



CITY OF GARDNER
 OFFICE OF THE
BOARD OF LICENSE COMMISSION
 ROOM 29, CITY HALL
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Michael Fitzsimmons, Chairman

Kenneth Arsenault, Member

Nancy Binder, Member

Meeting Minutes
Regular Meeting

08/14/18

Location: Council Chambers

Present: Mike Fitzsimmons Chairperson
 Kenneth Arsenault
 Nancy Binder
 Cassandra Foley –LUK
 Rick Walton- Moon Hill Brewing Co- Gardner Ale House
 Brandon Smith- New England Peptide
 Paul Johnson- South Gardner Hotel

In Attendance: Jennifer Daigle

Call to order: 4:30

- Cassandra Foley –LUK Sticker Shock Campaign – Cassandra Foley describes the program as a state funded effort to give printed materials that will be distributed to off premise and on premise in the local area in an effort to curtail under aged drinking. Through the Gardner Community Action team will be offering TIPS training again on November 12th at the Gardner Police Station will be \$25 and will need to preregister but this offering is on the cheaper side for local businesses. Cassandra Foley asks permission to have the endorsement of the Gardner Licensing Commission on all marketing material. GCAT feels that the endorsement of the Licensing board helps show community support for the endeavor. Cassandra asks the Board members if there is any addition support that the Board would like to request in regards to the Sticker Shock campaign and prevent underage drinking. Chair asks if there is support or material for the restaurants as well as package stores. Cassandra states that she can look into that. Chair states that GCAT can have the support of the Board to use in marketing materials.
- One Day Beer and Wine Liquor License – Gardner Ale House/Moon Hill Brewing Company – September 29th, 2018 11am-10pm. Rick Walton appearing for license. Chair asks Rick Walton if everything is all set for the use of the Maki property. Mr. Walton confirms same advising that he has spoken with police department regarding details and the construction of the temporary fence to satisfy the extra requirements of the Maki area. Chair asks Lt. Maroni if the PD is all set with additional details. Lt. Maroni advised that they are all set with 5 detail officers for the event. Chair asks Coordinator Daigle if the Mayor ever got back to us with written letter for usage of Maki property. Ms. Daigle advised that we do not have written permission but has spoken with Mayor Aide Mike Nicholson and it Mayor has okd the use of the property for this function. . Atty Binder wants to make sure that all city departments are on board with this. Chair directs question to Coordinator Daigle to ask if BOH Director Susen-Roy has any outstanding requirements regarding usage. Ms. Daigle advised that after Director reviewed the layout, she forwarded to Asst Director Saunders for food related matters. Mr. Walton advised that he has spoken with Asst Director and was advised of the requirements regarding hand

- New England Peptide One Day Liquor License Beer and Wine- Gardner Ale House Distributors, Cornhole Tournament Fundraiser for Boys and Girls Club , August 24, 2018 4:00pm-8:00pm Chair asked if the same event as last year. Mr. Smith advised that they raised 10,000 between this event and another for local charities. Discussion about location of event on Zubb Lane. Chair asks any questions, comments and concerns. Atty. Binder makes motion to accept One Day. Member Arsenault seconds, Chair advised motion carried License is approved. Chair advises license to be hung in a visible area for police and patrons.
- Change of Manager on Fraternal Order of the Eagles, signature only. Chair asks if the new manager paperwork looks squared away. Coordinator Daigle states that it looks complete. Atty. Binder makes motion to approve new manager as listed for Fraternal Order of the Eagles. Member Arsenault seconds. Chair states motion to approve passed new manager as listed.
- South Gardner Hotel –Request for appearance before the Liquor Commission based on violations submitted by Gardner PD. Paul Johnson representing. Chair advised that patrons were pulled over for OUI by police Parker and Main, and Central by Officer Neufell, report reads that party was over the limit with a reading of .090 and .092. Member Arsenault asks Lt. Maroni if he knows what the operator of the vehicle would look like. Lt. Maroni responds in the affirmative that he does. Member Arsenault asks Lt. Maroni if he had a chance to view the video from South Gardner Hotel yet. Lt. Maroni advised that he has not. Lt. Maroni advised that he was on his days off and would like to view the video, wants to ensure that a time date stamp is on video and that video system adheres to daylight savings time. Chair addressed Mr. Johnson asking if he is aware of who the patron was. Mr. Johnson advised that he tried to get the name and the picture but he could not. Mr. Johnson advised he has 4 cameras; three inside bar, and two on front doors, and from 1230-130 the 10 people were still in the bar and no one left. Lt. Maroni asks Mr. Johnson if anyone before 12:30am left the bar. Mr. Johnson maintains that no one left establishment from the time period he stated. Discussion about time period of arrest. Chair advises that this meeting will be informative regarding viewing of the video, asks that the Gardner PD and Mr. Johnson arrange for viewing of video and discuss and view if the operator of vehicle is in video. Mr. Johnson again maintains that no one left in the 12:30am-1:30am time period. Chair also advises that if the operator left earlier than the 1 hr time period in question operator could have gone somewhere else, left from another bar. Lt. Maroni agrees that the patron can say he came from any establishment. Chair asks that Lt. Maroni and Mr. Johnson view video and follow up with Coordinator Daigle for a hearing in September based on the information obtained via viewing. Mr. Johnson again advised that no one left the bar at that time period. Atty Binder interjects that it could still be possible if the patron left 5 mins before the discussed 1 hr time period. Member Arsenault reminds Mr. Johnson that is why Lt. Maroni is asking for the video to be viewed from 12am on and not 12:3 on. Mr. Johnson advised that an hour is a long time. Further discussion regarding what time period should be viewed. Discussion begins to get heated. Lt. Maroni advised that they only want to see a time period that would be probable and that Mr. Johnson appears that this is a personal vendetta against him and that he is taking this very personal. Mr. Johnson tells the Board and Lt. Maroni that he doesn't have a whole lot of trust. Further discussion about coming before the board with an attitude does not help his case. Atty. Binder advised Mr. Johnson that the PD is wanting to see a particular period of time and should be allowed to do so. Chair advises that Mr. Johnson should view this that the Board is here to help. Member Arsenault advised that he believes that, "the Board has bent over backward for you". Mr. Johnson states that he doesn't have that same opinion and felt he was treated different and the he felt that the board wouldn't listen to him and pulled his 2am license and devastated his business, and now he no longer has the trust. Discussion from Mr. Johnson regarding issues of trust and how Mr. Johnson feels regarding his business and his treatment by the Gardner Licensing Board and the Gardner Police Department. Mr. Johnson concerned that his video at his establishment only carries forward for 8 days. Atty Binder offers Mr. Johnson opportunity to work out a time for viewing with Lt. Maroni and then Board will go forward at the September meeting with discussion on whether or not to proceed with findings from the video.

1. Date of Next Meeting: 09/11/18

2. Adjournment: Moved to adjourn from, Atty. Binder, Seconded Member Arsenault, meeting adjourned at 5:45pm.



Approved by:

8/9.11.18

Secretary: