerk requested permission, and the Commission agreed to set a public hearing on this matter for October 6, 2010.

#### 13. NEW BUSINESS

##### ➤ Citizen Letter Received August 18, 2010 RE: Silk City Tap Room

Mr. Munson was present. He stated that his letter was written in anger, after recent events of gunfire outside the Silk City Tap Room, as a concerned parent with a new baby. He believes his concerns are still valid, and was concerned that the bar owner was not in control.

Commissioner Shimel stated that any citizen could initiate a complaint against a licensee. Mr. Munson stated he had spoken with the owner, and there is communication.

Mr. Konstantinos Serrios, owner of Silk City Tap Room, was also present. Mr. Serrios stated that he thanked Mr. Munson for communicating his concerns to him. Mr. Serrios stated that he would want to know these concerns, and he is approachable. Mr. Serrios stated he is looking at the issues and looking for solutions. Mr. Serrios stated that the media should not be biased against him, as in recent Gazette and Masslive.com articles. Mr. Serrios does not want these incidents to happen, this is his livelihood.

Commissioner Rosen noted concerns of neighbors upon issuance of the original license.

Mr. Serrios indicated there are still concerns, and he uses measures such as an emergency button to call police. The recent tragedy outside the front door has added to increased

police in the lot, with both Spanish and English announcements of closing time, yet people leaving are often still loud. This Saturday (September 4, 2010), Mr. Serrios intends to try a new idea of cleaning the parking lot and asking patrons to park farther away, to see if the flow is better. Mr. Serrios also described recent events in which all patrons left the bar within five minutes of the incident. The establishment always scans patrons for ID, wands patrons and pats patrons down for any possible weapons. If patrons go out to their cars, they must go through the security check again.

The Commission thanked Mr. Munson and Mr. Serrios for their willingness to work together on the concerns and issues.

**At 5:26 p.m., Commissioner Shimel moved to adjourn and was seconded by Commissioner Rosen. The vote to adjourn passed unanimously (3-0).**

**The next meeting of the Northampton License Commission is October 6, 2010.**

*Respectfully submitted,  
Mary L. Midura  
Executive Secretary*



**PLANNING AND DEVELOPMENT • CITY OF NORTHAMPTON**  
planning • conservation • zoning • northampton GIS • historic • community preservation • central business architecture

Wayne Feiden, FAICP, Director of Planning and Development • Wfeiden@NorthamptonMA.gov • 413-587-1265

August 24, 2010

License Commission  
City of Northampton  
210 Main Street, City Hall  
Northampton, MA 01060

Dear License Commission:

Steve Connor, Director of Veterans' Services, asked me to summarize our plans for rezoning of Conz Street to help inform your discussion on the World War II Club relicensing.

1. The ***Sustainable Northampton Comprehensive Plan***, adopted by the Planning Board and City Council is our primary guidance document for policies and practices related to land use. ***Sustainable Northampton*** identifies much of Conz Street, including the World War II Club, as being appropriate as a mixed- use commercial center. The plan creates a clear policy that the city should revise our zoning to match the proposed land uses.
2. The ***Zoning Revisions Committee*** was created, as recommended in the ***Sustainable Northampton*** plan, to flesh out the necessary zoning recommended in the plan. The ***Zoning Revisions Committee*** has identified Conz Street to work on as they make their recommendations.
3. ***Office of Planning and Development*** staff has identified Conz Street, including the World War II Club, as a priority for zoning changes to create some type of business district for the areas identified in the ***Sustainable Northampton*** plan.

You should be aware, however, that while there is clearly going to be a focus on Conz Street, there is no specific timeline for making such zoning changes and there is no guarantee as to what boards will recommend or what City Council will adopt.

Please let me know if you have any questions.

Sincerely,

Wayne Feiden, FAICP  
Director of Planning and Development

Cc: Carolyn Misch  
Steve Connor

# Mission Statement

The World War Two Veterans Association encourages the local community to aspire to the principles for which America stands and promotes good fellowship and mutual assistance among all veterans.

**Northampton Board of Health  
Regulations Affecting Smoking in Public Places  
And Youth Access to Tobacco**

**AMMENDED NOVEMBER 16, 2006**

**SEC 7.1...PURPOSE**

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Tobacco use is a leading public health risk in the City of Northampton and throughout the United States. There is conclusive scientific evidence that tobacco smoke causes cancer, respiratory diseases, various cardiac diseases, and negative birth outcomes, of both the smoker and non-smoker. Environmental tobacco smoke [ETS], which includes both exhaled smoke and the side-stream smoke from burning tobacco, causes the death of 53,000 Americans each year (McGinnis JM, Foege W, "Actual Causes of Death in the United States", JAMA 1993 270:2207-2212). The Public Health Service's National Toxicology Program lists ETS as a known human carcinogen (US DHHS, 2000, citing California EPA, 1997).

Tobacco use by minors is a continuing problem with grave public health consequences. Annually, 5.8 million packages of cigarettes are sold illegally to minors. According to the Centers for Disease Control, every day 6000 children smoke their first cigarette and three thousand more become daily smokers. More than 80% of all smokers begin to smoke as minors. It is estimated that one third will die prematurely because of their smoking. Furthermore, the U.S. Department of Health and Human Services has concluded that nicotine is as addictive as cocaine or heroin.

Accordingly, the Board of Health of the City of Northampton enacts the following regulation as a strict enforceable system to protect and improve public health and welfare by prohibiting smoking in public places and workplaces, and to curtail the illegal sale and access of tobacco products to minors.

**SEC 7.2...AUTHORITY**

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This regulation is promulgated pursuant to the authority granted to the Northampton Board of Health under Massachusetts General Laws Chapter 111, Section 31 that: "Boards of Health may make reasonable health regulations", and Massachusetts General Laws Chapter 40, Section 21D and Section 57.

