

June 22
2017

pd. CK#
2995



CITY OF CONCORD
NEW HAMPSHIRE
Community Development Department
Code Administration Division

City Hall Annex • 37 Green Street • Concord, NH 03301 • tel. 603/225-8580 • fax 603/225-8586

APPLICATION FOR ONE-DAY LICENSE TO SERVE AND OFFER ALCOHOL FOR CONSUMPTION ON CITY PROPERTY

I. PURPOSE

- The purpose of this license application is for the City of Concord to review an applicant's qualification to obtain a one-day license to serve alcohol on City property in accordance with City of Concord Code of Ordinances 14-5-2 and 14-5-3 and N.H. RSA 178:22 (I).

II. DEFINITIONS

- Alcohol: As defined by the New Hampshire Liquor Commission.
- License Fee: The license fee shall be \$200.00 for each one-day license issued.
- Voluntary Non-Profit Organization: An organization under RSA 178:22(I). ID # 02-0528727

III. APPLICANT INFORMATION

- Organization Name: Intown Concord
Address: 49 South Main Street #202 Concord NH 03301
Contact Person: Kate Fleming Phone: (work) 603-226-2150 (cell) 718-450-0646
- Copy of New Hampshire Liquor Commission, RSA 178:22(I) One-Day License:
Yes No Start/Expiration Date: 6/22/17- 6/24/17
- Person in Charge of the Event: (cell) Kate Fleming 718-450-0646 (work) 603-226-2150
- Name, Address and Phone Number Person(s) serving alcohol: See attached
- Person(s) identified as serving alcohol have completed N.H. Liquor Commission Training Program Certificate within 45 days of license issuance: Yes No
- Person(s) identified as serving alcohol have other applicable N.H. Liquor Commission License to Serve Alcohol: Yes; No If Yes, identify other license: _____
- Copy of any agreement between the applicant and any third party intended to affect the operation of the license: Yes No N/A

IV. PURPOSE OF THE ONE-DAY LICENSE

- Describe the purpose of the event for the one day license.
Request to sell beer and wine at Intown Concord's Hospitality Tent at the 43rd annual Market Days. The Tent is set up in front of Citizens Bank , west side of N. Street. Dates are June 22, 23th 24th. Service hours are 10am to 11pm on those days. Market Days is a fundraiser for Intown Concord

- Identify the type alcohol to be served
Beer and Wine
-

V. LICENSE INFORMATION

- Requested Date for One-Day License: June 22
 - Proposed Hours of Operation for One-Day License: 11am to 10:00pm
(No license shall be issued between the hours of 10 pm and 10 am.)
 - Requested Location for One-Day License Activity: on N. Main Street, west side just south of SchoolStreet
 - How many people are expected to attend? 200 per day
 - Plan of Physical Layout, diagram attached: Yes No
 - Tent/rope fencing or other boundaries identified, diagram attached: Yes No
 - Display Signs, Yes; No If Yes, describe sign(s) See attached information. Signs for ID checking, exit, No Smoking
-

VI. INSURANCE AND DEFENSE AND INDEMNIFICATION AGREEMENT

- Applicant has provided a Certificate of Liability Insurance which provides:
 1. General Liability Insurance in the Aggregate Two (2) Million Dollars, naming the City of Concord as an additional insured;
 2. Each Occurrence of Injury One Million Dollars;
 3. Medical Expense (any one person) Five Thousand Dollars. Yes No
- Applicant has executed the attached Indemnification Agreement: Yes No

VII. OTHER PERMITS AND INFRASTRUCTURE

- The City may assist the applicant with securing any and all City permits required. However, the applicant shall be solely responsible for completing all required permit applications as well as paying all required application fees. The applicant shall also be solely responsible for the cost of constructing all infrastructure upgrades made to any facility without limitation which shall be subject to City inspection and approval.

