



LICENSE COMMISSION MINUTES

Thursday, July 7 2022 at 6:00 p.m.-City Council Chambers

VIRTUAL and in person meeting

Attendees: Chairman Edwards, Commissioner Angus, Commissioner Pat Driscoll, Acting License Commission Clerk, Linda Koutoulas, HPD Captain Wayne Tracy, Sgt Kevin Lynch

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF THE MINUTES

A. June 2, 2022 regular meeting

Motion to accept by Comm. Angus, second by Comm. Driscoll

No public discussion, Vote unanimous

B. June 7, 2022 Special meeting

Motion to accept by Comm. Angus, second by Comm. Driscoll

No public discussion, Vote unanimous

3. CONTINUED BUSINESS

4. MISCELLANEOUS APPLICATIONS/REQUESTS

5. ONE DAY APPLICATIONS

A. **River Ruckus**

70 Washington St

Joseph LeBlanc

One Day Beer & Wine

Has all approvals

Kevin Burke, pres of Team Haverhill, appeared for applicant. Propose beer garden tent in Parking lot behind the Tap.

Need updated liability policy – approved pending updated liability policy

Motion to approve by Comm Driscoll, seconded by Comm Angus. No public comment, Vote unanimous

6. BUSINESS CERTIFICATES

7. ENTERTAINMENT APPLICATIONS

8. COMMON VICTUALLER APPLICATIONS

9. OUTDOOR DINING APPLICATIONS

A. **Tawa Tandoor Restaurant**

36 Plaistow Rd

Ganesh Bista, Manager

Has all approvals

No one appeared for applicant (they were out of town that evening).
Motion to approve by Comm. Angus, second by Comm. Driscoll
No public discussion, Vote unanimous

10. ALCOHOL/ABCC APPLICATIONS

A. Burrito Spice

225 Lincoln Ave
Siddhartha Bhalodia, Manager
Has all approvals.

Motion to approve by Comm Driscoll, seconded by Comm Angus. No public comment, Vote unanimous

B. La Lechonera

145 Winter st
Hermis Luis Lopez Gomez, Manager
Add basement to description, and # of floors. Need liquor liability insurance.

Motion to approve by Comm Driscoll, seconded by Comm Angus. No public comment, Vote unanimous.

C. Paul Francis Bridal, Inc.

2 Washington St
Michael Ryan, Manager
New All alcohol License

Michael Ryan, Manager/owner of Paul Francis Bridal appeared for applicant. Chairman Edwards made mention of their occupancy of 35 and explained that even though a large space, they would need to work with Fire and Insp serv to increase this number. Michael explained there is usually only up to 15 brides in business at one time - wants to amend the hours in his application to 9AM-10PM. Explains everything by appointment only. No liquor to go, everything on premises, will be selling alcohol per the law. If he wants to amend occupancy he will contact building inspector as he moves forward.

Motion to approve by Comm Angus, seconded by Comm Driscoll. No public comment, Vote unanimous.

11. MOTOR VEHICLE APPLICATIONS

A. Car Nova LLC

210 River St
Toni Machado, Owner
-Expansion of spaces to 16 total spaces.

Approved by Building Inspector and Police and City Council
Pat Scorzelli appeared for applicant.

Motion to approve by Comm. Angus, second by Comm. Driscoll
No public discussion, Vote unanimous

B. Welcome Motors

25 Welcome St

Noel Ortega, Owner

Attorney Robert Harb appeared along with Noel.

– expansion of spaces and footprint for total of 31 spaces.

Approved by City Council June 7 2022 and Building dept. and police.

Motion to approve by Comm. Angus, second by Comm. Driscoll

No public discussion, Vote unanimous

- *Expansion can only happen after back lot paved, etc.*

12. CARRY IN LICENSE APPLICATIONS

13. ITEM FOR DISCUSSION

A. Hans Garden

114 Washington St

Anthony Han, Manager

Incident that occurred on or about May 28 2022 2:22AM

No one appeared for Hans Garden. LLA requested calling Tony Han for Show Cause in August.