**SEC 7.3...DEFINITIONS**

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The following words and phrases, whenever used in this regulation, shall be construed as defined in this paragraph.

**BAR:** An establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises.

**BOARD:** The Board of Health of the City of Northampton.

**BUSINESS AGENT:** An individual who has been designated by the owner or operator of any establishment to be the manager or otherwise in charge of said establishment.

**CIGARETTE RETAILERS LICENSE:** A license issued by the Massachusetts Department of Revenue for tobacco sales.

**EDUCATIONAL FACILITY:** Any public or private institution of learning, including but not limited to preschools, primary and secondary schools, and adult learning institutions.

**ENCLOSED:** A space bounded by walls (with or without windows) from the floor to the ceiling and enclosed by one or more doors

**EMPLOYEE:** Any individual who performs services for an employer.

**EMPLOYER:** Any individual, partnership, association, corporation, trust or other organized group of individuals, including [city/town] or any agency thereof, which uses the services of one (1) or more employees.

**HEALTH CARE FACILITY:** Any office or institution providing care or treatment of disease, whether physical, mental or emotional, or other medical, physiological or psychological conditions including but not limited to rehabilitation hospitals or other clinics, including weight control clinics, nursing homes, homes of the aging or chronically ill, laboratories, offices of any surgeon, chiropractor, physical therapist, physician, dentist and all specialists within these professions.

**HOTEL:** Any commercial establishment that offers lodging to the public, including, but not limited to: motels, hotels, hostels and bed and breakfast establishments.

**HUMIDOR:** A room or space or enclosed area or container designed for storing cigars or other tobacco products at a constant level of humidity.

**IDENTIFICATION:** A driver's license, a US military ID, a passport, or other government-issued identification, which displays the photograph and date of birth of the bearer.

**INDOOR SPORTS ARENA:** Any indoor sports pavilion where members of the general public assemble either to engage in physical exercise, participate in athletic competition, or witness sports events, including but not limited to: gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys and other similar recreational facilities.

**LIGHTERS AND MATCHES:** Any ignition device used to light a tobacco product.

**MINOR:** Any individual who is under the age of eighteen (18) years.

**OUTDOOR SEATING:** Seating on a patio or other outdoor seating portion of restaurant or bar whether or not covered or otherwise enclosed.

**PERMIT HOLDER:** Any person engaged in the sale or distribution of tobacco products directly to consumers who applies for and receives a tobacco sales permit or any person who is required to apply for a tobacco sales permit pursuant to these regulations, or his or her business agent.

**PERSON:** Any individual, firm, partnership, association, corporation, company, trust or organization of any kind including, but not limited to: an owner, operator, manager, proprietor or person in charge of any building, establishment, business, restaurant or retail store; or the employee, agent or designee of any of the foregoing.

**PRIVATE CLUB:** A not-for-profit establishment created and organized pursuant to M.G.L. Ch. 180 as a charitable corporation with a defined membership. A private club is not a place of public accommodation but rather distinctly private. Criteria used to determine whether a club is distinctly private include, but are not limited to, those factors identified in 204 CMR 10.02. If the private club holds an alcoholic beverage license, said license shall be a "club license" as defined in M.G.L. Ch. 138, §12 and by the Massachusetts Alcohol Beverage Control Commission. Said license is subject to the terms set forth by the local licensing authority.

**PUBLIC PLACE:** Any enclosed area, which is or may be open to and used by the general public, including, but not limited to:

- a. any building, facility, or vehicle owned, leased, operated or occupied by the City
- b. any area open to the general public including, but not limited to: libraries, museums, theaters, auditoriums, indoor sports arenas and/or recreational facilities
- c. hotel, motel and inn lobbies
- d. public and private educational facilities
- e. shopping malls, retail stores
- f. public restrooms, lobbies, staircases, halls, exits, entrances, elevators accessible to the public
- g. licensed child-care establishments.

**PUBLIC TRANSPORTATION:** Buses, taxis and other means of transportation available to the general public while operating within the boundaries of Northampton; including indoor and outdoor boarding and waiting areas.

**RESTAURANT:** Any eating establishment which gives or sells food or beverages to the public, guests, or employees, for on-premises consumption, including, but not limited to coffee shops, cafeterias; and sandwich stands and kitchens, in which food is prepared on premises for serving elsewhere; including, but not limited to catering facilities.

**RETAIL STORE:** Any establishment, including retail food stores, whose primary purpose is to sell or offer for sale to consumers, but not for resale, any goods, wares, merchandise, articles or other items. "Retail Store" shall not include restaurants as defined herein.

**SELF-SERVICE DISPLAY:** Any display from which customers may select a tobacco product without assistance from an employee or store personnel in the sale or distribution of tobacco products directly to consumers.

**SMOKING:** Inhaling, exhaling, burning or carrying any lighted cigar, cigarette, pipe, or other tobacco product.

**TOBACCO PRODUCT:** Cigarettes, cigars, blunts, chewing tobacco, snuff, pipe tobacco, bidis, or tobacco in any of its forms.

**VENDING MACHINE:** Any automated or mechanical self service device, which upon insertion of money, tokens or any other form of payment, dispenses cigarettes or any other tobacco product, or lighters or matches.

**WORKPLACE:** Any enclosed area of a structure or portion thereof, or any business owned or company owned vehicle at which one (1) or more employees perform services for their employer. Workplaces for the purposes of this regulation shall not include those establishments listed in Section 7.6, except as otherwise indicated.

