



License Commission, Room 118  
Phone: 978-420-3630 Fax: 978-373-8490  
jsanchez@haverhillma.gov

## LICENSE COMMISSION MINUTES

Thursday, September 5, 2024, at 6:00 p.m.-Room 202  
VIRTUAL and in person meeting

Attending: Chairperson Laura Angus, Commissioner Linda Koutoulas, Commissioner Patrick Driscoll, Sergeant Kevin Lynch, HPD.

Absent: Lic. Comm Clerk Jennifer Sanchez

### 1) PLEDGE OF ALLEGIANCE

### 2) APPROVAL OF THE MINUTES

#### 2.1 Approval of the Minutes of August 1, 2024.

Chairperson Angus postponed this to the October meeting because corrections are needed.

**Commissioner Koutoulas made a motion to postpone the minutes. This was seconded by Chairperson Driscoll. No public comment, vote unanimous, motion passed.**

### 3) CONTINUED BUSINESS

No Schedule

### 4) MISCELLANEOUS APPLICATIONS/ REQUESTS

No Schedule

### 5) ONE DAY APPLICATIONS

#### 5.1 Ashleigh Mutty, Applicant

791 East Broadway

**-Application for one day beer and wine liquor license for the Craft & Antique show at Kimball Farm on October 5, 2024, from 8:30am-4pm.**

**-Will require one police detail, designated alcohol area and wristbands for age 21+.**

Sergeant Lynch said he spoke with the applicant and told her she needed to have a separate area roped off where alcohol will be served.

**No one appeared for this application. It was put off until the October Meeting.**

#### 5.2 Ashleigh Mutty, Applicant

791 East Broadway

**-Application for one day beer and wine liquor license for the Craft & Antique show at Kimball Farm on October 6, 2024, from 8:30am-4pm.**

**-Will require one police detail, designated alcohol area and wristbands for age 21+.**

Sergeant Lynch said he spoke with the applicant and told her she needed to have a separate area roped off where alcohol will be served.

**No one appeared for this application. It was put off until the October Meeting.**

**6) BUSINESS CERTIFICATES**

No Schedule

**7) ENTERTAINMENT APPLICATIONS**

**7.1 Sharbel Azzi, Manager**

77 Washington St Restaurant, Inc.,

d/b/a The Reserve Restaurant, Valt 77 Lounge, The Exchange Events

77 Washington Street

**-Application for new entertainment license for the hours of Sunday to Saturday from 11am-1am for amplifiers, amplified music, and TV.**

This was heard with the common vic app and alcohol app. Sharbel appeared for these applications. They are not expecting much entertainment. They might have DJs on the top floor for the events. He requested to add the DJ tonight. He was told to add that to his application.

**Commissioner Driscoll made a motion to approve the entertainment license, common victualler license, and all alcohol liquor license application pending zoning approval, tips certificate, and business occupancy. This was seconded by Commissioner Koutoulas. No public comment, vote unanimous, motion passed.**

**8) COMMON VICTUALLER APPLICATIONS**

**8.1 Sharbel Azzi, Manager**

77 Washington St Restaurant, Inc.,

d/b/a The Reserve Restaurant, Valt 77 Lounge, The Exchange Events

77 Washington Street

**-Application for new common victualler license for the hours of Sunday to Saturday 11am-1am. Sharbel appeared for these applications.**

Sharbel was present for the applications. They were heard together. The restaurant will serve all kinds of food like steak and lobster. On third floor there is a tapas lounge. The fourth floor will be a function hall.

**Commissioner Driscoll made a motion to approve the entertainment license, common victualler license, and all alcohol liquor license application pending zoning approval, tips certificate, and business occupancy. This was seconded by Commissioner Koutoulas. No public comment, vote unanimous, motion passed.**

**8.2 Gan Mina, Manager**

Gino's Pizza of Haverhill Inc.

d/b/a Gino's Pizza and Roast Beef



200 Main Street, Unit C

**-Application for transfer of common victualler license for the hours of Monday -Thursday 10am-9pm. Friday and Saturday 10am-10pm. Closed Sunday.**

Gan Mina was present for the application. The menu will remain the same. He said that he has 2 TV's. There was no application for entertainment. They were told they will have to leave the TVs off until they are approved. Gan said he is doing renovations and plans to open after he gets his approvals.

**Commissioner Driscoll made a motion to approve the common victualler license for Gino's Pizza. This was seconded by Chairperson Angus. No public comment, vote unanimous, motion passed.**

**9) OUTDOOR DINING APPLICATIONS**

No Schedule

**10) ALCOHOL/ ABCC APPLICATIONS**

**10.1 Rafael A. Guzman, Manager**

Crusttown Inc.

d/b/a Crusttown

150 Washington Street

**-Amended Application for change of manager, change of officers/firectors/LLC managers, issuance/transfer of stock/new stockholder.**

**Pending ABCC Approval**

Rafael and Gary were present for the application. Chairperson Angus said the application was returned no action from the ABCC. This is to approve the additional information.

**Commissioner Koutoulas made a motion to approve the amended application. This was seconded by Commissioner Driscoll. No public comment, vote unanimous, motion passed.**

**10.2 Krystyna Williams, Proposed manager**

Uno of Haverhill Inc.,

d/b/a Uno Pizzeria Grill

30 Cushing Ave

**-Application for multiple amendments for change of manager and change of officer's/directors/ LLC Members.**

**Pending ABCC Approval.**

No one appeared for this application. It was put off until October.

**10.3 Jason Tremblay, Proposed Manager**

RARE Hospitality International Inc.,

d/b/a Longhorn Steakhouse #5181

59 Plaistow Road

**-Application for new manager.**

**Pending ABCC approval.**

Jason Tremblay appeared for this application online. He has been in the industry for over 20 years. He said he has not had any prior disciplinary action.

**Commissioner Koutoulas made a motion to approve the new manager application pending ABCC approval. This was seconded by Commissioner Koutoulas. There was no public comment. Vote Unanimous, motion passed.**

**10.4 Jignashu Patel, Manager**

Jigdam LLC

d/b/a American Grocery

426 Main Street

**-Application for a transfer of Section 15 all alcohol license with a pledge of license and inventory.**

**Pending Business occupancy and ABCC approval.**

Attorney Matthew Porter was present for this item online. Dharmesh and Jignashu were also present online. Both people have experience with selling alcohol. They both own a few different locations. There are no major anticipated changes. It will be the same operation with a new ownership. Rockland trust is financing the transaction and did request a pledge. They are tips certified and all employees will be required to be certified. They were told they need a floor plan of the basement.

The Commission asked what kind of cameras they have. Dharmesh said they do have cameras, but he is not sure what kind and how long the retention time. He said he would make sure there is enough storage when he takes over.

**Commissioner Koutoulas made a motion to approve the transfer application pending floor plan of basement, spousal affidavit notarized, and a 30-day retention time on camera system, and a phone number for the business. This is seconded by Commissioner Driscoll. No public comment, Vote Unanimous, motion passed.**

**10.5 Sharbel Azzi, Manager**

77 Washington St Restaurant, Inc.,

d/b/a The Reserve Restaurant, Valt 77 Lounge, The Exchange Events

77 Washington Street

**-Application for new Section 12 all alcohol license for the hours of Sunday- Saturday from 11am-1am.**

**Pending Business Occupancy and ABCC Approval**

**Pending Receipt of green cards and updated TIPS cert**

This was heard with the common vic and entertainment application. Sharbel appeared for the applications. He said on the first and second floor they have a restaurant. Sharbel and his partner have lots of experience in the industry. Sharbel said he is going to apply for a new manager for the liquor store.

**Commissioner Driscoll made a motion to approve the entertainment license, common**



victualler license, and all alcohol liquor license application pending zoning approval, tips certificate, and business occupancy. This was seconded by Commissioner Koutoulas. No public comment, vote unanimous, motion passed.

#### **10.6 Marcelline Carves, Proposed Manager**

Wilbur M. Comeau Post#4, American Legion, Inc.

d/b/a American Legion

1314 Main Street

**-Application for new manager.**

**Pending ABCC approval.**

David the treasurer was present for this application, along with the first commander and Marcelline. Marcelline said she would be on the premises 40 hours per week. She managed a salon for 30 years. She has filled in when the manager was away.

