



**GARDINER CITY COUNCIL
AGENDA ITEM INFORMATION SHEET**



Meeting Date	12/07/2022	Department	City Clerk
Agenda Item	4.e Agenda Item Approval of a Liquor License for the Bench		
Est. Cost			

Background Information	This is a renewal for the annual liquor license for The Bench.		
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Requested Action	"I move to approve the Liquor License for The Bench "		
City Manager and/or Finance Review	City Manager Approves this action.		
Council Vote/ Action Taken			
Departmental Follow-Up			

City Clerk Use Only	1 st Reading _____	Advertised _____	EFFECTIVE DATE _____
	2 nd Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____

Date Received in Office	11-15-22
Received by:	M/S
Office Amount Received	\$ 100
Approved	_____
Denied	_____

**APPLICATION FOR A
LICENSE/BUSINESS/EVENT**

Business Name	The Bench
Business Location	418 Water St. Gardiner Me 04345
Business Mailing Address	
Owner Name	Thomas Moody
Mailing Address (if different)	
Phone Number	215-9935
Business Number	982-4277
Email Address	Tpmody72@gmail.com
Type of Business	Bar Lounge
Description of Business (attach paper if necessary)	61 seat Bar & Restaurant
Business Hours	11am to 1am daily

Staff contacts for Licensing

	<p>Code Enforcement Officer Kristopher McNeil P: 207-582-6892 C: 207-620-4853 E: kmcneill@gardinermaine.com</p>
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City Hall Office Hours

Monday, Tuesday, Thursday: 8:00-4:00 Wednesday: 12:00 - 6:00 Friday: 8:00 - 12:00

Please send application and payment (payable to City of Gardiner) to: City Clerk's Office, 6 Church Street, Gardiner, ME

*	See Code Enforcement Officer after talking with the City Clerk
C	This License will need to go before council. Please ask the City Clerk for next meeting date.

Type of License Being Applied for:

(check all that apply)

*	Doing Business As (One-time Registration)	\$10	
	Special Event - Exhibitions & Shows (Minor)	\$50	
C	Special Event - Exhibitions & Shows (Major)	\$100	
*	Street Sellers (Annual)	\$50	
*	Street Sellers (Per Event)	\$20	
*	Street Sellers (Farmer's Market) (Annual)	\$10	
*	C Junkyards (<100 ft highway) (Annual)	\$200	
*	C Junkyards (>100 ft highway) (Annual)	\$50	
*	C Automobile Recycling Business (5-year)	\$250	
	C Victualers License to Sell Food (Annual)	\$50	
	C Victualers License – One Day (Festival)	\$25	
	C Victualers Non-profit License to sell food (Annual)	\$10	
*	C Food Truck (Annual)	100	
*	C Food Truck (Non-profit)	10	
*	C Food Truck (3-Day)	25	
	C Taxicabs/Vehicles for Hire	\$50	
	Sales (Special, OOB, etc) (Per Event/Sale)	\$25	
	Beano/Bingo/Games of Chance/Pinball Machines (Annual)	\$10	
	Shooting Galleries/Pool Hall/Bowling Alley (Annual)	\$50	
	C Pawn (Annual)	\$50	
	C Tavern Keeper (Annual)	\$25	
*	C Liquor/Bottle Club (1-50 seats) (Annual)	\$75	
*	C Liquor/Bottle Club (51-100 seats)(Annual)	\$100	✓
*	C Liquor/Bottle Club (101+ seats) (Annual)	\$150	
	C Catering Off-Premises (liquor is served) (per event)	\$10	
	C Entertainment/Special Amusement License (Annual)	\$75	
*	C Outside Consumption Permit (Annual)	\$25	

Office use only:

Received in Clerk's Office by _____ Date _____

Approved by:

CM _____ Police _____ Fire _____ PW/B&G _____ CEO _____ ED _____

Please see attached email verification.

City Council Approval (If necessary)

City Council hereby finds that:

1. The proposed License is consistent with the goal of promoting the use of City owned property for recreational, entertainment or charitable events; and
2. That the proposed License can be conducted in the location proposed without endangering the public safety or disturbing the peace and order of the City of Gardiner; subject to the attached list of conditions:

Dated this _____ day of _____, 20_____.