#### **SEC 7.4...POSTING NOTICE OF PROHIBITION**

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Every person having control of premises upon which smoking is prohibited by and under the authority of this regulation shall conspicuously display upon the premises "No Smoking" signs or the international "No Smoking" symbol (consisting of a graphic representation of a burning cigarette enclosed in a red circle with a red bar across it) and comparable in size to the sign provided by the Massachusetts Department of Public Health and available from the Northampton Board of Health.

**SEC 7.5...SMOKING PROHIBITED**

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- a. No person shall smoke, nor shall any person or employer or other person having control of the premises upon which smoking is regulated by this regulation, or the business agent or designee of such person, permit a person to smoke in any of the following places as defined herein: workplaces, public places, restaurants and bars, including outdoor seating of a restaurant or bar; educational facilities, indoor sports arenas, health care facilities, and public transportation, except as otherwise provided in Section 7.6 of this regulation.
- b. In conformance with MGL C.71 SEC. 37 smoking is prohibited at all times in public school facilities, on school buses and school grounds.

**SEC 7.6...EXEMPTIONS**

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- a. Notwithstanding the provisions of Section 7.5 of this regulation, smoking may be permitted in the following places and/or circumstances:
  - 1. **PRIVATE RESIDENCES**, except those portions used as a childcare or health care office when operating as such.
  - 2. **PRIVATE CLUBS**
- b. Notwithstanding any other provision of this Section 7.6, any owner, operator manager or other person who controls any establishment as described in this section may declare that entire establishment as a non-smoking establishment.

**SEC 7.7...CONFLICT WITH OTHER LAWS OR REGULATIONS**

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Notwithstanding the provisions of the foregoing Section 7.6 of this regulation, nothing in this regulation shall be deemed to amend or repeal applicable fire, health or other regulations so as to permit smoking in areas where it is prohibited by such fire, health or other regulations.

**SEC 7.8...ENFORCEMENT**

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- a. The Board of Health, its staff, or its designated agents shall implement enforcement of this regulation.
  - b. Any citizen who desires to register a complaint under this regulation may initiate investigation with the Board of Health.
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**SEC 7.9...TOBACCO SALES**

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- a. **Sales to minor** –No person shall sell tobacco products or lighters or matches or permit tobacco products to be sold to a minor, or not being the minor's parent or legal guardian, give tobacco products to a minor:
- b. **Posting of state law** -- In conformance with and in addition to Massachusetts General Law, Chapter 270, Section 7, a copy of Massachusetts General Laws, Chapter 270, Section 6, shall be posted conspicuously by the owner or other person in charge thereof in the shop or other place used to sell tobacco products at retail. The notice shall be provided by the Massachusetts Department of Public Health and made available from the Northampton Board of Health. The notice shall be at least 48 square inches and shall be posted conspicuously by the permit holder in the retail establishment or other place in such a manner so that it may be readily seen by a person standing at or approaching the cash register. The notice shall directly face the purchaser and shall not be obstructed from view or placed at a height of less than four (4) feet or greater than nine (9) feet from the floor.
- c. **Identification:** Each person selling or distributing tobacco products shall verify the age of the purchaser by means of government-issued photographic identification containing the bearer's date of birth, that the purchaser is 18 (eighteen) years-old or older. Verification is required for any person under the age of 27 (twenty-seven).
- d. **Tobacco Vending Machines Prohibited:** All tobacco vending machines are prohibited.
- e. **Permit Requirements for Location and Sales of Tobacco Products**  
No person shall sell or otherwise distribute tobacco at retail within the City of Northampton, without first obtaining a "Permit for Location and Sales of Tobacco Products", issued annually by the Board of Health. Failure to obtain such permit shall constitute a separate violation of this regulation.
  - 1. Applicants for the "Permit for Location and Sale of Tobacco Products" shall provide proof of a current tobacco sales license issued by the Massachusetts Department of Revenue, before a permit is issued.
  - 2. A separate permit is required for each retail establishment selling tobacco.
  - 3. The Board shall determine the fee for the "Permit for Location and Sale of Tobacco Products". All such permits shall be renewed annually by January 1.
  - 4. The "Permit for Location and Sale of Tobacco Products" shall be displayed at the retail establishment in a conspicuous place.
  - 5. During such time that a "Permit for Location and Sale of Tobacco Products" has been suspended for violations of this Regulation, all tobacco products shall be removed from public areas of the retail establishment. Failure to remove all tobacco products shall constitute a separate violation of this regulation.
  - 6. A "Permit for Location and Sale of Tobacco Products" is non-transferable, except a new permit will be issued, upon application to a tobacco retailer who changes locations.
  - 7. Issuance of the "Permit for Location and Sale of Tobacco Products" shall be conditioned on an applicant's consent to unannounced, periodic inspections of the retail establishment to ensure compliance with this regulation.
- g. **Free Distribution of Tobacco Products Prohibited:** No person shall distribute or cause to be distributed any free samples of tobacco products.
- h. **Out-of-Package Sales Prohibited:** No person may sell or cause to be sold, or distribute or cause to be distributed any cigarette package that contains fewer than twenty (20) cigarettes, including single cigarettes or any tobacco product not in its original packaging.

- i. **Self-Service Prohibited:** All self-service displays of tobacco products are prohibited. All retail sales of tobacco, matches or lighters must be face-to face between the seller and the buyer. All humidors including, but not limited to, walk-in humidors must be locked.