**Commissioner Driscoll made a motion to approve the change of manager application pending ABCC approval. This was seconded by Commissioner Koutoulas. No public comment. Vote unanimous. Motion passed.**

#### **11) MOTOR VEHICLE APPLICATIONS**

No Schedule

#### **12) CARRY IN LICENSE APPLICATIONS**

NO SCHEDULE

#### **13) ITEM FOR DISCUSSION**

No schedule

#### **14) SHOW CAUSE HEARING**

#### **14.1 Jonus Rustani, Manager**

The New Lantern Café, Inc.

d/b/a New Lantern Cafe

124 Essex Street

**-Show cause hearing: Alleged violation of 204 CMR 2.05 (2) permitting an illegality on the licensed premises to wit.**

**-Incident that occurred on or about May 26, 2024, at approximately 01:18**

Sergeant Lynch said this incident started inside the bar. They were saying that nothing happened inside the bar. Officer Bailey was present for this item. He was the Officer that investigated this incident. Officer Bailey said a call came in for a person laying on the ground outside. He was unconscious on Essex Street. The investigation showed the incident occurred as the bar was closing. A female said she was indecently assaulted inside of the bar, and she was later involved in the attack outside of the bar. He did review the video he does not see the indecent assault, but he did see an altercation. He said no one from the bar was aware of this. When the bar closed that is what caused the outside attack. He said there was an altercation inside. They stayed until closing time and then outside on the sidewalk another altercation happened.

Sergeant Lynch said he went there two weeks ago, and he could not find the person that was

working in the bar. The patrons did not know who was working there. They said they could not do anything with the video that night. He was told their video system was not working and they are in the process of installing a new one.

The Commission read minutes of prior meetings where it was said that the Licensee will update the camera system to 30-day retention.

Clirim and Jonus were present for this item. Clirim said he had witnesses, but they did not show up. He said the lady that caused the problem was a con person and they were in the bar that night.

Clirim was sworn in.

Jonus came up to speak. He said that the only incident that he recalls is when a young man confronted one of the females. He got upset that she was associating with people at the bar. He said there was no physical altercation inside at all and then they left. He said then they followed him outside when he left and assaulted him.

Officer Bailey said they were all dancing together inside of the bar on the night of this altercation. He said something happens where they stop dancing suddenly. Word were exchanged. They cannot tell what was said because it was a video. They stop associating with each other. Two and a half hours go by. After this the alleged altercation occurs outside on the street.

Chairperson Angus reminded them the last time they were here they said nothing happened at the bar that night. Jonus said he was on duty that night and he did not see anything that night. He said he was there some of the night by himself and his brother came down later on.

Commissioner Koutoulas said again there were not two people at the bar.

Chairperson Angus said this happened on a Friday into Saturday and the last meeting we said you were to have two people at the Thursday, Friday, Saturday, and Sunday.

Sergeant Lynch said the last meeting he stated nothing happened inside the bar. That is why we are here because clearly something happened inside the bar. He said one person cannot control what is happening inside the bar.

Jonus asked the Commission if he was responsible for people fighting outside when he is closed.

Commissioner Koutoulas said if they come from your establishment, you are. They said they cannot call the Police because they end up at the license Commission meeting.

The Commission asked them if they updated their camera system. Jonus said the camera system stopped working and they replaced it with a new system.

Sergeant Lynch said they need to get a working camera system. This is unacceptable.

Sergeant Lynch said when he went on the Saturday night there was no one there.

Chairperson Angus said something has to change and you are not getting the message.

Sergeant Lynch said there are not enough eyes in the building.

Jonus said he was going to order a new camera system. He said if he cannot order it online, he will buy one at Best Buy or BJs.

Clirim said there is a girl that always drinks in the bathroom, but they cannot put a camera in there. Chairperson Angus said kick her out.

Clirim said they would have someone at the back door.

Commissioner Koutoulas said 2 people should be there for all shifts Thursday, Friday, Saturday and Sunday and this is for public safety.

Commissioner Koutoulas said the incidents are increasing and the severity of the incidents are increasing. The police are not getting cooperation. They are not listening to the directives of the Commission.



Commissioner Koutoulas said if you are selling the business it needs to be safe. Also, if you see people coming in that you know are a con person or a problem do not let them in.

