

Minutes

of the Town of **Provincetown Licensing Board** Meeting and Work Session on Tuesday, March 22, 2005 in the Judge Welsh Hearing Room, 260 Commercial Street.

Present:, Nick Robertson (Vice Chair and Clerk), Irene Rabinowitz, Richard McMasters and Elizabeth Hartsgrove (Licensing Agent)

Excused: Hunter O'Hanian (Chairman), Cassandra Benson and John Foley

Public Hearing

Revising Rules and Regulations

The Provincetown Licensing Board will hold a Public Hearing at 5:00 p.m. on Tuesday, March 22, 2005, in the Judge Welsh Hearing Room, Town Hall, 260 Commercial Street, to hear the merit of revising the Provincetown Licensing Rules & Regulations as described below.

8.00 TAXICAB REGULATIONS

8.01 TAXICAB OWNERS

k) ADVERTISING SIGNAGE:

1. Advertising signage placement shall be limited to the roof and rear of the vehicle.
2. Signage on the roof shall be limited to one foot tall and cannot exceed the length of the roof of the vehicle.
3. Signage on the rear shall be limited to one foot tall, cannot exceed the width of the vehicle and must not block the vehicle's license plate or cab information.
4. Advertising may not be placed on a taxi in any manner that may obstruct the operator's field of vision or in any way impede the operation of the vehicle.
5. The Provincetown Licensing Board and the Provincetown Police Department must approve any deviation allowed regarding size or placement of signage.

~~n) No placards, banners, or advertisements of any description will be permitted upon the outside of any taxicab without the approval of the Licensing Board and/or special permit from the Zoning Board of Appeals.~~

p) The total Taxicab License fee is \$65.00 plus the application fee of ~~\$25.00~~ **\$30.00**.

s) TAXI RATES:

1. **Fares:**
 - a) Fares in Provincetown are per person.
 - b) Multiple fares may be carried concurrently
2. **Flat Rates:**
 - a) To or from Airport or Race Point Beach = flat rate of \$7 per person.
 - b) To or from other National Seashore = flat rate of \$6 per person.
 - c) To or from MacMillan Pier or Fishermen's Wharf = flat rate of \$6 per person.
 - d) All other fares in Provincetown = flat rate of \$5 per person.
3. **Stops:**
 - a) Stops incur a \$1 per minute waiting time charge.
 - b) All stops must be en route to final destination or they are considered a separate fare in addition to waiting time.
4. **Deliveries:**
 - a) All deliveries = \$10 per drop-off.
5. **Bicycle Surcharge:**
 - a) Transporting of bicycles = \$5 per bike.
6. **Excessive Luggage Surcharge:**
 - a) Luggage in excess of 2 bags per person shall be subject to a \$5 per additional bag surcharge.
7. **Late Night Surcharge (1:00am-6:00am):**
 - a) All fares are subject to an additional \$1 per person surcharge.

t) DISCOUNTS:

1. Each cab company shall establish company policies regarding the issuing of discounts.
2. All discounts must be specified and clearly defined.
3. All discounts must be strictly adhered to by the company.
4. All discounts must be disclosed to the public in the company's cabs and in its advertisements (ie. business cards, ads, etc.)

5. All discounts must be legally non-discriminatory and otherwise lawful.
 6. Each cab company is solely responsible and liable should its discount policies or practices be found to be discriminatory or unlawful in any way.
- w) No person operating a taxi vehicle shall engage in the sale or transport of alcoholic beverages without a transportation permit issued by the ABCC.

8.02 TAXICAB OPERATORS

- f) The total Taxicab Operator fee is \$40.00 plus the application fee of ~~\$25.00~~ **\$30.00**

The Public's Remarks:

- Valerie Martin expressed concerns with the discounts and increase of fares. Recommended that the increase be only \$1.00 more, no extra baggage charge and a delivery fee to be \$8.00.
- Raphael Richter was also concerned with the \$2.00 increase. He stated that it was not friendly to tourists, some of the wording in the changes was too vague and that with the increase drivers would not get as many tips.
- Tom Collins gave numerous figures explaining increase in gas prices, living costs, etc. He explained to the board that the proposed fare increases were necessary for the drivers and companies to maintain their business in Provincetown.
- Ryan Hartman-Neal stated that all the proposed changes were discussed and agreed on at the two prior work sessions by all the taxi companies.
- Rod Blacklock questioned the wording in the fares section of changes.
- Rosemary Hillard would like the fees raised \$1.00 this year and maybe another increase the following year.
- Richard Macara agreed with Rosemary, Valerie and Raphael. He would like only \$1.00 increase.