**PAGE 6**

**SEC 7.10...FINES AND PENALTIES**

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- a. **Non-Criminal Disposition:** Whoever violates any provision of the regulation, the violation of which is subject to a specific penalty, may be penalized by the non-criminal method of disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D or by filing a criminal complaint at the appropriate venue. The enforcing agency shall be the Board of Health or its designees.
- b. **Smoking Prohibited Sections 7.4, 7.5, 7.6**
1. Any person, employer, business agent or other person having control of the premises, not in compliance with the provisions of this regulation shall be subject to a fine of one hundred dollars (\$100.00) for a first offense, two hundred dollars (\$200.00) for a second offense within twenty-four (24) months of the date of the first offense and three hundred dollars (\$300.00) for a third or subsequent offense within twenty-four (24) months of the date of the previous offense.
  2. Each day of non-compliance with Section 7.4, 7.5, and 7.6 shall be considered a separate and distinct violation thereof.
  3. In accordance with Massachusetts General Law Chapter 40, Section 57, any person or business having control of the premises, not in compliance with the provisions of this regulation, who has neglected or refused to pay any fees including amounts assessed under the provisions of Section 21D, within twenty-one (21) days of issuance of violation and who does not have a pending court appeal, is subject to suspension or revocation of any local Board of Health license or permit.
- c. **Tobacco Sales Section 7.9**

It shall be the responsibility of the permit holder and/or his or her business agent to ensure compliance with all sections of this regulation pertaining to his or her place of business. The violator shall receive:

1. In the case of a first violation of Section 7.9, a fine of one hundred dollars (\$100.00)
2. In the case of a second violation within 24 [twenty-four] months of the date of the current violation, a fine of two hundred dollars (\$200.00) and the tobacco sales permit shall be suspended for seven (7) consecutive business days.
3. In the case of three violations within a 24 [twenty-four]-month period, a fine of three hundred dollars (\$300.00) and the tobacco sales permit shall be suspended for thirty (30) consecutive business days.
4. In the case of four violations within a 24 [twenty-four] month period, the tobacco sales permit shall be suspended for ninety (90) consecutive days.
5. In the case of five violations within a 24 [twenty-four] month period, the penalty of the tobacco sales permit suspension will be at the discretion of the Board of Health.
6. The issuance of a new permit on January 1, after five violations will be at the discretion of the Board of Health.
7. Refusal to cooperate with inspections pursuant to this regulation shall result in the suspension of the tobacco sales permit for thirty (30) consecutive business days.
8. In addition to the monetary fines set above, any permit holder who engages in the sale or distribution of tobacco products directly to a consumer while his or her

permit is suspended shall be subject to the suspension of all board of health issued permits for thirty (30) consecutive business days.

**PAGE 7**

**d. Hearings**

1. The Board of Health shall provide notice of the intent to suspend, revoke or deny a permit by certified mail-return receipt requested, to the permit holder.
2. The notice shall contain the reasons for the permit suspension and establish a time and date for a hearing.
3. The date of the hearing shall be no earlier than seven (7) days after the date of said notice.
4. The permit holder shall have an opportunity to be heard at such hearing.
5. The permit holder shall be notified of the Board's decision, and the reasons therefore, in writing, within ten (10) days of the hearing.
6. Failure to appear in person, at the hearing shall act as a waiver to the right to a hearing and the fine, revocation, denial or suspension shall, if applicable, become effective on the date included in the notice.
7. The Northampton Board of Health, after a hearing, may suspend the tobacco sales permit. All tobacco products shall be removed from the retail establishment upon suspension of the tobacco sales permit.
8. Failure to remove all tobacco products shall constitute a separate violation of this regulation.
9. Any permit holder who does not pay the assessed fine within twenty-one days from fine issuance may be subject to criminal proceedings.

**SEC 7.11 ... SEVERABILITY**

If any paragraph or provision of this regulation is found to be illegal or against public policy or unconstitutional, it shall not affect the legality of any remaining paragraphs or provisions.

Thanks John.

I'll make sure your comments are included in the record.

Brad Shimel

-----Original Message-----

From: [Andrulisja@aol.com](mailto:Andrulisja@aol.com)

To: [bshimel@aol.com](mailto:bshimel@aol.com)

Sent: Thu, Aug 19, 2010 11:05 am

Subject: World War II Vets Club

Brad:

I attended the meeting of the license commission on July 21, intending to comment; however, I'm not sure if I'll be able to attend the September meeting (what is the date for this?)

My wife and I are abutters to the Vets Club: we own the property at 62 Conz Street, located across Smith Street from the Vets Club parking lot. You claimed in your introductory remarks that "abutters have been notified." You were misinformed: the only "notification" which we have received was the article in the Gazette on Wednesday, July 21. I respectfully suggest that you check with other abutters prior to your next meeting.

We inherited the house on Conz Street (where my wife grew up) from Caroline's parents, and have spent a considerable sum repairing and refurbishing it into two rental apartments. Each of the bedrooms in these apartments has a window overlooking the parking lot, the site of the proposed expansion.

We are *strongly* opposed to the proposed outdoor expansion of the Vets Club. This establishment has been a bad neighbor: We have had tenant complaints about loud music, boisterous, rowdy patrons leaving the club in the evening and into the wee hours, patrons urinating on our hedges, even hypodermic needles disposed of in the hedges, overflow parking in our driveway (we've had to post a tow-away warning) during large events, and cars parking in front of our driveway. Allowing the club to metastasize outside will exacerbate all of these problems.

This establishment was meant to serve as a club for World War II Veterans. While I certainly honor those veterans (I am a veteran of a later, less popular war), few, if any, of the patrons are old enough to have served in World War II. This club should be restricted to its original function. When taps is played for the last of those veterans, the club should be dissolved, its license should be revoked, and the zoning (not your province at the license commission, I know), should revert to residential.

Please make this email part of your file. If I don't make the meeting, please read it aloud. Thanks.