VIII. CLEANUP

- Applicant agrees that to the extent that a license is issued, it is required to immediately remove all signs, equipment or other products ("infrastructure") from the City's Public Property following the conclusion of the license. The City may charge the licensee any actual costs it incurs for removing any items from the City's public property not immediately removed after the license event ends.

IX. TERMINATION

- The City may terminate this license at any time and for any reason.

X. APPLICABLE LAWS

- The applicant shall comply with all local, state, and federal laws, rules, regulations, and ordinances in conjunction with the issuance of this license.

- This license shall be enforceable in the Courts of Merrimack County, New Hampshire, to which both parties submit for jurisdiction.

XI. APPLICANT SWORN AFFIRMATION

I hereby swear and affirm under the penalties of perjury that the information I have provided in this information is true, and to the extent that a license is issued, agree to be bound by terms of this license application.

Nathan P. Warecki

Duly Authorized Officer or Director of Voluntary Non-Profit Organization (printed)

[Signature]
Duly Authorized Officer or Director of Voluntary Non-Profit Organization (signature)

4/19/2017
Date

Sworn to and affirmed at Concord, New Hampshire on April 19, 2017, before me

[Signature]

Justice of the Peace/Notary Public
Commission expires:

CAROLYN E. O'BRIEN
Notary Public - New Hampshire
My Commission Expires February 6, 2018

HEALTH AND LICENSING OFFICER REVIEW

- Health and Licensing Officer has approved this application and it meets the minimum requirements for the approving authority to review. Yes [] No
- If No, reason for non-approval: _____

Eugene A Blake
Health and Licensing Officer

4/24/17
Date

APPROVAL FROM APPROPRIATE AUTHORITY

By: _____ Date _____
City of Concord

INDEMNIFICATION AGREEMENT

Nathan P. Warecki Board President, Intown Concord, Inc. ("licensee") agrees to defend and indemnify the City, its officers, employees and agents against any and all loss, damage, liability, expense, suits, demands and claims, including, but not limited to, cases of injury to third parties or their property, resulting from and arising out of: (1) Any act, failure to act, or negligence of licensee in conjunction with the issuance of the one day license; (2) Anything owned or controlled by licensee, its servants, agents, or invitees and used on the City's premises in connection with licensee's activities under this license; or (3) Any nuisance made by licensee, its servants, agents, or invitees on the City's premises in connection with this license. The foregoing provisions concerning defense and indemnification shall not be construed to require defense or indemnification to the City for damage arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the City or its employees.

Licensee, their heirs, executors, administrators, and assigns, acknowledge full satisfaction for all liabilities and actions that may now or later accrue as a result of the use of the park for this tournament and releases the City, its employees and agents, from any claims of negligence or damage that may now or later arise out of said use.

Dated this 19th day of April, 2017.

By: [Signature] Board President
Licensee Intown Concord, Inc.
Duly Authorized

Sworn to and affirmed at Concord, New Hampshire on April 19, 2017, before me

[Signature]
Justice of the Peace/Notary Public
Commission expires: _____

CAROLYN E. O'BRIEN
Notary Public - New Hampshire
My Commission Expires February 6, 2018



State of New Hampshire Liquor Commission



INTOWN CONCORD
INTOWN CONCORD
TENTED AREA - 49 SOUTH MAIN ST 202
CONCORD NH 03301

SPECIAL ONE DAY

ON-PREMISES BEVERAGE/WINE/LIQUOR

License No. **559941**

Effective Date: **06/22/2017**

Expires: **06/24/2017**

SUPPLEMENTAL LICENSE: 6/22, 23 & 24/17 FROM 11 AM - 10 PM DAILY

This license is issued and is subject to the conditions prescribed in Title XIII of the revised statutes annotated and regulations enacted by the commission thereunder. This license is effective for the period specified above unless sooner revoked and is not transferable.

