



TOWN OF EAST LONGMEADOW  
60 CENTER SQUARE  
EAST LONGMEADOW, MA 01028

**TOWN COUNCIL**

(413) 525-5400 ext. 1100

Kathleen G. Hill, President  
Michael J. Kane, Vice President      Ralph E. Page  
Donald J. Anderson                      Thomas C. O'Connor  
R. Patrick Henry, Jr.                      Marilyn M. Richards

**LICENSING COMMITTEE MEETING**

June 30, 2020, 10:00 a.m.  
Via Zoom Webinar

Present: President Hill, Vice President Kane, Councilor Pat Henry, Councilor O'Connor, Aldo Fazio, Cathy Hood, and Town Clerk/Clerk of the Council Jeanne Quaglietti

Chair O'Connor opened the meeting at 10:00 a.m. and said the meeting was being streamed live and recorded. He asked, under Mass General Law, if anyone else in the audience was recording the meeting, and there was not.

Chair O'Connor said he would like to discuss establishments who hold liquor licenses which are not being utilized. Redstone Pasta was discussed, and Building Commissioner Kevin Duquette had reported in a recent email: "Redstone Pasta has all the required building permits applied for. Construction has been slow at this property. The owner had a lot of work to do at the property on issues with the building code wise. It looks like completion is near with this property, final inspections are in the works." The Committee agreed that there was continued work happening on the property, and that any delay or slowing down in work was understandable with the Covid-19 virus' negative effect on businesses.

Frigo's Gourmet Foods and Peppa's By the Slice were also discussed. Both have on premises liquor licenses; however, both are not utilizing the licenses. President Hill commented that when licenses remained unused it prevents another petitioner from requesting a license.

Chair O'Connor said he called the Alcoholic Beverages Control Commission (ABCC) and they said there is a process to revoke a license, but it is quite lengthy. A hearing has to be held for each establishment and then they are given six months to make use of the license, or the license will be revoked. Chair O'Connor feels there should be town policies in place to address this in a timely manner and that six months is a long time.

Mr. Fazio said he agreed with Chair O'Connor but felt six months is a reasonable amount of time, since there is always conflicting scheduling and delays in the construction industry (in Redstone Pasta's case).

Chair O'Connor said the ABCC was very clear that a hearing would have to be held before issuing an order to revoke after six month, and you can't preempt the state.

**Motion:** Councilor Henry made a motion to have the Local Licensing Authority (Town Council) adopt a policy which would provide six months' notice to any establishments that the Local Licensing

Authority determines is not using their license, and this policy be effective January 1, 2021. Mr. Fazio seconded the motion.

The Committee discussed putting this subject on the Town Council agenda of their July 28, 2020 meeting. They would like to announce the policy after it's approved by Town Council, but it won't be in effect until January 1, 2021.

A roll call vote was taken: Vice President Kane-yes; Councilor Pat Henry-yes; Aldo Fazio-yes; Cathy Hood-yes; and Chair O'Connor-yes. The motion passed unanimously.

President Hill will create a letter which will go to all liquor license holders informing them that if a license is not used effective January 1, 2021, a process will start to revoke that license. Vice President Kane added that dormant licenses deny the Town of meals taxes not being received.

Chair O'Connor said he has been asked what defines "entertainment" on an entertainment license when you have a liquor license. He asked the Committee if "entertainment" needs to be defined better to differentiate between various types (three piece combo, guitar, etc.).

President Kane said that certain types of entertainment are prohibited by law. Ms. Quaglietti said that when someone applies for an entertainment license the specific type of entertainment is requested and approved at the time the license is approved, and is recorded in the license file. However, the license, itself, only states the type that is prohibited by law. The Committee agreed that there is no need to better define entertainment for an establishment as long as it is reflected in the original application.

Regarding Sunday entertainment for temporary expanded premises, Ms. Quaglietti said she checked with the state and an establishment can use their current Sunday entertainment license for that purpose.

#### **APPROVAL OF NOVEMBER 4, 2019 MINUTES**

**Motion:** Ms. Hood made a motion to accept the Town Council Licensing Committee minutes of November 4, 2019. Mr. Fazio seconded and a roll call vote was taken: Councilor Pat Henry-yes; Aldo Fazio-yes; and Cathy Hood-yes. The motion passed by majority vote.

**Motion:** Chair O'Connor made a motion to adjourn at 10:50 a.m. Mr. Fazio seconded and a roll call vote was taken: Vice President Kane-yes; Councilor Pat Henry-yes; Aldo Fazio-yes; Cathy Hood-yes; and Chair O'Connor-yes. The motion passed unanimously.

Respectfully submitted,

Jeanne R. Quaglietti  
Town Clerk/Clerk of the Council