John Andrulis

Jason C Harder

---

From: bwillc21@aol.com  
Reply-To: bwillc21@aol.com  
Date: Fri, 8/13/2010 12:13pm  
To: Jason C Harder <jason.harder@jud.state.ma.us>  
Subject: trivia \$

Hi Jason  
I spoke with Chris and he only keeps a running total for the year. Not who gets it.  
I pulled all the thank you letters and here is a list of donations you can tell the Liq. commission.  
This is only since last December.

\$2100 for the Northampton fire victims (includes spaghetti dinner we put on)  
\$200 Northampton little league  
\$100 Northampton boys lacrosse program  
\$90 Safe Passage  
\$120 Bill of Rights Defense Committee  
\$489 dakin Animal Shelter  
\$135 Survival center  
\$120 american cancer society  
\$100 International language institute  
\$165 Food bank  
\$150 Horizons for homeless children  
\$115 Aids care of Hampshire County  
\$130 People with Autism  
\$155 Northampton Police Association  
\$170 J.J. Duchane Fund (playground in Easthampton)  
\$135 friends of the Homeless

plus - Dept of Verteran's Affairs- Holiday Dinner put on for local Disabled Vets

Hopefully this helps

\$4,574

**World War II Veterans Association  
of Hampshire County, Inc.**

50 Conz Street · Northampton, MA 01060  
(413) 586-3315

11 May 2010

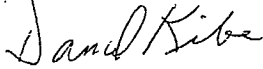
To whom it may concern:

During the monthly board meeting of the Hampshire Veteran's Association held on April 12, 2010, a motion was put forth. A motion was made to "extend the premises" to cover the patio area on the south side of the WW11 club. The intent was to allow for the consumption of alcoholic beverages.

The motion carried by unanimous vote.

The attendees were Jason Harder, Steve Connor, Daniel Kibe, Bill Williams Joe, Bill McGhee Stan,

Daniel Kibe



Secretary Hampshire Veteran Assoc.

**CITY OF NORTHAMPTON**

MASSACHUSETTS

August 19, 2010

*In City Council,*

Upon the recommendation of Mayor Mary Clare Higgins

*Ordered, that*

the City Council of the City of Northampton accepts the provisions of M.G.L. Chapter 138, §33A, which authorizes local liquor licensing authorities ("LLA") to permit M.G. L. Chapter 138, §12 licensees to sell alcoholic beverages on Sundays and certain legal holidays; sales between 1:00 a.m. and 2:00 a.m.

*Further ordered, that* the City Council of the City of Northampton accepts the provisions of M.G.L. Chapter 138, §33B as amended effective July 1, 2010, which authorizes local liquor licensing authorities ("LLA") to permit M.G. L. Chapter 138, §12 licensees to sell alcoholic beverages at 10 a.m. on Sundays.

In City Council, September 2, 2010  
Rules suspended, passed two readings and enrolled.

Attest: Mary L. Medina, Clerk of Council

Approved: Mary Clare Higgins, Mayor

A true copy.

Attest: Mary L. Medina, Clerk of Council



City of Northampton, Massachusetts  
License Commission  
City Hall, 210 Main Street  
Northampton, MA 01060  
(413) 587-1210 Fax: (413) 587-1264

Brad A. Shimel, Chair  
Mary L. Midura, Executive Secretary

---

August 9, 2010

Dear Licensee:

This letter is an early notice to inform you that, after consultation with the Building Commissioner's Office and the Northampton Fire Department, beginning this Fall 2010 the **Northampton License Commission will no longer accept a Temporary Certificate of Inspection for renewal of your annual or seasonal liquor license.**

Annual Inspections for 2011 Renewals will be conducted from September 1, 2010 – November 1, 2010. You will receive a call from the office of the Building Commissioner to schedule your annual inspection for 2011.

Renewal documents for annual liquor and other licenses will be mailed to you in October 2010.

If your Certificate of Inspection is not complete by November 30, 2010, you will be requested to attend the December 1, 2010 meeting of the Northampton License Commission to explain your situation. The Northampton License Commission may consider non-renewal of your liquor license without a full Certificate of Inspection.

Seasonal Inspections for 2011 Renewals will be conducted from February 1, 2011 – March 1, 2011. You will receive a call from the office of the Building Commissioner to schedule your annual inspection for 2011. For Seasonal license holders, an incomplete Certificate of Inspection will require your attendance at the March 2, 2011 meeting of the Northampton License Commission for explanation of your situation. As with annual licenses, your Seasonal license is subject to non-renewal by the Northampton License Commission without a full Certificate of Inspection.

If you have any questions or concerns, please contact me at 587-1210.

Sincerely,

Mary L. Midura  
Executive Secretary

Cc: Louis Hasbrouck, Building Commissioner  
Larry Therrien, Fire Safety Inspector



# The Commonwealth of Massachusetts Alcoholic Beverages Control Commission

239 Causeway Street Boston, MA, 02114

Contact Us  
617-727-3040

[Home](#) [Licensing Division](#) [Enforcement Division](#) [Download Forms](#) [FAQ's](#)



The Alcoholic Beverages Control Commission is an agency under the Office of the State Treasurer and Receiver General, Timothy P. Cahill. It is our overall objective to provide uniform control over the sale, purchase, transportation, manufacture, consumption and possession of alcoholic beverages in the state. You will find our Web Site to be user friendly, easy to operate, and most importantly, organized to provide the information you are seeking.