The Licensing Boards Remarks:

- Irene liked the advertising section proposed and suggested no changes. As far as the fares/rates were concerned she felt they were not tourist friendly and suggested only a \$1.00 increase. Also she disliked the discount portion.
- Nick suggested that the discount section be taken out whole. He agreed with the \$1.00 increase instead of the proposed \$2.00. He liked the idea that in the fall the board should hold another work session to discuss how the public reacted to the increases and discuss if there should be another fare increase.
- Richard supported the \$1.00 increase stating that the Advertising being allowed would offset the major increase and help the companies. Richard also suggested that all fares with locations specified should all match therefore eliminating potential confusion.

Motion to approve as proposed/written by Irene Rabinowitz Seconded by Richard McMasters. Denied 0-3

Motion to approve as amended with following changes:

- Change 2a) from \$7.00 to \$6.00
- Change 2d) from \$5.00 to \$4.00
- Remove entire section "T".

by Nick Robertson Seconded by Irene Rabinowitz. Passed 3-0

Special Licenses

1. Steven Roderick representing "**Benefit for St. Peter's**" for:

Special Entertainment

on Sunday, April 10th, from 12pm to 6pm at Town Hall Auditorium, 260 Commercial St. No rain date requested.

Represented by Steve Roderick. No one wrote or spoke in favor or against application.

Motion to approve by Irene Rabinowitz Seconded by Richard McMasters. Passed 3-0

2. Mary Joy McNulty, representing **The Lobster Pot** for:

Special All Alcohol

Fish Fry Fund Raiser for PHS Senior Class on Thursday March 31, 2005, 12PM –8PM to be held at 321 Commercial St.

Represented by Tim McNulty. No one wrote or spoke in favor or against application.

Motion to approve by Irene Rabinowitz Seconded by Richard McMasters. Passed 3-0

3. John Burrows representing **Provincetown Bears**, for:

Special Entertainment

A dance, to be held on July 9, 2005 from 8 P.M. to 12 A.M. at Town Hall Auditorium.

Represented by John Burrows. No one wrote or spoke in favor or against application.

Motion to approve by Richard McMasters Seconded by Irene Rabinowitz. Passed 3-0

4. John Henlon representing the **Provincetown High School** for:

Special Entertainment

For Prom on Saturday, May 14th 6:00 PM – 11:00 PM to be held at the Town Hall Auditorium and Caucus Hall, 260 Commercial Street. Rain date requested: May 21, 2005.

Represented by John Henlon. No one wrote or spoke in favor or against application.

Motion to approve by Irene Rabinowitz Seconded by Richard McMasters. Passed 3-0

Transfer License

Richard McMasters Stepped Down.

Lodging

1. From LONPRO Corp, Trevor Picker mgr d.b.a. ***The Beaconlight Guesthouse***, 12 Winthrop St. to Keith Robert Wilkinson d.b.a. ***The Beaconlight Guesthouse***, 12 Winthrop St.

Motion to approve by Nick Robertson Seconded by Irene Rabinowitz. Passed 2-0-1

2. From Molnar/Riddle Realty Trust, Lynette Molnar mgr d.b.a. ***The Fairbanks Inn***, 90 and 92 Bradford St. to Mickenberg & Fitzgerald, LLC, Kathleen Fitzgerald mgr d.b.a. ***The Fairbanks Inn***, 90 and 92 Bradford St.

Motion to approve by Irene Rabinowitz Seconded by Nick Robertson. Passed 2-0-1

Amend License

Lodging

1. Tait Accommodations, Inc. Steven Tait mgr d.b.a. ***Aerie House Beach Club***, 184 Bradford St. – amending number of rooms.

Motion to approve by Nick Robertson Seconded by Irene Rabinowitz. Passed 2-0-1

Richard McMasters Rejoined.