Motion to postpone by Comm. Angus, second by Comm. Driscoll

No public discussion, Vote unanimous

B. New Lantern Café

240 Essex St

Jonus Rustani, Manager

Incident that occurred on or about May 21 2022 1:10AM

Sgt Lynch appeared for HPD and provided facts of incident

Jonus Rustani, owner, appeared for New Lantern Café. He describes mayhem

after he returned from using the restroom. He called the police after being knocked onto floor (within 5 min). He said there was damage to heating unit.

For the future he will obtain cameras and also an additional person so there will always be someone behind bar at all times. Chairman Edwards said he need to have cameras on all times – mandates him to have cameras installed within 2 weeks.

Motion by Comm Angus to place **on probation for 6 months**. Seconded by Comm Driscoll. No public comments, vote unanimous.

14. SHOW CAUSE HEARING

A. Quik Mart, Saminder Inc

764 Main St

Interpal S Gill, Manager

SHOW CAUSE HEARING - ALLEGED VIOLATION OF 204 CMR 2.05 (2)

PERMITTING AN ILLEGALITY ON THE LICENSED PREMISES, TO WIT: CHAPTER 138, SECTION 34 - SALE OR DELIVERY TO A PERSON UNDER TWENTY ONE YEARS OF AGE ON OR ABOUT JUNE 10 2022

Sgt Lynch spoke for HPD. 6 pack sold to underage customers. At that time, clerk stated he knew nothing about TIPS.

Atty Bryan Aleward spoke for owner. Stated there is a system to scan license. Clerk did not ask customer for license (clerk is Sanjay Lama). Inderpal Gill, owner, explained ID scanning process.

Comm Angus recommended employees not use the override button and are compelled to scan ID.

Chairman Edwards recommends bringing in outside trainee company.

Motion by Comm Driscoll to place business on **probation for 3 months**. Comm Angus seconded, no public comment. Vote unanimous.

B. Downtown Wine and Spirit

56 Locust St

Sunil Samtani, Manager

SHOW CAUSE HEARING - ALLEGED VIOLATION OF 204 CMR 2.05 (2)

PERMITTING AN ILLEGALITY ON THE LICENSED PREMISES, TO WIT: CHAPTER 138, SECTION 34 - SALE OR DELIVERY TO A PERSON UNDER TWENTY ONE YEARS OF AGE ON OR ABOUT JUNE 10 2022

Sgt Kevin Lynch appeared for the HPD. Police did sting on June 10. Underage person purchased 12 pack of hard seltzer. Cashier did not ask for ID and was not TIP certified.

Sunil Samtani, appeared. He stated there is a 45 day provisional period when hiring employee in which time to be TIP certified. Employee had only been there 2 weeks. Sunil stated he was getting new cash register software- within 6 weeks. He has spoken to the employees and assured LLA this would not happen again.

Motion by Comm Driscoll to place business on **probation for 3 months**. Comm Angus seconded, no public comment. Vote unanimous.

C. Circle K of MA

32 Knipe Rd

Holly Mandigo Aly, Manager

SHOW CAUSE HEARING - ALLEGED VIOLATION OF 204 CMR 2.05 (2)

PERMITTING AN ILLEGALITY ON THE LICENSED PREMISES, TO WIT: CHAPTER 138, SECTION 34 - SALE OR DELIVERY TO A PERSON UNDER TWENTY ONE YEARS OF AGE ON OR ABOUT JUNE 10 2022

Sgt Lynch appeared for HPD. Stated liquor license not properly displayed and clerk was not TIPS certified. Sale of alcohol was made to underage person.

Atty Robert Healy appeared for Circle K along with Manager Holly Mandigo Aly. Atty stated all employees are TIP certified but the clerk in question has since been fired.

Motion by Comm Angus to place business on **probation for 3 months**. Comm Driscoll seconded, no public comment. Vote unanimous.