<b>Licensing Division</b> (Enter)	<b>Forms &amp; Applications</b> (Enter)	<b>Commission Calendar</b> (Enter)
<b>Practicing Before the ABCC</b> (Enter)	<b>Regulations &amp; Decisions</b> (Enter)	<b>Enforcement Division</b> (Enter)
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ABCC

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Alcoholic Beverages Control Commission  
 Treasurer [Timothy P. Cahill](#)

Commission Chairman  
 Kim S. Gainsboro, Esq.  
 Associate Commissioner  
 Susan Corcoran, Esq.  
 Associate Commissioner  
 Robert H. Cronin  
 Executive Director  
 Ralph Sacramone



The Commonwealth of Massachusetts  
**Alcoholic Beverages Control Commission**  
 239 Causeway Street Boston, MA, 02114

Contact Us  
 617-727-3040

Home Licensing Division Enforcement Division Download Forms FAQ's

ABCC

Licensing Division

- Forms & Applications
- State Forms
- Retail Forms
- Multiple Transactions (Retail)
- Special Licenses/Permits

**New License Transaction Forms**

For ease of reference, we have bundled the required forms by transaction type. For example if you are applying for a new license click on retail application and all the necessary forms that must be completed for a new license will be provided.

- [New Retail Application](#)
- [Additional Personal Form](#)

**Existing Licensees**

For ease of reference, we have bundled the required forms by transaction type below. For example if you are applying for a Change of Location click on "Change of Location Forms" link and all the necessary forms that must be completed for a new license will be provided.

New Officers or Directors Forms

- Transmittal Form
- \$200 Fee
- Petition for Transfer of Ownership
- Application with:
  - Personal Information Form
  - Statement of Change to Art. of Org.
  - Vote of Corporate Board

Pledge of License Forms

- Transmittal Form
- \$200 Fee
- Petition for a Change of License
  - Pledge Agreement
  - Promissory Note
  - Supporting Financial Records (if needed)
  - Vote of Corporate Board

Change of Manager Forms

- Transmittal Form
- \$200 Fee
- Petition for a Change of License
  - Manager's Form
  - Personal Information Form
  - Vote of Corporate Board

Pledge of Stock Forms

- Transmittal Form
- \$200 Fee
- Petition for a Change of License
  - Pledge Agreement
  - Promissory Note
  - Supporting Financial Records (if needed)
  - Vote of Corporate Board

Transfer or Issuance of Stock Forms

- Transmittal Form
- \$200 Fee
- Newspaper Notice
- Petition for Transfer of Ownership
- Application with:
  - Personal Information Form
  - Purchase & Sale Agreement
  - Supporting Financial Records
  - Vote of Corporate Board

New Stockholders Forms

- Transmittal Form
- \$200 Fee
- Newspaper Notice
- Petition for Transfer of Ownership
- Application with:
  - Personal Information Form
  - Supporting Financial Records
  - Vote of Corporate Board

Transfer of License Forms

- Transmittal Form
- \$200 Fee
- Newspaper Notice
- Petition for Transfer of Ownership
- Application with:
  - Art. of Organization
  - Legal Right to Occupy
  - Manager's Form
  - Personal Information Form
  - Purchase & Sale of Business
  - Supporting Financial Records
  - Vote of Corporate Board

Alteration of Premises Forms

- Transmittal Form
- \$200 Fee
- Newspaper Notice
- Abutter Notification
- Petition for a Change of License
  - Floor Plans
  - Legal Right to Occupy (if needed)
  - Supporting Financial Records (if needed)
  - Vote of Corporate Board

Seasonal to Annual Forms

- Transmittal Form
- \$200 Fee
- Newspaper Notice
- Abutter Notification
- Application with:
  - Art. of Organization
  - Floor Plans
  - Legal Right to Occupy
  - Manager's Form
  - Personal Information Form
  - Supporting Financial Records
  - Vote of Corporate Board

Change of License Type Forms

- Transmittal Form
- \$200 Fee
- Newspaper Notice
- Petition for a Change of License
  - Vote of Corporate Board

Cordials & Liqueurs Permit Forms

- Transmittal Form
- \$200 Fee
- Newspaper Notice
- Abutter Notification
- Petition for a Change of License
  - Vote of Corporate Board

Change of Corp Name Forms

- Transmittal Form
- \$200 Fee
- Petition for a Change of License
  - Amended Art. of Org.
  - Vote of Corporate Board

Change of Location Forms

- Transmittal Form
- \$200 Fee
- Newspaper Notice
- Abutter Notification
- Petition for a Change of License
  - Floor Plans
  - Legal Right to Occupy
  - Supporting Financial Records (if needed)
  - Vote of Corporate Board

Change of DBA

- Petition for a Change of License
  - \*Business Certificate
  - \*Vote of Corporate Board

Change of Hours

- Vote of Corporate Board

Email & Bookmark



Licensing Division  
 Contact Information  
 (617)-727-3040

Pat Krueger -  
 Licensing Program Coordinator II  
 Ext 18 - [pkruieger@tre.state.ma.us](mailto:pkruieger@tre.state.ma.us)

Deron Egbuche  
 Ext 23 - [dobb@tre.state.ma.us](mailto:dobb@tre.state.ma.us)

Hurshel Langham  
 Ext 19 - [hlangham@tre.state.ma.us](mailto:hlangham@tre.state.ma.us)

Dolly MacAdams  
 Ext 20 - [dmacadams@tre.state.ma.us](mailto:dmacadams@tre.state.ma.us)

Terri Strianese  
 Ext 21 - [lsirianese@tre.state.ma.us](mailto:lsirianese@tre.state.ma.us)



Strategic Planning Initiative for Families and Youth

August 20, 2010

Dear Package Store Owners and Managers,

In an effort to reduce underage drinking, a Massachusetts Package Store Association (MassPack) Beverage Alcohol Training (BAT) will be offered at a **greatly reduced price of \$10** to all package store owners, managers, and employees in Hampshire County.