Municipal Officer of the City of Gardiner



STATE OF MAINE
 DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
 BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
 DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Division Use Only

Application for an On Premises License

All Questions Must Be Answered Completely. Please print legibly.

License No:
 Class: By:
 Deposit Date:
 Amt. Deposited:
 Payment Type:
 OK with SOS: Yes No

Section I: Licensee/Applicant(s) Information;
 Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC): Business Name (D/B/A):

The Bench

Individual or Sole Proprietor Applicant Name(s):

Thomas P. Moody

Physical Location:

418 Water Street Gardiner

Individual or Sole Proprietor Applicant Name(s):

Mailing address, if different:

Mailing address, if different from DBA address:

Email Address:

Tpmody72@gmail.com

Telephone # Fax #:

582-4277 215-9935

Business Telephone # Fax #:

582-4277

Federal Tax Identification Number:

01-0469904

Maine Seller Certificate # or Sales Tax #:

1197939

Retail Beverage Alcohol Dealers Permit:

CARL-2019-11788

Website address:

1. New license or renewal of existing license? New Expected Start date:
 Renewal Expiration Date:
 12-20-2022

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: 17641.95

Beer, Wine or Spirits: 379,196.00

Guest Rooms: 0

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

Malt Liquor (beer) Wine Spirits

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|---|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input checked="" type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel Food Optional
(Class I A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

418 Water Street Gardiner, Me

6. Is the licensee/applicant(s) citizens of the United States? Yes No

7. Is the licensee/applicant(s) a resident of the State of Maine? Yes No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

Yes No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

Yes No

Not applicable licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details:

11. Do you own or have any interest in any another Maine Liquor License? Yes No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
Tiger Town Discount Bev	ALN-2017-888	20 Maine Ave Gardiner

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Thomas P. Moody	10/12/63	Augusta Maine

Residence address on all the above for previous 5 years

Name	Address:
Thomas Moody	82 Sherburne Ave. South Gardiner Maine
Name	Address:
Name	Address:
Name	Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

Yes No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? Yes No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? Yes No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? Yes No

17. Does the licensee/applicant(s) own the premises? Yes No

If No, please provide the name and address of the owner:

Mark Warren - Area Leasing 407 Lower Deer Hill Rd
China, ME
04358

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed, This description is in addition to the diagram in Section VI. (Use additional pages as needed)

