

**Town of Mansfield  
Board of Selectmen  
Minutes of January 23, 2008**

**Present:** Chairman Louis Amoruso, Vice Chairman Sandra Levine, Clerk Ann Baldwin, Selectman David McCarter, Selectman George Dentino, John D'Agostino, Town Manager

The Board of Selectmen's meeting was called to order at 8:00pm after the Light Commissioners meeting.

**Full alcohol retail license public hearing**

**Corks Fine Wine:** Attorney Jon Aieta was present representing Megan Foley, Manager of Corks.

This establishment is not a convenience store, it is a package store dedicated to the sale of liquor. All employees are over the age of 21 and are tips certified. Corks has not had any liquor violations since opening in 2005. Attorney Aieta states that the Corks is the best location for this venue as they have more parking than the others and is not in a residential area.

Selectman Dentino asked the hours of operation and how long they have been in operation. He also stated that Corks has actively sought out a full alcohol retail license since last year.

**Tedeschi Food Shop:** Bob Langton, Mansfield resident and franchise owner of said shop. Tedeschi has had a beer and wine license since 1993. It was transferred to Mr. Langton in 2002. He has had no liquor violations and is seeking to expand his business to offer the convenience of all alcohol to his clientele.

Selectman Dentino asked Mr. Langton what his hours of operation are and how many hours he will be managing the store. Mr. Langton as the Manager will be on site during the day and has other tips certified personnel on staff.

Selectman Levine asks all the applicants if they plan on selling their business in the immediate future. All owners stated they had no plans on selling.

Selectman McCarter would like to know what the public need for this license is.

Mr. Langton stated that he feels his business and clientele would benefit from the availability of full alcohol products at his location.

Attorney Aieta stated there is a public need at Corks as they are a package store in a retail business development. This addition would benefit the whole plaza by bringing in shoppers.

Selectman Baldwin asked Mr. Langton which portion of his store would be dedicated to the sale of alcohol. 5-10% of the store would be used. Attorney Pearlman stated that The Store would be reconfigured to use 25% of the store. Attorney Aieta stated Corks will utilize about 20% of their space.

Kanku dba The Store: Attorney Arthur Pearlman representing owner Madhuben Patel. She owns two other convenience stores in other towns with alcohol licenses. The Store has had one liquor violation in 2002.

Selectman Dentino asked how long the Patels have owned The Store. Since 2000. The hours of operations are 7am to 9:30pm. They would stay open later if they had the full alcohol license.

Comments from the public: Tom Preschwitz, accessibility to handicapped persons was not brought up as an issue. Corks has automated doors that are easy to use. The Town needs money and they should charge more for the licenses.

Peter DeTrolio, stated that you can't buy a license, you buy the business. You can issue a license to a business that is not handicapped accessible. Managers have assistants that help them cover store hours as they can not be everywhere at once as Atty Aieta suggested they should.

Selectman McCarter read an email from correspondence regarding the hearing. A resident emailed to state that he would not be able to attend the meeting but thought Corks was the best location for a full liquor store.

**Motion:** Close hearing. (Levine/Baldwin) 5:0 passes

**Motion:** To award license to Corks (Baldwin/Dentino) Levine/McCarter nay, Amoruso abstains. 2:2:1 fails

Discussion: Selectman McCarter does not feel that the Town needs another full alcohol retail store. Selectman Dentino believes that all three candidates are well qualified however Cork's has the best location and is already a large liquor store. Selectman Levine believes all three are qualified but has reservations about a store that is in a residential neighborhood. Corks is a good location but is jumping the line. The other stores have had their licenses longer.

**Motion:** To award license to Tedeschi as they have had a wine/malt license longer.  
(Levine/Amoruso) nay Dentino, Baldwin, McCarter 3:2 fails

**Motion:** To award license to Corks again. (Baldwin/Dentino) Amoruso yea, Levine/McCarter nay. 3:2 passes

Discussion: Selectman Dentino would like the Board to put personalities aside. Selectman McCarter stated again that he did not feel that the Town needs another liquor store. Selectman Levine stated again that she feels the Board should follow a system of who has been waiting the longest. Chairman Amoruso stated that although the other two applicants had had wine and malt licenses longer that Corks has actively pursued the all alcohol license for quite some time while the others have not.

### **Holiday Inn transfer of licenses**

Mansfield Realty Limited Partnership dba Holiday Inn is being bought by Boston Hospitality.

**Motion:** To open hearing and postpone until further notice. (Baldwin/Levine) 5:0 passes

**Motion:** To reopen hearing at 9:13pm. (Baldwin/Levine) 5:0 passes

The day to day operations of the Holiday Inn will not change from its present form.

Boston Hospitality has asked for a license pledge to their bank Anglo Irish Bank Corp.