The training will take place on **Monday, September 13, 2010** from **6:00-9:00 p.m.** at the Amherst Police Department. The 3-year state certification exam will be given at the training.

**Frank Anzalotti, Senior MassPack/BAT Trainer**, will address:

- ☆ Acceptable forms of identification
- ☆ Recognizing fake and altered IDs
- ☆ Handling intoxicated customers
- ☆ Preventing underage sales and 2<sup>nd</sup> party sales to underage persons
- ☆ Compliance with Local and state laws and regulations
- ☆ Protection from alcohol liability lawsuits

To register, please complete the attached form with the names of all employees who will be attending, along with payment by **September 7<sup>th</sup>, 2010**. *Space is limited so register early.*

Please be sure that employees who plan to attend have information about the date, time, and location of the training. Enclosed are several copies of the training flyer.

Feel free to contact me if you have any questions.

*Heather Warner*

Heather Warner, Prevention Specialist  
413-586-4900 ext 124  
[hwarner@collaborative.org](mailto:hwarner@collaborative.org)

**This MassPack training is sponsored by:**

**Massachusetts Package Store Association (MassPack)**  
Is a non-profit trade organization representing the interests of the hundreds of independently owned retail liquor stores across the state. The Board of Directors is primarily comprised of owner/operators of liquor stores who volunteer their time to serve the industry.

**Strategic Planning Initiative for Families and Youth (SPIFFY)**  
Is a coalition whose mission is to initiate targeted prevention efforts that foster safe and healthy communities within Hampshire County. SPIFFY is supported by funds from the U.S. Department of Health and Human Services, Drug-Free Communities (DFC) Grant and is administered by Hampshire Educational Collaborative.

**University of Massachusetts Campus Community Coalition (CCC)**  
To Reduce High Risk Drinking, comprised of representatives and community leaders, with support from the National Institute on Alcohol Abuse and Alcoholism, came together in 2004. The coalition works to promote responsible decision-making about alcohol and other drug use.

**Amherst Police Department**  
Acting Chief Mike Kent is a member of the CCC. The Department receives funding as part of the 2009 Underage Alcohol Enforcement Grant Program from the Executive Office of Public Safety and Security (EOPSS) to prevent alcohol sales to underage persons.

Sue Cairn, SPIFFY Project Director  
97 Hawley Street, Northampton, MA 01060  
413.586.4900 x177 | 413.586.0180 fax | [scairn@collaborative.org](mailto:scairn@collaborative.org)



# MassPack Beverage Alcohol Training (BAT)

**WHAT:** Discounted Training and Certification  
MassPack Beverage Alcohol Training (BAT)

**WHO:** Package Store Employees in Hampshire County

**WHEN:** **Monday, September 13, 2010**  
6:00 – 9:00 p.m.

**WHERE:** Amherst Police Department, Community Room  
111 Main Street, Amherst

Package store owners, managers and employees are invited to attend a specially priced Beverage Alcohol Training (BAT) and 3-year state certification program.

**Learn more about:**

- Acceptable forms of identification
- Recognizing fake and altered IDs
- Handling intoxicated customers
- Preventing underage sales and second party sales to underage persons
- Compliance with local and state laws and regulations
- Protection from alcohol liability lawsuits

**Pre-registration is required by September 3, 2010**

**FOR MORE INFORMATION:**

Heather Warner, Prevention Specialist, SPIFFY Coalition  
413-586-4900 x124 | hwarner@collaborative.org

**SPECIAL PRICE**



**SAVE \$30 OFF THE  
REGULAR REGISTRATION FEE!**



**PRE-REGISTRATION  
REQUIRED BY  
SEPT. 3, 2010**

Mail registration form with payment to:  
Heather Warner  
Hampshire Educational Collaborative  
97 Hawley Street, Northampton, MA 01060

**Beverage Alcohol Training (BAT)  
6:00-9:00pm  
Monday, September 13, 2010  
Amherst Police Dept. Community Room**

Store Name \_\_\_\_\_

MassPack Member:  Yes  No

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_) \_\_\_\_\_

Store website URL (if applicable) \_\_\_\_\_

Contact Person \_\_\_\_\_

Title or Position \_\_\_\_\_

E-Mail \_\_\_\_\_

**NAMES OF TRAINING ATTENDEES:**

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Registration is \$10 per attendee.  
(\$30 OFF USUAL TRAINING PRICE)

Please make check payable to:  
Hampshire Educational Collaborative



**SPONSORED BY:**

Massachusetts Package Store Association (MassPack), Strategic Planning Initiative for Families and Youth (SPIFFY), Amherst Police Department, and the University of Massachusetts Campus and Community Coalition



Strategic Planning Initiative for Families and Youth

August 20, 2010

Dear Restaurant and Bar Owners and Managers,

In an effort to reduce underage drinking, the nationally recognized **TIPS** training and certification program for alcohol servers will be offered at a **greatly reduced price of \$15** to all bar and restaurant owners, managers, and employees in Hampshire County.

The **TIPS** training will take place on **Tuesday, September 14, 2010 from 5:00-10:00 p.m.** at the Hampshire Educational Collaborative in Northampton. The 3-year state certification exam will be given at the training.

**Mike Marcantonio, Master TIPS Trainer**, will address:

- ☆ Acceptable forms of identification
- ☆ Recognizing fake and altered IDs
- ☆ Protection from alcohol liability lawsuits
- ☆ Handling intoxicated customers
- ☆ Preventing underage sales and 2<sup>nd</sup> party sales to underage persons
- ☆ Compliance with state and local regulations

To register, please complete the attached form with the names of all employees who will be attending, along with payment by September 7<sup>th</sup>, 2010. Space is limited. An additional training will be scheduled if needed.