Walk in cooler - closet down stairs - upstairs room

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Life Community Church

Distance: 600 feet

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

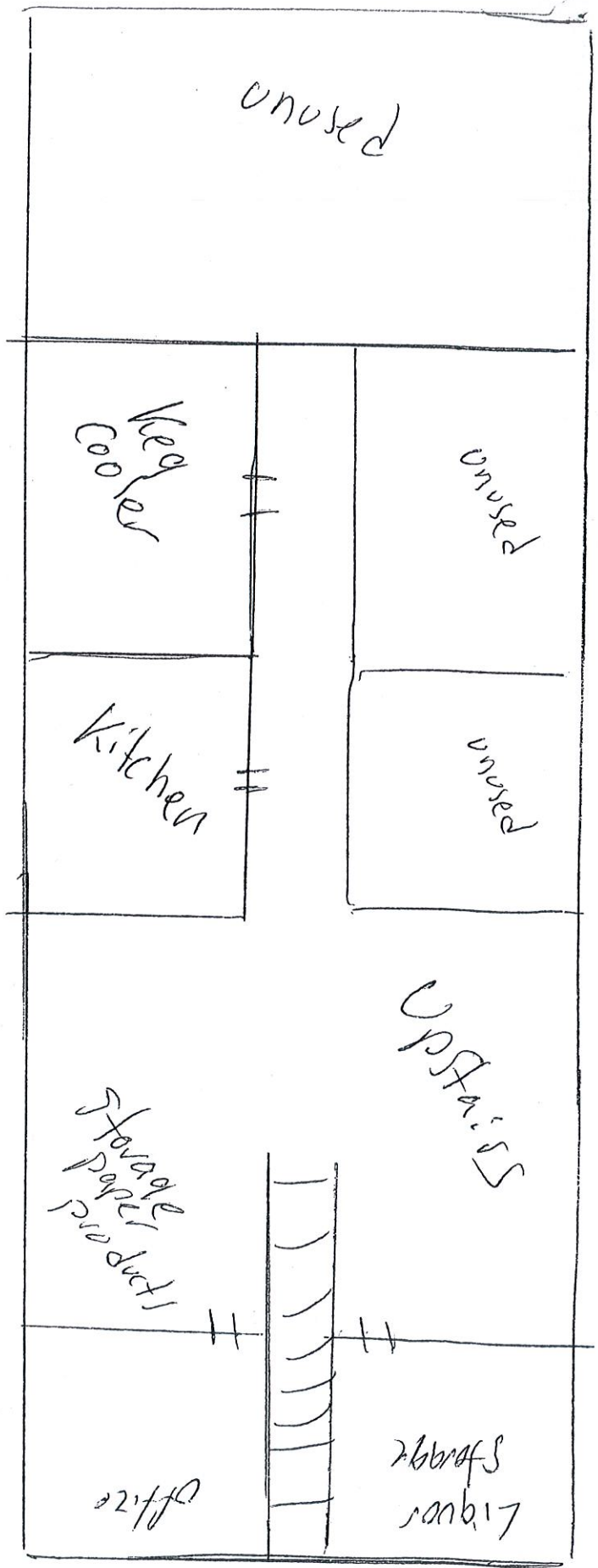
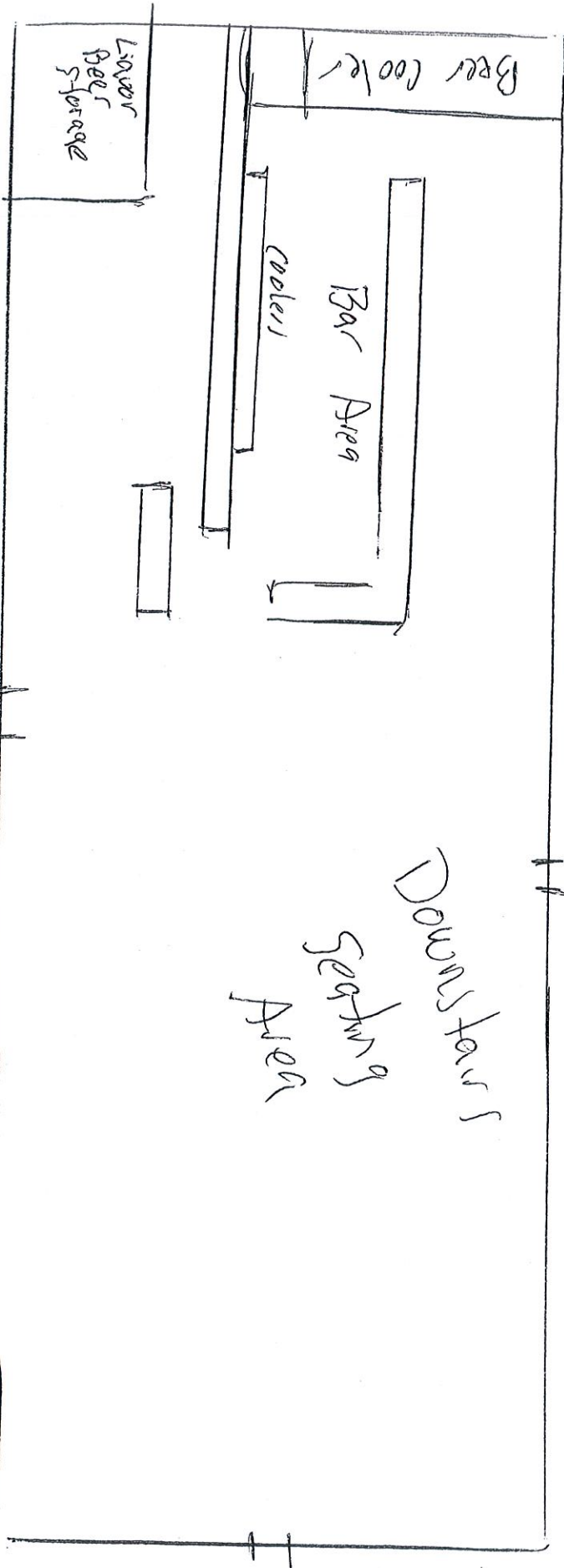
Dated: 11-19-22