**Commissioner Driscoll made a motion to have the establishment close this coming, Friday, Saturday, and Sunday (September 6,7,8), and the following Thursday, Friday, Saturday, and Sunday (September 12, 13, 14, 15) must always have 2 bartenders on Thursday, Friday, Saturday and Sunday, camera system must be operational with a 30-day retention time and within 30 days and 8 months' probation starting tonight.**

Jonus said this will hurt their business very much. He requested an early close because business has been very slow, and bills still need to be paid.

**Commissioner Koutoulas seconded the motion.  
No public comment. Vote unanimous. Motion passed.**

The Commission told Jonus that he should call the police if there is anyone intoxicated, and he can close the bathrooms if he thinks there is anything going on in there. They also told him that if people are impaired in any way he cannot let them go.

#### **14.2 Jessica Willaims, Manager**

ACF LLC

d/b/a 978 Lounge

103 Washington Street

**-Show cause hearing: Alleged violation of 204 CMR 2.05 (2) permitting an illegality on the licensed premises to wit.**

**-Having an unauthorized person on the premises after hours.**

**-Possible overserving.**

Sergeant Lynch said on July 21 at 1:45am, officers were dispatched to 978 Lounge for a domestic disturbance. The female at the scene told officers that her and her boyfriend were drinking that night and employees at the establishment, and they had a verbal altercation. Sergeant Lynch is concerned that this was after hours. And there is a party intoxicated on the premises.

Attorney Denver Cherms was present for 978 Lounge. He said the gentleman that was there is responsible for paying the person who does karaoke. He brought the female, and she is also a server there. She was not on a shift, and they understand that she should not have been there after hours. They went to dinner and drinks at other establishments before going to do the payout.

Attorney Cherms said the female was not drinking at the establishment but that she was drinking at other places. He said they went in there around closing to make the payment.

He said there was a factory reset done to camera. That is why it was retaining for 2 weeks and not 30 days. He said it has been rectified and now it is set to motion detection, so it does not record for 24 hours straight.

Chairperson Angus said she is concerned because they asked for the cameras to be fixed in April, and they did not do that until September. Attorney Cherms said it was fixed however it somehow got factory reset.

Jessica said they are trying to get it permanently fixed, but it is not currently permanently fixed.

Attorney Cherms said they have taken steps to rectify the problem, and they have planned for the time in between.

Commissioner Driscoll said this is becoming a monthly occurrence.

Commissioner Koutoulas said she has concerns because these 2 people were intoxicated, and the establishment allowed them there intoxicated and after hours. Attorney Cherms said HPD only references the female as being intoxicated and not the male and the male came in employment capacity. The male oversees the promotional events there. The male does not serve alcohol. Sergeant Lynch said he went back to the bar looking for footage. He spoke to Hunter the bartender and he never heard back from her. Then when he got an appointment to go down with the IT guy, they were past the dates they recorded. He said the manager and the owner did not call him back.

Chairperson Angus said your phone doesn't work the owner will not call back and you are just now getting mail. She said if they send a notice, you will not get it. They need to be able to contact someone that is in charge.

Commissioner Driscoll said you are fresh off probation ending in April.

Commissioner Koutoulas said the incident itself is only half of the problem. The other problem is the lack of cooperation, and the lack of communication. There is a complete disregard from what we are asking.

Commissioner Koutoulas said this is not a solution it is a band aid.

Chairperson Angus said no one should have access to the cameras and the cameras are there for the protection of the public and the protection of the establishment also.

**Commissioner Driscoll made a motion to find a violation of 204 CMR 2.05 and for 978 Lounge close for 2 consecutive weekends (September 6 and 7 and September 13 and 14) and 8 months' probation with the stipulation to have a properly working camera system in place by 30 days from now as well as correct contact information for the manager, owner, and attorney and obtain a PO Box. This was seconded by Commissioner Koutoulas. No public comment. Vote unanimous, motion passed.**

**15) COMMUNICATIONS**

No SCHEDULE

**16) PUBLIC PARTICIPATION**

No Schedule

**17. OTHER BUSINESS**

No Schedule

**18. ADJOURNMENT**

**Commissioner Driscoll made a motion to adjourn at 7:32pm. Chairperson Angus seconded this item. No public comment. Vote unanimous. Motion passed.**