Chairman asked if there was any public comment. No

**Motion:** To close hearing. (Levine/Baldwin) 5:0 passes

**Motion:** To accept transfer of license to Boston Hospitality with Brian Anderson as the manager of record. (Levine/Baldwin) 5:0 passes

**Motion:** To approve pledge of license to Anglo Irish Bank Corp. (Levine/Baldwin) 5:0 passes

**Motion:** To approve common victualler license. (Levine/McCarter) 5:0 passes

**Motion:** To approve entertainment weekdays license (Levine/McCarter) 5:0 passes

**Motion:** To approve public entertainment on Sundays license (Levine/McCarter) 5:0 passes

**Motion:** To approve automatic amusement license (Levine/McCarter) 5:0 passes

## **Kelly Ann Brown's Gold Award recognition**

Kelly, her parents and Hudson were present at the meeting and Kelly gave a brief description of her project and what it entailed.

Kelly Ann's Gold Award submission was "Paws for a Visit" where she created a six session training course preparing the dogs and their owners for the AKC Canine Good Citizen test. Kelly Ann and her dog Hudson have also been awarded volunteer status with the VA Boston Health Care System and hope to be visiting local hospitals and rehab centers in the near future.

Selectman Dentino stated that Paws for a Visit is a wonderful project and he would like to get involved in something like that himself.

Selectman Levine stated that she went to Kelly Ann's Gold Award ceremony and was impressed by Kelly Ann's dedication to the project and the Girl Scouts.

Selectman McCarter thanked Kelly Ann for her contribution to the community and congratulated her parents on raising such a fine young lady.

Selectman Baldwin thanked Kelly Ann as well and read the proclamation from the Board. The Board and the Town Manager all congratulated Kelly and Hudson at the end of the presentation.

## **Town Managers Report**

- Hefez & Sons Jewelry store on N. Main St. will be having a ribbon cutting ceremony on Friday morning at 10am.
- Covidian ribbon cutting on Thursday, Jan 24<sup>th</sup> at 3pm.
- Monday, Jan 28<sup>th</sup>, 120 school children will be touring town hall and the airport.
- Jan 31<sup>st</sup>, the Town of Franklin officials will be coming to Mansfield to view the automated trash program.
- Budget meetings with town depts. are on going. 7.78% percent revenue was estimated by the Town, 8.09% percent revenue estimated by Governors budget. He does not believe that the gambling revenue that the Governor is relying on will materialize.

## Weekly Business

- Warrant No. 30 in the amount of \$2,266,859.31  
**Motion:** To approve warrant No. 30 in the amount of \$2,266,859.31 (Levine/McCarter) (Mr. McCarter abstaining from check # 400184) 4:0:1 passes (Dentino abstains)
- Application for one day malt and wine license for the VFW on Jan 26, 2008.  
**Motion:** Approved. (Levine/Baldwin) 5:0 passes
- Application for one day malt and wine license for the Rotary fundraiser on March 14, 2008.  
**Motion:** Approved. (Dentino/McCarter) 5:0 passes
- Renewal application for Wendy Foley to remain on the Animal Welfare Committee. Term to expire Jan 1, 2011.  
**Motion:** To reappoint Wendy for a term to expire Jan 1, 2011. (Dentino/Baldwin) 5:0 passes

## Correspondence

- Letter from John Sullivan, Town Engineer regarding criteria for issuing drainlayer licenses.
- Resignation letter from Ben Monachino, Conservation Commission.  
• Motion: Accept with regret and send letter (Levine/Baldwin) 5:0 passes
- Letter from resident expressing view on issuing full retail alcohol license.
- Letter from resident expressing opposition to expanded parking at the Ditchman property on Allen St.  
**Motion:** Send letter to planning board re: not in favor of expanded parking at train station. (McCarter/Levine) 5:0 passes
- Letter of subordination for 9 Oakleaf Drive from Beverly Estes Smargiassi, Community Development.  
**Motion:** To accept subordination for 9 Oakleaf Drive (McCarter/Baldwin) 5:0 passes

## Selectmen's Old & New Business

- Old business from Chairman Amoruso: picture for cup of tea book will be taken next week.
- Old business from Selectman Dentino: Issue of ordering transcripts. Letter from Atty Kesten regarding this issue is unclear. Selectman Dentino stated the Board did not direct Atty Kesten to order these. He has produced documents that show the law firm ordered and committed to pay for the transcripts.
- Old business for Selectman McCarter: None
- Old business for Selectman Baldwin: None
- Old business for Selectman Levine: pot holes and Giles Place traffic issues. Shrubbery on corner of CVS blocking view of traffic.
- New business from Selectman Baldwin: None
- New business from Selectman Dentino: None
- New business from Selectman McCarter: None
- New business from Selectman Levine: None
- New business from Chairman Amoruso: None

## Adjournment

**Motion:** To adjourn at 10:37 PM  
(Baldwin) 5-0 Passes

*Ann-Margaret Baldwin*

Signature of Clerk

*February 13, 2008*

Date of Approval