State Liquor Commission

Joseph W. Mollica, Chairman

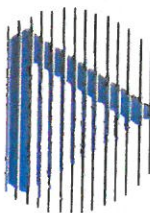
Michael R. Milligan, Deputy Commissioner

This document and any addendum must be conspicuously displayed on the described premises.

AUDIT NO. 523267



State of New Hampshire Liquor Commission



INTOWN CONCORD
INTOWN CONCORD
TENTED AREA - 49 SOUTH MAIN ST 202
CONCORD NH 03301

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AUDIT NO. 523267



State of New Hampshire
Liquor Commission
Division of Enforcement & Licensing



ONE DAY / AUCTION / BEER FESTIVAL / WINE FESTIVAL LOCAL OFFICIAL SIGNATURE SHEET

Town/City of: Concord, New Hampshire

This letter authorizes the use of the Beer & Hospitality Tent on Main Street during Market Days Festival
(PREMISES)

For the Intown Concord
(VOLUNTARY GROUP OR NON-PROFIT ORGANIZATION) to perform

A SPECIAL EVENT(S) AND GATHERING(S) FOR A ONE-DAY LICENSE OR BEER FESTIVAL INVOLVING THE SALE OF ALCOHOLIC BEVERAGES AS REQUIRED BY RSA 178:1.

Effective Date: Thursday June 22 2017
(DAY OF THE WEEK) (MONTH) (DAY) (YEAR)

Expiration Date: Saturday June 24 2017
(DAY OF THE WEEK) (MONTH) (DAY) (YEAR)

Hours of Event: 11 AM Until 10 PM

I approve the use of the Beer & Hospitality TENT ON MAIN ST ^{MARKET} DAYS in so far as accessibility of the premises is concerned; the premises are safely accessible to all forms of traffic, including emergency vehicles.

Police Chief's Signature: [Signature]

Print Police Chief's First & Last Name: Keith Mitchell

I approve the use of the Beer & Hospitality TENT ON MAIN ST ^{MARKET} DAYS in so far as accessibility of the premises is concerned, the premises are safely accessible with authorized capacity of 60 people.
(NUMBER OF PEOPLE)

Fire Chief's Signature: [Signature]

Print Fire Chief's First & Last Name: Daniel G. Anders

I approve the use of the BEER & Hospitality TENT ON MAIN ST ^{MARKET DAYS} in so far as health and sanitary conditions are concerned. The premise meets health requirements.

Health Officer Signature: [Signature]

Print Health Officer's First & Last Name: Eugene A. Blake



CITY OF CONCORD
NEW HAMPSHIRE
Community Development Department
Code Administration Division

City Hall Annex • 37 Green Street • Concord, NH 03301 • tel. 603/225-8580 • fax 603/225-8586

March 14, 2017

Scott Dunn, Acting Director
NH Liquor Commission
Division of Enforcement and Licensing
57 Regional Drive Suite 8
PO Box 1795
Concord, NH 03302

Mr. Dunn

This letter is in response to the request from the NH State Liquor Commission for the City of Concord to give approval for a tent erected on North Main St between Warren and School Streets for Concord Market Days Thursday, Friday, and Saturday June 22, 23, 24, 2017.

The City Council has given approval for street closure for those 3 days, the City Health and Licensing Officer has issued a permit for the event & the tent. Along with the City Council, the Police Dept. and the Health & Licensing Office, the Health & Licensing Officer has approved the sale of alcoholic beverages (beer & wine) under that tent in a roped off area with one entrance & exit and will be issuing a permit for that part of the event. The Fire Dept. will be inspecting the tent on the morning that the tent is being erected.

Sincerely,

Eugene A Blake
Health & Licensing Officer



BOARD OF DIRECTORS

Nathan Warecki *President*
Nixon & Peabody

Greg Lessard *Vice President*
Concord Food Co-op

Michael Herrmann *Treasurer*
Gibson's Bookstore

Julie Lacey *Secretary*
Merrimack County Savings Bank

Elyssa Alfieri
Lilise Designer Resale

Valerie Blake
Greater Concord
Chamber of Commerce

Rick Johnson
The Beech Hill School

Angie Lane
New Hampshire Public Radio

Bill Peterson
Idwana & Divine Clothing Co.