Thom Moody
Signature of Duly Authorized Person

Signature of Duly Authorized Person

Thomas Moody
Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person



Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: 12/7/2022

Who is approving this application? Municipal Officers of Gardiner

County Commissioners of _____ County

- Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

This Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

Included below is the section of Maine’s liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

Kathleen Cutler

From: Jim Toman
Sent: Wednesday, November 16, 2022 1:56 PM
To: Kathleen Cutler
Subject: RE: liquor license app-The Bench

GPD is fine with renewal

JT

From: Kathleen Cutler <KCutler@gardinermaine.com>
Sent: Tuesday, November 15, 2022 1:22 PM
To: DepartmentHeads <departmentheads@gardinermaine.com>; Andrew Carlton <ACarlton@gardinermaine.com>;
Kristopher McNeill <kmcneill@gardinermaine.com>
Subject: liquor license app-The Bench

Attached please find the application for a liquor license renewal for The Bench. Once approved by each DH I will advertise in the KJ and add it to the agenda for the 12/07/22 meeting as a public hearing.

Kathleen Cutler
City Clerk/Tax Collector/Deputy Treasurer
City of Gardiner
6 Church St.
Gardiner, Maine 04345
(207) 582-2223
F-(207) 582-6895

Kathleen Cutler

From: Rick Sieberg
Sent: Tuesday, November 15, 2022 3:41 PM
To: Kathleen Cutler
Subject: RE: liquor license app-The Bench

Kathy,

No problems for the FD.

Rick Sieberg
Fire Chief | City of Gardiner
6 Church Street
Gardiner, ME 04345
C: 207-620-0217
p: 207-582-4535
e: rick.sieberg@gardinermaine.com

From: Kathleen Cutler <KCutler@gardinermaine.com>
Sent: Tuesday, November 15, 2022 1:22 PM
To: DepartmentHeads <departmentheads@gardinermaine.com>; Andrew Carlton <ACarlton@gardinermaine.com>;
Kristopher McNeill <kmcneill@gardinermaine.com>
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Kathleen Cutler

From: Kristopher McNeill
Sent: Wednesday, November 16, 2022 7:25 AM
To: Kathleen Cutler; DepartmentHeads; Andrew Carlton
Subject: RE: liquor license app-The Bench

No issues Kathy

Kris McNeill
Code Enforcement Officer
City of Gardiner, Maine
Kmcneill@gardinermaine.com

----- Original message -----

From: Kathleen Cutler <KCutler@gardinermaine.com>
Date: 11/15/22 1:22 PM (GMT-05:00)
To: DepartmentHeads <departmentheads@gardinermaine.com>, Andrew Carlton
<ACarlton@gardinermaine.com>, Kristopher McNeill <kmcneill@gardinermaine.com>
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Kathleen Cutler

From: Andrew Carlton
Sent: Tuesday, November 15, 2022 4:31 PM
To: Doug Clark
Cc: Kathleen Cutler; DepartmentHeads; Kristopher McNeill
Subject: Re: liquor license app-The Bench

Looks good to me.

Thanks,
Andy

Sent from my iPhone

On Nov 15, 2022, at 3:21 PM, Doug Clark <DClark@gardinermaine.com> wrote:

OK with Wastewater.

From: Kathleen Cutler <KCutler@gardinermaine.com>
Sent: Tuesday, November 15, 2022 1:22 PM
To: DepartmentHeads <departmentheads@gardinermaine.com>; Andrew Carlton <ACarlton@gardinermaine.com>; Kristopher McNeill <kmcneill@gardinermaine.com>
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F-(207) 582-6895

Publication Date
2022-11-19

Subcategory
Miscellaneous Notices

The City of Gardiner will have a public hearing for a liquor license renewal for The Bench, located 418 Water St, Gardiner, Maine. The meeting will take place at 6 Church St, Gardiner, Maine on December 7, 2022 @ 6:00pm