Please be sure that employees who plan to attend have information about the date, time, and location of the training. Enclosed are several copies of the training flyer.

Feel free to contact me if you have any questions.

*Heather Warner*

Heather Warner, Prevention Specialist  
413-586-4900 ext 124  
[hwarner@collaborative.org](mailto:hwarner@collaborative.org)

**This TIPS training is sponsored by:**

**Strategic Planning Initiative for Families and Youth (SPIFFY)**  
Is a coalition whose mission is to initiate and sustain targeted prevention efforts that foster safe and healthy communities within Hampshire County. SPIFFY is supported by funds from the U.S. Department of Health and Human Services, Drug-Free Communities (DFC) Grant and is administered by the Hampshire Educational Collaborative.

**University of Massachusetts Campus Community Coalition (CCC)**  
To Reduce High Risk Drinking, comprised of representatives and community leaders, with support from the National Institute on Alcohol Abuse and Alcoholism, came together in 2004. The coalition works to promote responsible decision-making about alcohol and other drug use.

**Training for Intervention Procedures (TIPS)**  
Is a national alcohol server and seller training and 3-year certification program recommended by licensing boards to prevent intoxication, drunk driving and underage drinking.

Sue Cairn, SPIFFY Project Director  
97 Hawley Street, Northampton, MA 01060  
413.586.4900 x177 | 413.586.0180 fax | [scairn@collaborative.org](mailto:scairn@collaborative.org)





# Responsible Alcohol Service Certification

**WHAT:** Discounted Training and Certification  
TIPS (Training for Intervention Procedures)  
Responsible Alcohol Service

**WHO:** Bar & Restaurant Employees in Hampshire County

**WHEN:** Tuesday, September 14, 2010  
5:00 to 10:00 p.m.

**WHERE:** Hampshire Educational Collaborative  
97 Hawley Street, Northampton

Bar and restaurant owners, managers and servers are invited to attend a specially priced TIPS training and certification program.

**Learn more about:**

- Acceptable forms of identification
- Recognizing fake and altered IDs
- Handling intoxicated customers
- Preventing underage sales and second party sales to underage persons
- Compliance with state and local regulations
- Protection from alcohol liability lawsuits

**Pre-registration is required by September 3, 2010**

**FOR MORE INFORMATION:**

Heather Warner, Prevention Specialist, SPIFFY Coalition  
413-586-4900 x124 | hwarner@collaborative.org



[www.collaborative.org](http://www.collaborative.org)

**PRE-REGISTRATION  
REQUIRED BY  
SEPT. 3, 2010**

Mail registration form with payment to:  
Heather Warner  
Hampshire Educational Collaborative  
97 Hawley Street, Northampton, MA 01060

TIPS Responsible Alcohol Service  
Training and Certification  
5:00-10:00pm · September 14, 2010  
HEC, 97 Hawley Street, Northampton

**NAMES OF TRAINING ATTENDEES:**

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Registration is \$15 per attendee.  
(\$30 OFF USUAL TRAINING PRICE)

Please make check payable to:  
Hampshire Educational Collaborative



**SPONSORED BY:**

The Strategic Planning Initiative for Families and Youth (SPIFFY) and the University of Massachusetts Campus and Community Coalition

**SPECIAL PRICE**

**\$15**

*per person*  
Includes Pizza!



**SAVE \$30 OFF THE  
REGULAR REGISTRATION FEE!**

Business Name \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone (\_\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_\_) \_\_\_\_\_

Website URL (if applicable) \_\_\_\_\_

Contact Person \_\_\_\_\_

Title or Position \_\_\_\_\_

E-Mail \_\_\_\_\_

**Mary Midura**

---

**From:** Andrew T. Munson [andrew@moldingbusiness.com]  
**Sent:** Wednesday, August 18, 2010 2:57 PM  
**To:** david.murphy8@comcast.net  
**Cc:** David Narkewicz, External; Mary Midura  
**Subject:** Gunshots at Silk City

Dear David,

My family currently resides in one of the four condos above the Subway in downtown Florence. Our building is right next door to Silk City on one side and Florence Savings on the other. Unfortunately, the altercation that led to gunfire early on Sunday morning outside of Silk City took place no more than 20 yards from my daughter's bedroom window. She is nine months old. As you can imagine, this incident is very concerning to my wife and me for a number of good reasons.

If we look back on the past 20 months at Silk City, we have two well-publicized incidents: a violent death in early 2009 and now racial and/or drug-related gun violence. I'm sure the police are aware of other dangerous and/or illegal activities that have transpired at or near Silk City since early 2009. And I can personally attest to dozens of other undocumented and unreported dangerous and/or illegal incidents that have taken place between the hours of 12:00am and 3:00am on Saturday and Sunday mornings. All of this data points to one thing: the City of Northampton needs to do something to address this problem before someone else gets hurt or killed.

By now you have probably read the police report(s). And you might have heard the bar owner's side of the story. If you are interested in hearing a resident's point of view, I would be happy to talk to you about what ACTUALLY goes on during the hours of 12:00am to 3:00am in the Silk City parking lot. And I'm sure my neighbors would be more than happy to get in on the discussion and would corroborate my assessment. Fortunately for my neighbors, I believe that two of them were out of town on Saturday night and missed the action. You may not have heard from the resident in the fourth condo, but they are on the opposite side of the building and have the least exposure to Silk City.

Anyway, I don't want this email to sound accusatory confrontational. I just want Florence and Northampton to be safe for my family. If there is anything I can do to help in this endeavor (especially as it relates to Silk City), please let me know.

Best regards,

Andrew Munson  
(residing at 89 Main St Apt C, Florence, MA 01062)

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