Polly Saltmarsh
NH Federal Credit Union

Johane Telgener
Concord Hospital
Center for Health Promotion

Rich Woodfin
Charter Trust Company

Matt Walsh
City of Concord

March 29, 2017

New Hampshire Liquor Commission
Division of Enforcement and Licensing
P.O. Box 1795
Concord, NH 03302

Re: Intown Concord, Inc.'s Liquor License

Dear Sir or Madam:

Please accept this letter as my appointment of Kate Fleming, Intown Concord, Inc.'s Events and Outreach Coordinator, as the Person-in-Charge of our organization's Market Days Festival Beer and Hospitality Tent.

The 43rd Annual Market Days Festival will take place on Concord, New Hampshire's Main Street from June 22 to June 24, 2017.

If you have any questions or concerns, please do not hesitate to contact me directly.

Sincerely,

Nathan P. Warecki
President



New Hampshire Liquor Commission
Management Training Seminar
M.T.S.
Certificate of Attendance

Student Name KATE FLEMING

Instructor A. Stewart Date 3/8/17

Annual Training Recommendation



**State of New Hampshire
Liquor Commission
Division of Enforcement & Licensing**



AFFIDAVIT

This affidavit is filed with the Liquor Commission's Division of Enforcement & Licensing in support of *my ownership, management control, employment by a business licensed, or applying for a license to sell alcoholic beverages and tobacco* under Chapter 178 of the Revised Statutes Annotated.

I, Kate Fleming being duly sworn do depose and say:
(Print Name)

1. **Business Trade Name:** Intown Concord, LLC **Liquor Lic#** _____
Address 49 South Main Street Suite 202 Concord NH 03301
(No. - Street) (City / Town) (State) (Zip)
Mailing Address _____
(No. - Street) (City / Town) (State) (Zip)

2. I live at: 1 Flume Street Concord NH 03303
(No. - Street) (City / Town) (State) (Zip)

3. I was born in Rhode Island on December 23, 1977 39
(POB: i.e. State, or Province if Canada, Country if foreign) (Date of Birth) (Age)
 Home phone 718-450-0646 Male Female Race white

4. I am I am not a citizen of the United States
 If not a citizen, R.A. Document # or other Identification submitted _____

5. **I understand RSA 178:4 & RSA 179:23, IV, prohibit convicted felons from holding a license to sell alcohol or assuming control of licensed premise. By signing this affidavit I swear this information is true and accurate and that this document is signed under the penalty if false swearing (RSA 641:2)**

6. Have you ever been charged with a crime? Yes No If yes, were you convicted of a felony? Yes No

7. I am filing this document in support of my employment as a
 Corporate Officer POA Person in Charge
 Partner LLC Member Proprietor
 LLC Manager Manager Title/Position _____

RSA 179:23, IV requires the licensee to designate one or more people to be in charge of the premise in the Licensee's absence.

8. I swear before the **Justice of Peace or Notary Public** that this information is **true** and **accurate**, and that this document is signed under the penalty if false swearing (RSA 641:2)

Signature Kate Fleming Date 3/14/17

County Merrimack SS. Date 3/14/17

Personally appeared before me Carolyn E. O'Brien known to be the person who executed and made oath that the same is true. (Affiant Name)

