



LICENSE BOARD
191 Cabot Street
Beverly, MA 01915

Richard S. Kelley, Esq., Chairman
John Roccio
Joseph Trainor

LICENSE BOARD MINUTES – NOVEMBER 14, 2013

The meeting of the Beverly License Board was called to order on Thursday, November 14, 2013 in the City Council Chambers, Third Floor at 3:05 pm.

In attendance at the meeting were: Board Members Richard Kelley, John Roccio, Joseph Trainor, Police Liaisons Sgt. Page and Lt. Devlin and Police Chief John LeLacheur, and Clerk Martha Lewis.

Meeting was called to order at 6:30 pm by Chairman Kelley.

1. Approval of the minutes -- Minutes of the meeting for November 14, 2013 were reviewed. Mr. Roccio made a motion to accept the minutes with revision as noted. Mr. Trainor seconded the motion. Motion passed 3 – 0.
2. Change of Manager – Vittori Rocci Post #56, Thomas Roccio, Manager

Mr. Trainor made a motion to approve the Change of Manager at the Vittori Rocci Post #56 to Thomas Roccio.

Board Member John Roccio recused himself as the applicant is his brother.

Chairman Kelley asked Mr. Roccio about his experience in of the distribution of alcohol and managing a bar. Mr. Roccio explained that he has three years experience as a function manager. In addition he an Officer of the Post and a trustee of the organization.

Mr. Kelley asked how many staff members work at the bar. Mr. Roccio stated that there are 2 – 3 bartenders.

Mr. Kelley recommended that Mr. Roccio complete the TIPS course and become familiar with the rules and responsibilities as a bar manager.

Mr. Kelley asked the board if there any further questions. Hearing none, Mr. Trainor made a motion to approve the change of manager of the Vittori Rocci Post #56 to Thomas Roccio. Mr. Kelley seconded the motion. Motion passed 2 – 0.

Clerk noted the CORI results were ok.

3. Application for Change of Manager – Endicott College – Tupper Hall, Cory Lambert, Manager

Mr. Cory Lambert introduced himself to the Board. Chairman Kelley asked him to provide his background and experience. Mr. Lambert previous experience includes management responsibilities with the Best Western in Quincy dating back to 2005. He has been employed at Endicott for six months. He is TIPS certified.

Chairman Kelley asked the Board if there were any further questions. Mr. Roccio stated that he believed Mr. Lambert was more than qualified. There was no comments from the public.

Mr. Trainor made a motion to approve the application for a Change of Manager at Endicott College – Tupper Hall to Cory Lambert. Mr. Roccio seconded the motion. Motion approved 3 – 0 pending results of CORI.

Editor's note: Clerk received CORI results. All ok

4. Application for Change of Officers – Mascot Inc. dba Sunoco A Plus

The application includes paperwork for three new corporate officers located in the Corporate office in Pennsylvania. All questions and documentation complete. Having no questions or comments from the public, Mr. Roccio made a motion to approve the change of officers. Mr. Trainor seconded the motion. Motion passed 3 – 0 pending the outcome of the CORI checks for the 3 applicants.

Editor's note: Clerk received CORI results. All ok

5. Invited In – Anchor Pub & Grill, Joseph Boudreau, Manager

Attorney Peter Nechtem was present along with Mr. Boudreau. Atty. Nechtem reported that the Anchor Pub had decided to withdraw its appeal to the ABCC a hearing regarding the 3 day suspension issued by the BLL for a violation on March 17, 2013.

Chairman Kelley stated he had mixed emotions. He felt there was a deliberate delay in serving the penalty of suspension because it was not a convenient time, however, the penalty cannot be changed. He asked if any changes had been made to the establishment. Mr. Boudreau reported that the backroom where the incident took place is now closed at 9:30 pm. No one is allowed back there. He further explained that the incident occurred because there was not a doorman on duty at the time. Chairman Kelley felt that the establishment was quite lax and not concerned about underage drinking. Based on the facts, there appears to be indifference.

Mr. Trainor asked Mr. Boudreau what processes were now in place in the event that the doorman is not present. Chairman Kelley stated that there is strict liability for Mr. Boudreau and he is responsible for the actions of his employees. He reiterated that the establishment must adhere to a strict policy of checking id's. He further stated that if there were any more violations in the future, the penalty would be more severe. Mr. Boudreau stated he understood and commented that the establishment has had no prior problems/violations.

Mr. Roccio commented that the punishment should be imposed immediately. There was a discussion with Mr. Kelley and Mr. Roccio with regard to the license holder's right to appeal and withdraw the appeal.

Atty. Nechtem was instructed to provide License Board a copy of the letter to the ABCC requesting the appeal be withdrawn. He is to also provide the License Board with a copy of the ABCC's notification/confirmation of the withdrawal. The suspension starts as soon as the withdrawn and must be served within 30 days.

Atty. Nechtem to provide the dates that the suspension will be served in writing to the Clerk.

6. One Day Licenses – A total of 3 applications were received. All applications were reviewed. It was noted that all applications were within the 4 hour limit. Mr. Roccio made a motion to approve the 3 applications. Mr. Trainor seconded the motion. Motion passed 3 – 0.

7. Other Business –

The Board and Sgt. Page had a discussion regarding advertising and promotional banners hanging in windows and on the pumps at gas stations. Sgt. Page believed there was an ABCC regulations against such promotional material. At the very least, there are City ordinances. Sgt. Page to check the ABCC regulations and city ordinances and report back.

Hearing no further business, Mr. Roccio made a motion to adjourn. Motion seconded. Meeting adjourned at 7:40 pm.

Next meeting is scheduled for Thursday, December 12, 2013 at 3:00 pm in City Council Chambers, Third Floor, City Hall, 191 Cabot Street. Following the regular meeting, the 2014 annual licenses will be distributed.

Respectfully yours,


Martha A. Lewis, Clerk