

TAPED

The License Commission held a special meeting at 6:00 p.m. on Tuesday, December 30, 2008, in the G.A.R. Room at City Hall. Present were Chairman James E. Holmgren; Commissioners, Edward F. Cotter, Joseph P. Kelley and Bruce G. Dansby. Also present were License Agent Lieut. John Crowley and Administrative Assistant Bonnie Tucker.

1. Hearing on the request from Carlos Lima dba Rolando's – 133 North Main Street to extend the closing hour to 2:00 a.m. on New Year's Eve.

Present was Carlos Lima, 480 West Elm Street, who stated he would like to extend the hours to 2:00 a.m. on New Years Eve.

Commissioner Cotter expressed concern that there is an after hours violation pending which was postponed at the request of the licensee.

Chairman Holmgren reviewed that closing times are set for a reason and in this case there was a six month probationary period to see how the establishment would be operated and there is currently a pending violation because of what the licensee has indicated was a misunderstanding. Commissioner Kelly also stated that Mr. Lima was given the opportunity to address the violation earlier in the month, however, he chose to postpone it.

A motion was made by Commissioner Kelley to deny the request which motion was seconded by Commissioner Cotter. All members voting in the affirmative, the motion carried.

2. Hearing on the request from Delops, Inc. dba D'Angelo Sandwich Shop for a Common Victualer license at 46 Montello Street. (Shabrina, Inc. dba D'Angelo no longer in operation)

Present was Robert Page, 767 Pleasant Street, Fall River, who stated he is the general manager and is a corporate employee. The corporation is taking over these two D'Angelo locations and the company has put him in charge. It was reviewed that the franchise agreement was violated and they have now closed the two locations.

A motion was made by Commissioner Cotter to approve the license pending receipt of the department inspection approvals. The motion was seconded by Commissioner Dansby. All members voting in the affirmative, the motion carried.

3. Hearing on the request from Delops, Inc. dba D'Angelo Sandwich Shop for a Common Victualer license at 1753 Main Street. (Shabrina, Inc. dba D'Angelo no longer in operation)

(Refer to discussion in agenda item #2)

A motion was made by Commissioner Cotter to approve the license pending receipt of the department inspection approvals. The motion was seconded by Commissioner Dansby. All members voting in the affirmative, the motion carried.

4. Any other business to properly come before the Commission

Debra Sawaya dba The Pub – The Adm. Asst. reviewed that Mr. Joseph Sawaya had been in to the office and submitted his Certificate of Inspection the day previous. In addition, a letter from the Law Office of Brian R. Lewis was received stating that Debra Sawaya has filed a Chapter 13 Bankruptcy. This letter was submitted to the Tax Collector and states the outstanding real estate taxes for 2007 and 2008 will be included in the chapter 13 plan. In addition, the outstanding water bill for Centre Street will also be included.

The Adm. Asst. reviewed that the renewal affidavit has not yet been signed and that until today, no further information had been furnished by the licensee or her attorney to address the tax situation. With regard to the renewal, it is beyond the deadline and for this reason she had suggested Mrs. Sawaya come to the meeting in order for it to be addressed by the Commission. Chairman Holmgren indicated it is his understanding that because the Chapter 13 Bankruptcy has been filed it satisfies the Tax Collector.

Chairman Holmgren asked that this be sent separately and the Adm. Asst. stated she had drafted a letter for the Commission to sign which indicates the renewal was a late filing. Mrs. Sawaya then signed the renewal affidavit which will be forwarded with the letter to be sent to the ABCC.

A discussion was then held with regard to the licenses that are still not in compliance with their Certificates of Inspection. The Adm. Asst. stated she had made follow up telephone calls to anyone who had not yet submitted this. The Chairman reviewed for the other members that the Affidavits which the board is required to sign contains a certification that the Certificate of Inspection is in their possession.

With no further business to properly come before the Commission a motion was made by Commissioner Cotter to adjourn the meeting which motion was seconded by Commissioner Dansby. All members voting in the affirmative, the meeting was adjourned.

Respectfully submitted,

James E. Holmgren
Chairman

APPROVED:

Edward F. Cotter, Commissioner

Joseph P. Kelley, Commissioner

Paul D. Sullivan, Commissioner

Bruce G. Dansby, Commissioner

Fred Fontaine, Alternate Commissioner