D. Harry's Liquors, Patel's Liquors

239 Lincoln Ave

Ankit Patel, Manager

SHOW CAUSE HEARING - ALLEGED VIOLATION OF 204 CMR 2.05 (2)

PERMITTING AN ILLEGALITY ON THE LICENSED PREMISES, TO WIT: CHAPTER 138, SECTION 34 - SALE OR DELIVERY TO A PERSON UNDER TWENTY ONE YEARS OF AGE ON OR ABOUT JUNE 10 2022

Sgt Lynch appeared for HPD. On June 10 underage customer made purchase of 6 pack of hard seltzer.

Ankit Patel, owner, appeared for business. He stated he provides yearly training for employees. He is planning on obtaining the scanning software requiring scan of buyer's ID at every purchase. His employee/clerk at time of incident, George Charshoodian, appeared. He admits his mistake -Chairman Edwards stated that even if you personally know the person, you still need to ask for an ID.

Chairman Edwards recommends that Ankit check out camera records to make sure clerks are asking everyone for their IDs.

Motion by Comm Angus to place business on **probation for 1 year and close for the next 2 consecutive weekends at 9PM – dates July 8 & 9 and July 12& 16**. If there is a violation within the year, they will be brought to LLA for further action.

Comm Driscoll seconded, no public comment. Vote unanimous.

E. K's Fuel Stop

297 Lincoln Ave

Paul Kaknes, Manager

SHOW CAUSE HEARING - ALLEGED VIOLATION OF 204 CMR 2.05 (2)

PERMITTING AN ILLEGALITY ON THE LICENSED PREMISES, TO WIT: CHAPTER 138, SECTION 34 - SALE OR DELIVERY TO A PERSON UNDER TWENTY ONE YEARS OF AGE ON OR ABOUT JUNE 10 2022

Sgt Lynch appeared for HPD – sale of alcohol to underage individual on June 10. Owner Paul Kaknes appeared for business. He stated he was working the register that evening. He stated he had no excuse that he made a mistake. He does have a license scanner. He stated this will not happen again.

Motion by Comm Angus to place business on **probation for 1 year and close for the next 2 consecutive weekends at 8PM – dates July 8 & 9 and July 15 & 16**. If there is a violation within the year, they will be brought to LLA for further action.

Comm Driscoll seconded, no public comment. Vote unanimous.

F. RG's Pub

233 Winter st

Russell Littlefield, Manager

SHOW CAUSE HEARING: ALLEGED VIOLATION OF 204 CMR 2.05(2)

PERMITTING AN ILLEGALITY ON THE LICENSED PREMISES, TO WIT: (2) NO LICENSEE FOR THE SALE OF ALCOHOLIC BEVERAGES SHALL PERMIT ANY DISORDER, DISTURBANCE OR ILLEGALITY OF ANY KIND TO THE PLACE IN OR ON THE LICENSED PREMISES. THE LICENSEE SHALL BE RESPONSIBLE THEREFOR, WHETHER PRESENT OR NOT.

--Over serving

--Failure to Maintain a Safe Environment for Patrons

--Incident occurred on or about June 19 2022 at approximately 21:06

Sgt Lynch appeared for HPD.

Atty Robert Harb represented Russ Littlefield, owner/manager of business. Irene Fisher, employee of RG's also appeared. The manager who was involved in the incident was new and had been in training for over days. This was her first shift working alone. Employee did not have TIPS as still new. Irene stated the cameras were not functioning at time of incident- if they are unable to repair, they will get a new system from ADP.

Russ Littlefield spoke – has had business for 39 years. Comm Angus recommends that *he have 2 people working every evening*.

Motion by Comm Driscoll to place business on **probation for 3 months**. Comm Angus seconded, no public comment. Vote unanimous.

15. COMMUNICATIONS

16. PUBLIC PARTICIPATION

17. OTHER BUSINESS

18. ADJOURNMENT – Meeting adjourned at 8:09PM on motion by comm Driscoll with second by Comm Angus. No comment – vote unanimous.