SEAL Carolyn E. O'Brien
Justice of Peace / Notary Public

**MAIL ORIGINAL TO: NHLC-Division of Enforcement & Licensing
PO BOX 1795, Concord NH 03302**

INTOWN CONCORD

CONCORD, NH 03301
603.226.2150



U.S. Bank® Check Fraud
Protector for Business

3/20/2017

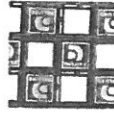
TO THE
ORDER OF State of New Hampshire

\$ **325.00

Three Hundred Twenty-Five and 00/100*****

DOLLAR

State of New Hampshire



TWO SIGNATURES REQUIRED FOR
AMOUNTS OF \$1,000 OR MORE

[Handwritten Signature]
AUTHORIZED SIGNATURE

MEMO NH liquor license for Market Days Festival, Concord,

⑈002981⑈ ⑆211470225⑆ 30 00 067003⑈

INTOWN CONCORD

State of New Hampshire

3/20/2017

2981

NH liquor license for Market Days Festival, Concord,

325.00

Checking Account NH liquor license for Market Days Festival, Conc

325.00

INTOWN CONCORD

State of New Hampshire

3/20/2017

2981

NH liquor license for Market Days Festival, Concord,

325.00

[Handwritten initials]

Checking Account NH liquor license for Market Days Festival, Conc

325.00



State of New Hampshire
Liquor Commission
Division of Enforcement & Licensing



ONE DAY / AUCTION / BEER FESTIVAL / WINE FESTIVAL LICENSE ATTACHMENT

Name of Licensee: Intown Concord Event Date: June 22-24, 2017

THE FOLLOWING PERSONS WILL BE SERVING ALCOHOL FOR THIS FUNCTION:

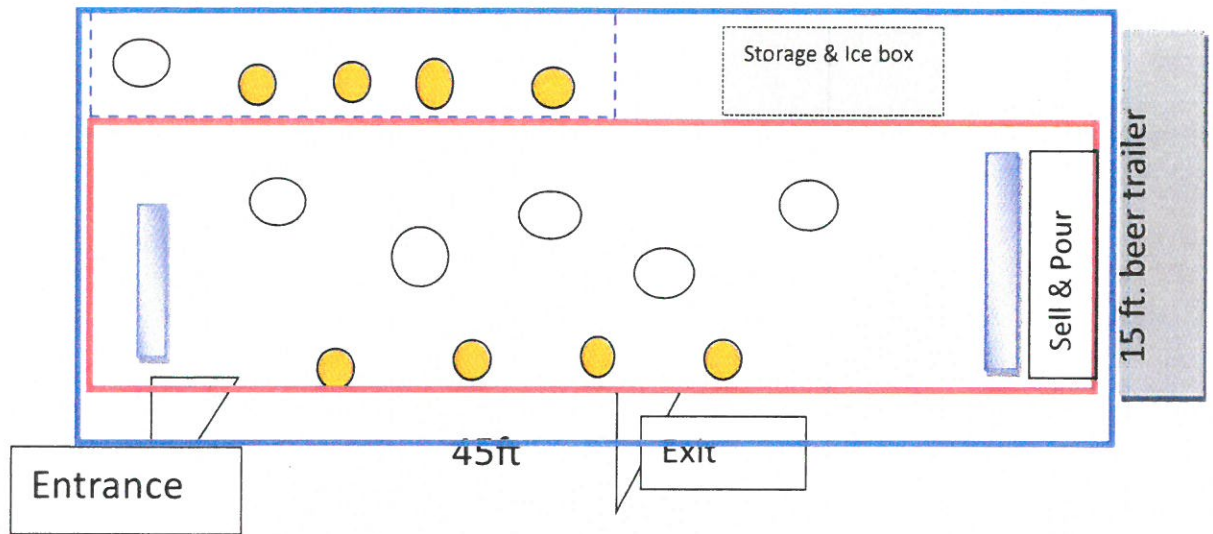
NAME: Nathan Warecki
STREET ADDRESS: Liberty Street
CITY/TOWN, ZIP CODE: Concord, NH 03301
DATE OF BIRTH: 6/29/83
PLACE OF BIRTH: Concord, NH

NAME: Gerry Carrier
STREET ADDRESS: 96 Knox Road
CITY/TOWN, ZIP CODE: Bow, NH 03304
DATE OF BIRTH: 11/11/49
PLACE OF BIRTH: Dover, NH

