



CITY OF TAUNTON
LICENSE COMMISSION MEETING
MINUTES OF THE MEETING

November 9, 2016

7:00 p.m.

PRESENT:

Chairman Peter Lamb
Commissioner Brendan Mullen
Commissioner Bruce Thomas

For the Police Department:

Detective Dennis Smith
Detective Sgt. Matthew McCaffrey

Meeting was called to order at 7:08 p.m. by Chairman Lamb.

1. Minutes of the meetings from October 12, 2016. Motion made by Commissioner Mullen to accept the minutes. Motion was seconded by Commissioner Thomas. Motion passed unanimously.
2. GMRI, Inc. d/b/a Olive Garden – Application for a Change of Manager. No one from GMRI, Inc. d/b/a Olive Garden appeared for the hearing.
3. Ruby Tuesday – Application for a Change of Manager. Appearing before the Board is Lyndita Okere. Chairman Lamb asked how long Ms. Okere had been employed at this location. Ms. Okere stated that she had been at this location since July. Chairman Lamb asked Ms. Okere if she was aware of the Board's Rules and Regulations. She stated that she was. Commissioner Mullen made a motion to approve the application for a change of manager. Commissioner Thomas seconded the motion. Motion passed unanimously. Application for a Change of Officer/Director – Commissioner Mullen made a motion to approve the application for a change of officer/director for Ruby Tuesday. Commissioner Thomas seconded the motion. Motion approved unanimously.
4. Common Victualler Licenses – Discussion of the application and conditional approvals. Commissioner Mullen made a motion to approve the existing Common Vic list as

presented with the exception of Martin's Pizza, which will come off the list, and pending the Board of Health approval for Tex Barry's Coney Island. Commissioner Thomas seconded the motion. Motion passed unanimously.

5. Taunton Police Incident Report #16018896

Sunny & Neel, Inc. d/b/a Smart Stop - Appearing before the Board is Ms. Ronak Patel and her husband. Chairman Lamb asked if they had received a copy of the incident report. Yes. Detective Smith reads the report into the record. Mr. Patel stated that they made a mistake. Chairman Lamb asked if they agreed to the facts as they were presented. Yes. Chairman Lamb asked if they had a training procedure. Yes. Mr. Patel stated that he has a scanner and a computer but that the employee never asked for identification. Commissioner Thomas made a motion for a suspension of 4 days; 2 days to be served now and 2 days to be held in abeyance. The two days for suspension will be Monday, November 28, 2016 and Monday, December 5, 2016 and there will be two days held in abeyance until after December 5, 2018. Commissioner Mullen seconded the motion. Motion passed unanimously.

44 Express Convenience Taunton, LLC d/b/a 44 Express Convenience – Appearing before the Board is Kamlesh Patel. Chairman Lamb asked if Mr. Patel had received a copy of the report and agreed to the facts. Yes. Detective Smith read the report into the record. Mr. Patel stated that he has implemented a four step process: he has purchased the scanner which prompts the request for identification; he has gone over the alcohol training manual with his employees and has signed them up for TIP training; and lastly, he has instigated a check identification reminder for all employees during a shift change. Sgt. McCaffrey stated that when he went to deliver the hearing notice, he noticed that they did have the scanner in use and that he looked it over and it did work well. Mr. Patel admitted that there had been a mistake on their end and that they apologize for it. Commissioner Thomas made a motion for a suspension of 4 days; 2 days to be served now and 2 days to be held in abeyance. The two days for suspension will be Monday, November 28, 2016 and Monday, December 5, 2016 and there will be two days held in abeyance until after December 5, 2018. Commissioner Mullen seconded the motion. Motion passed unanimously. Mr. Patel asked if he could sell food and convenience items. Yes; you just cannot sell alcohol on those days.

Bal Kuver, Inc. d/b/a Oakland Variety – Appearing before the Board is Dinesh Patel. Chairman Lamb asked if Mr. Patel had received a copy of the report and agreed to the facts. Yes. Detective Smith read the report into the record. Mr. Patel stated that the employee had been working at this location for over 16 years and this time, she just made a mistake. Mr. Patel stated that he will be purchasing a scanner machine and the employee will be taking the TIP training program tomorrow. Commissioner Thomas made a motion for a suspension of 4 days; 2 days to be served now and 2 days to be held in abeyance. The two days for suspension will be Monday, November 28, 2016 and Monday, December 5, 2016 and there will be two days held in abeyance until after December 5, 2018. Commissioner Mullen seconded the motion. Motion passed

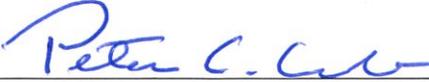
unanimously. Commissioner Thomas stated that there was a ten day appeal period if Mr. Patel was not happy with the Board's decision.

Eva Mara Swami Corporation d/b/a Tremont Liquors – Appearing before the Board is Jignesh Pachani and his Attorney, Matthew Poirier. Chairman Lamb asked if Mr. Pachani had received a copy of the report and agreed to the facts. Yes. Detective Smith read the report into the record. Chairman Lamb asked what Mr. Pachani had in place to prevent serving to underage individuals. Mr. Pachani stated that he has looked into an identification scanner but he wants to train his employees to greet the customers and then to ask for an identification; it doesn't matter what their age is, they will be asked for an identification each and every time. Chairman Lamb stated that this is what the sports facilities do; they do not have scanners but they ask for identification for each and every patron. If there is no identification, there is no alcohol. Mr. Pachani stated that he felt this was the best method, but if the Board wanted him to purchase the scanner, he would. Commissioner Thomas stated they don't require anyone to purchase a scanner but they make recommendations. Chairman Lamb asked if the employees have had professional training. Not yet, but I can send them out for that too. Commissioner Thomas made a motion for a suspension of 4 days; 2 days to be served now and 2 days to be held in abeyance. The two days for suspension will be Monday, November 28, 2016 and Monday, December 5, 2016 and there will be two days held in abeyance until after December 5, 2018. Commissioner Mullen seconded the motion. Motion passed unanimously. Attorney Poirier asked if there was a fine that could be paid in lieu of the suspension. No. Attorney Poirier asked if the appeal process was through the City or the ABCC. The Board responded through the ABCC.