New License

Transient Vendor

1. Scott Coffey d.b.a. Coffey Men, 199 Commercial St.

Motion to approve by Richard McMasters Seconded by Irene Rabinowitz. Passed 3-0

Richard McMasters Stepped Down.

Renewal License

Innholder

1. Provincetown Hospitality LLC, Elaine Quigley mgr d.b.a. ***Surfside Inn***, 540 Commercial St.

Motion to approve by Irene Rabinowitz Seconded by Nick Robertson. Passed 2-0-1

Innholder with Entertainment

1. Pharaoh Holdings, LLC, Rodney Blacklock mgr d.b.a. ***The Vixen***, 336 Commercial St.

Motion to approve by Irene Rabinowitz Seconded by Nick Robertson. Passed 2-0-1

Lodging

1. Guy Plourde d.b.a. ***The Black Pearl***, 11 Pearl St.
2. Paul Church and Edward "Dana" Mitton d.b.a. ***Inn at Cook St***, 7 Cook St.
3. Russ Olevsky d.b.a. ***Moffett House***, 296A Commercial St.

Motion to approve 1-3 by Irene Rabinowitz Seconded by Nick Robertson. Passed 2-0-1

Richard McMasters Rejoined.

Parking Lot

1. Pat's Happy Park, Inc., Elena C. Hall mgr d.b.a. ***Pat's Happy Park***, 397 Commercial St.

Motion to approve by Irene Rabinowitz Seconded by Nick Robertson. Passed 3-0

Common Victualler

1. Long and Short of It, Corp, J. Star Chicaderis mgr d.b.a. ***Tofu A Go-Go!***, 336 Commercial St.
2. Sanette Gruenwald d.b.a. ***Karoo Kafe***, 338 Commercial St.

Motion to approve 1-2 by Irene Rabinowitz Seconded by Richard McMasters Passed 3-0

Common Victualler with Entertainment

1. Clambake, Inc. Mary Joy McNulty mgr d.b.a. ***Lobster Pot Restaurant***, 321 Commercial St.
2. Old Colony Tap, Inc., Robert Enos mgr d.b.a. ***Old Colony Tap***, 323 Commercial St.

Motion to approve 1-2 by Richard McMasters Seconded by Nick Robertson. Passed 3-0

Taxi Operator

1. Thomas Frisbie, Provincetown

Motion to approve by Irene Rabinowitz Seconded by Richard McMasters. Passed 3-0

Common Carrier

1. Provincetown Trolley, Inc., Yvonne Cabral-Edwards mgr d.b.a. **Provincetown Trolley**, 37C Court St.
Motion to approve by Nick Robertson Seconded by Richard McMasters. Passed 3-0

Seasonal License Renewals

Business	Address	Manager	Type of License	License Number
Tip for Tops'N Restaurant, Inc. d.b.a. Tip for Tops'N Restaurant	31 Bradford Street	Gerald E. Carreiro	Wine and Malt Common Victualer	100400002
Sal's Place, Inc. d.b.a. Sal's Place	99 Commercial Street	Lora Papetsas	Wine and Malt Common Victualer	100400012
The Boatslip, LLC d.b.a. The Boatslip Beachclub	161 Commercial Street	Richard F. Ferrell	All Alcohol Innholder	100400016
Terri Vorelli d.b.a. Vorelli's Restaurant	226-228 Commercial Street	Terri Vorelli	All Alcohol Common Victualer	100400022
Aliperti Inc. d.b.a. Front Street Restaurant	230 Commercial Street	Donna M. Aliperti	All Alcohol Common Victualer	100400024
T-UNA-S, Inc. d.b.a. Euro Island Grill	256-258 Commercial Street	Theodore Tine	All Alcohol Common Victualer	100400026
The Mayflower Café, Inc. d.b.a. Mayflower Café	300 Commercial Street	Darin Janoplis	All Alcohol Common Victualer	100400032
Old Colony Tap, Inc. d.b.a. Old Colony Tap	323 Commercial Street	Robert Enos	All Alcohol Common Victualer	100400035
Blasé, Inc. d.b.a. Café Blasé	328 Commercial Street	Brian D. Hart	All Alcohol Common Victualer	100400036
Café Edwige, Inc. d.b.a. Café Edwige	333 Commercial Street	Nancyann Meads	All Alcohol Common Victualer	100400037
Airedale, LLC. d.b.a. Chester	404 Commercial Street	John F. Guerra	All Alcohol Common Victualer	100400044
Summer Coastline, Inc. d.b.a. The Pied Piper Bar	193A Commercial Street	Susan Webster	All Alcohol Common Victualer	100400048
Gullcrest, Inc. d.b.a. Pennies Market	56 Shank Painter Road	Charles Silva	All Alcohol Package Store	100400067
La Vite e L'UVA, Inc d.b.a. L'UVA Restaurant	133 Bradford Street	Peter A. Garza-Zavaleta	All Alcohol Common Victualer	100400074
Family Tran, Inc. d.b.a. Szechuan Restaurant	179 Commercial Street	Bounvilay Tran	All Alcohol Common Victualer	100400078
Steamboat Wharf of Provincetown, Inc. d.b.a. Bubala's By The Sea	183 Commercial Street	John Yingling	All Alcohol Common Victualer	100400079
Café Heaven, Inc. d.b.a. Café Heaven	199 Commercial Street	Alan Cullinane	All Alcohol Common Victualer	100400081
ESF, LTD. d.b.a. Esther's	186 Commercial Street	Ellen Freeman	All Alcohol Common Victualer	100400097
Pharaoh Entertainment LLC	336 Commercial Street	Rodney	All Alcohol	100400099