NAME: Johane Telgener
STREET ADDRESS: 81 Warren Street
CITY/TOWN, ZIP CODE: Concord, NH 03301
DATE OF BIRTH: 4/17/58
PLACE OF BIRTH: Montreal, Quebec, Canada

NAME: Matt Walsh
STREET ADDRESS: 18 Mandevilla Lane
CITY/TOWN, ZIP CODE: Concord, NH 03301
DATE OF BIRTH: 6/26/77
PLACE OF BIRTH: Nashua, NH

NAME: Rich Woodfin
STREET ADDRESS: 11 Harvard Street
CITY/TOWN, ZIP CODE: Concord, NH 03301
DATE OF BIRTH: 10/12/63
PLACE OF BIRTH: Concord, NH



Red is tented and fenced area measuring **45 x 15'** two exits. **** Total seating area is 55 x 15 =**

1. Rain Gutters placed between tents for protections –Provided by Promania
2. Coffin coolers—borrowed by NHD
3. Orange are hi tops -details TBD –Sokul
4. Fencing is “French barricades –each piece 10ft– Promania
5. Storage location for ice box is on furniture zone –access to power
6. Christmas lights—strung on post around outside garden
7. Blue is French barricades 20 ft in length
8. Red is the tent.

Procedures: The Beer/Wine Hospitality Tent is operated by Intown Concord, Kate Fleming & Michelle Johnson are the Person in Charge. MTS training completed. Volunteers are primarily Board members and prior volunteers with strong knowledge of operations. Volunteers will be selling beer/wine tokens. Volunteers will take the TEAM for the ID process and serving beer/wine. Service Hours are 11 am to 10pm. To be served a beer/wine ID 's are checked and the person receives a wristband. We are estimating seating and service for a maximum of 60 people. We have about 825 sq ft under the tent and in the outside side, fenced beer garden. Our entrance and exits will be monitored (and staffed at peak hours in evening) to insure beer/wine is not removed from the tent or garden area. Chips and crackers, water, soda will be available in the tent for sale.

No smoking allowed.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/13/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER E & S Insurance Services LLC 21 Meadowbrook Lane P O Box 7425 Gilford NH 03247-7425	CONTACT NAME: Fairley Kenneally	
	PHONE (A/C, No, Ext): (603) 293-2791	FAX (A/C, No): (603) 293-7188
	E-MAIL ADDRESS: fairley@esinsurance.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A :Foremost Insurance Company	11185
INSURED INTOWN CONCORD INC. 49 SOUTH MAIN STREET SUITE 202 CONCORD NH 03301-4026	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES

CERTIFICATE NUMBER:2017-18

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			PPS042268962	6/14/2017	6/14/2018	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						MED EXP (Any one person) \$ 10,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						PERSONAL & ADV INJURY \$ 1,000,000
	OTHER:						GENERAL AGGREGATE \$ 2,000,000
	<input type="checkbox"/> AUTOMOBILE LIABILITY						PRODUCTS - COMP/OP AGG \$ 2,000,000
	<input type="checkbox"/> ANY AUTO						HIREA \$ 1,000,000
	<input type="checkbox"/> ALL OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> HIRED AUTOS						BODILY INJURY (Per person) \$
	<input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB						\$
	<input type="checkbox"/> EXCESS LIAB						EACH OCCURRENCE \$
	<input type="checkbox"/> OCCUR						AGGREGATE \$
	<input type="checkbox"/> CLAIMS-MADE						\$
	DED						RETENTION \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						OTH-ER
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder is an additional insured (CGL) as required by signed contract with the named insured for use of bleachers Market Days Festival June 22, June 23, and June 24, 2017

CERTIFICATE HOLDER

CANCELLATION

City of Concord 1 White Street Concord, NH 03301	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE F Kenneally/FAIRLE <i>Fairley Kenneally</i>

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