6. Round One Entertainment d/b/a Round1 Bowling & Amusements – Application for an Alteration of Premises. Appearing before the Board is Attorney Jon Connell, Melissa Williams, Manager and Shane Kaji, Vice President. Chairman Lamb stated that the Board had done a site visit the week before and Ms. Williams was very helpful. Chairman Lamb asked Mr. Kaji if he would give an overview of the project now that we are in a public setting. Mr. Kaji went over the plans for the indoor playground. He stated that this is the second location that will have an indoor playground. Chairman Lamb asked if it would be a monitored site by employees. Yes, there would be a counter for an employee to stand and observe and there would be cameras located within the area for observation. Commissioner Thomas asked if there was a copy of the contract that the parents would be required to sign for consent of their children to participate. Mr. Kaji stated that he would forward it to the Board. Commissioner Mullen asked how many points of access. Two – one to enter and one to exit. Commissioner Mullen made a motion to approve the application for an alteration of premises to include the children's play area which will be situated to the left of the rear entry vestibule.
7. Taunton Incident Reports #16018238 and #16018896 – Round One Entertainment d/b/a Round1 Bowling & Amusements – Appearing before the Board is Attorney Jon Connell, Melissa Williams, Manager and Shane Kaji, Vice President. Chairman Lamb asked if they were in receipt of all of these reports. Yes. Detective Smith read the reports into the record. Chairman Lamb asked if they agreed with the facts. Yes. Attorney Connell

stated that the bartender asked for the identification. The operative was two days shy of 21 and for whatever reason didn't do the math correctly and the bartender served the operative. We have ordered a scanner machine which will be used in the future. Detective Smith read the second report into the record. Chairman Lamb stated that it wasn't the intent of the Board to do a compliance check. It was our intent to go to the location and observe the layout in anticipation of the alteration application and then we noticed the games in the hallway and then Commissioner Thomas ordered an alcoholic beverage and decided to see if he could get past the doors. Attorney Connell stated that there is obviously an issue and a weak area and since then, the establishment has hired two more employees, one who will be positioned right at the mall entrance. Chairman Lamb asked if they had given any thought to limiting the area where alcohol can be served. Commissioner Thomas stated that when they first appeared before the Board, it was a concern because it was a free flowing area and he had concerns of the control. It is a big place. They aren't too worried about the people who are old enough to consume alcohol, but they are more concerned with the young kids. Commissioner Mullen added that there is a lot of exposure. He further stated that he had concerns for the lack of cameras, lack of staff, etc. Attorney Connell suggested that he could meet with the company to determine if there is an alternative diagram to limit the area of alcohol area. Commissioner Thomas stated that another issue is that you use the same color wristband. The parking lot is full of them. I stopped and picked one up and put it on. Chairman Lamb stated that the Board was trying to be proactive. We want you to succeed. Sgt. McCaffrey stated that he explained his concerns when he dropped the letter off. There needs to be more eyes – I would feel more comfortable. Commissioner Mullen asked if they had a dedicated individual to watch cameras. No. Attorney Connell stated that they could come back and give the Board a proposal. Detective Smith stated that he didn't think that was necessary. I am just the police liaison, but I think that if you limit your area, you'll be okay. Detective Smith gave a description of the location and suggested putting up the tape barriers to limit where the alcohol can be located. Chairman Lamb stated that the two other related issues that came up were the number of amusement machines. Attorney Connell stated that he believed that this issue had been addressed. My client was not aware that he had to license a new machine as soon as he received it; he thought he did it annually. But with that said, we have removed quite a few machines as well. Chairman Lamb questioned the expansion into the hallway. Mr. Kaji stated that he was in charge of new development business. We are always in shopping malls and I negotiated with the Silver City Galleria to move the machines into the hallway. I should have checked but I didn't. I can remove them if needed. Commissioner Mullen stated that isn't the concern. We were concerned with the alcohol being out in the hallway. Chairman Lamb stated that the Board would like an updated floor plan and you can put it in with your renewal process. Commissioner Thomas made a motion for a 4 day suspension with 2 days being served on November 29, 2016 and December 6, 2016 with two additional days to be held in abeyance. The expiration of the abeyance date will be December 6, 2018. Chairman Lamb stated that this is for incident report #16018896. Commissioner Thomas seconded the motion. Motion passed unanimously. Chairman Lamb stated that there will be a note in the file with regard to Incident #160183238.

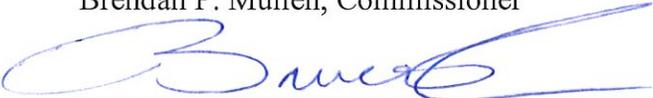
Commissioner Mullen made a motion to adjourn at 8:29 p.m. Commissioner Thomas seconded the motion.



Peter C. Lamb, Chairman



Brendan P. Mullen, Commissioner



Bruce M. Thomas, Commissioner