d.b.a. The Vixen		Blacklock	Innholder	
Scruples, Inc. d.b.a. Burger Mary's	149 Commercial Street	Johnny Pak	All Alcohol Common Victualer	100400101
Atlantic Ocean, Inc. d.b.a. Grand Central	5 Masonic Place	April Cabral Pitzner	All Alcohol Common Victualer	100400105
Devon Ruesch d.b.a. Devon's	401½ Commercial St	Devon Ruesch	Wine and Malt Common Victualer	100400115
Draper-Rigg, Inc. d.b.a. The Commons	386 Commercial Street	Carlton Draper	All Alcohol Innholder	100400124
Clambake, Inc. d.b.a. Lobster Pot Restaurant	321 Commercial Street	Mary Joy McNulty	All Alcohol Common Victualer	100400125
LaShot Corp d.b.a. The Landmark Restaurant	269 Commercial Street	Larry Hendershot	All Alcohol Common Victualer	100400127
WAC, INC. d.b.a. Best Western Tides Beachfront	837 Commercial Street	William A. Gordon	Wine & Malt Innholder	100400129
Provincetown Hospitality LLC. d.b.a. Surfside Inn	540-542 Commercial St.	Elaine Quigley	All Alcohol Innholder	100400131
WayDownTown Inc d.b.a. WayDownTown	267 Commercial Street	Geraldine Boccio	All Alcohol Common Victualer	100400132
Pepe's Wharf, INC. d.b.a. Pepe's Wharf	371-373 Commercial St.	Astrid Berg	All Alcohol Common Victualer	100400133
WSD Enterprises, INC d.b.a. Beach Grill	175 Bradford St Ext.	David Schernacher	Wine and Malt Common Victualer	100400135

- Motion to approve all seasonal liquor licenses but the following: **Burger Mary's, Café Heaven, Café Edwige and Szechuan, by Irene Rabinowitz Seconded by Richard McMasters. Passed 3-0**
- Motion to approve Burger Mary's by Nick Robertson Seconded by Richard McMasters. Passed 3-0
- Motion to approve Café Heaven by Irene Rabinowitz Seconded by Nick Robertson. Passed 3-0
- Motion to approve Café Edwige by Irene Rabinowitz Seconded by Richard McMasters. Passed 3-0
- Motion to approve Szechuan by Irene Rabinowitz Seconded by Nick Robertson. Passed 3-0

Correspondence

Minutes – February 8 and March 8, 2005

- Motion to approve February 8th minutes by Nick Robertson Seconded by Irene Rabinowitz. Passed 3-0
- Motion to approve March 8th minutes by Irene Rabinowitz Seconded by Nick Robertson. Passed 3-0

Licensing Board Statements

Licensing Agent Statements

Other Business – any other business, which shall properly come before the board.

Motion to adjourn by Nick Robertson at 6:52 P.M.