**License Commission Minutes**

**Thursday February 6, 2025, at 6 PM-Room 202**

**Virtual and In-Person Meeting**

*Attending: Chairperson Laura Angus, Commissioner Linda Koutoulas, Commissioner Patrick Driscoll, Sgt. Kevin Lynch – Haverhill Police Department, Detective Sgt. Glen Fogarty – Haverhill Police Department, and City Clerk Kaitlin M. Wright*

1. **PLEDGE OF ALLEGIANCE**
2. **APPROVAL OF THE MINUTES**
	1. **Approval of the minutes of the January 2, 2025 meeting**

*Motion:* Commissioner Koutoulas motions to approve the minutes from the January 2, 2025 meeting.

*Second:* Commissioner Driscoll seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

* 1. **Approval of the minutes of the January 14, 2025 meeting**

*Motion:* Commissioner Koutoulas motions to approve the minutes from the January 14, 2025 meeting.

*Second:* Commissioner Driscoll seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

1. **CONTINUED BUSINESSS**
2. **MISCELLANEOUS APPLICATIONS/REQUESTS**
3. **ONE DAY APPLICATIONS**
	1. **Anastasia Dimopoulos**

**Hellenic Orthodox Community**

**154 Winter St**

**-Application for one day all alcohol liquor license for a fundraiser dinner dance on March 1, 2025, from 7 PM – 1 AM.**

**- Has Police Department approval.**

Anastasia Dimopoulos, applicant, was virtually present for this application. States the event (dinner and dance) is a fundraiser for work on the church and tickets will be sold. Commissioner Angus inquires if there will be children present, Ms. Dimopoulos says yes but they will be in separate area with childcare.

*Motion:* Commissioner Driscoll motions to approve the One-Day All Alcohol License for March 1st.

*Second:* Commissioner Koutoulas seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

 **5.2 Jennifer Matthews**

 **L’Arche Boston North, Inc.**

 **57 Wingate St**

**-Application for one day all alcohol liquor license for a Ski-A-Thon fundraiser on February 22, 2025, from 5:30 PM – 8:30 PM.**

**- Has Police and Health Department approval.**

Jennifer Matthews, applicant, was present for this application. States the event will be two-part – a ski-a-thon and then an outdoor party on the deck. Chairperson Angus reminds applicant of wristband requirement from Haverhill Police Department (referred here after as HPD) and asks for applicant to explain plan. Applicant states that Bradford Ski will be open to the public that evening. Event attendees will obtain one colored wristband denoting they have purchased a ticket to attend the event and once IDs have been checked and confirmed attendee is 21 or over, they will receive another colored wristband to denote they are of the legal drinking age. The event itself will be contained with fencing and further, the bar area will also be contained with additional fencing. Chairperson Angus questions who is serving the alcohol as server is listed as Salvatore Ambra, but TIPS Certificate is for Erika DeFeo. Salvatore Ambra was present and indicated he is TIPS certified, but Erika will be serving at the event.

*Motion:* Commissioner Koutoulas motions to approve the One-Day All Alcohol License for February 22nd, with a rain date of March 1st.

*Second:* Commissioner Driscoll seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

1. **BUSINESS CERTIFICATES**
2. **ENTERTAINMENT APPLICATIONS**
	1. **Bassam Geha, Manager**

**Michael’s Function Hall Inc**

**d/b/a Phoenician Restaurant**

**12 Alpha St**

**-Application for Entertainment amendment to add sporting events to existing license**

**- Has Police Department and Zoning Approval, request by Building Inspector to have applicant call for an inspection after ring and seats are set up.**

Bassam Geha, applicant, was present for this application. Chairperson Angus reminded the applicant that the Building Inspector will inspect the ring once it is set up prior to the event. Chairperson Angus questions the certificate of insurance, which states it is for 1,000 people. Mr. Geha says the event will only have 350 people and will stop selling tickets at 350. Chairperson Angus reminds applicant that their occupancy is 399, which includes wrestlers, staff, etc. Police also require that any other sporting events, applicant notify them in advance. Chairperson Angus inquires if there are further events planned, applicant states just the one and indicates certificate of insurance was updated to include the City of Haverhill as insured.

*Motion:* Commissioner Driscoll motions to approve the application for amendment to existing entertainment license to include sporting events, pending approval of the Building Inspector.

*Second:* Commissioner Koutoulas seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

* 1. **Dennis Blanco, Manager**

**Twin Coast Tropicals, Inc.**

**Tropical Smoothie Café**

**400 Lowell Ave, Unit 9**

**-Application for new Entertainment license for Monday through Saturday for the hours of 7 AM to 9 PM and Sunday for the hours 9 AM to 9 PM for radio and TV**

**-Has Police Department and Zoning Department approval, pending business certificate issuance**

Items 7.2 and 8.1 were heard together.

Dennis Blanco, applicant, and Chrsitopher Baker, owner, was virtually present for this application. Chairperson Angus inquires where they are in the plaza. Mr. Blanco states they are in the old Weight Watchers unit. Chairperson Angus follows with question regarding their experience in the industry. Applicant states they have been operating Wendy’s in Massachusetts since 1997 and have 8 more Tropical Smoothie Cafes, as well. This is the second café in Massachusetts. Chairperson Angus questions their occupancy number versus number of seats and reminds them that their occupancy number includes staff. Mr. Baker states they have 32 seats.

*Motion:* Commissioner Koutoulas motions to approve the application for Entertainment license and Common Victualler license, pending business certificate.

*Second:* Commissioner Driscoll seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

 **7.3 Michelle Eason, Manager**

 **Michelle Eason d/b/a The Bradford Village Square**

 **109 South Main St**

 **-Application for new Entertainment license for Monday through Saturday for the hours of 7 AM to 2 PM and Sunday for the hours 7 AM to 1 PM for radio and TV**

**-Has Police Department and Zoning Department approval, pending business occupancy issuance**

Items 7.3 and 8.3 were heard together.

Michelle Eason, applicant, was present for this application. Chairperson Angus inquired if anything would be changing at the restaurant. Applicant said no, third times the charm. Chairperson Angus stated that the applicant has operated the business previously and this is her third time. There were no further questions on the matter.

*Motion:* Commissioner Driscoll motions to approve the application for Entertainment license and Common Victualler license, pending business occupancy.

*Second:* Commissioner Koutoulas seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

1. **COMMON VICTUALLER APPLICATIONS**
	1. **Dennis Blanco, Manager**

**Twin Coast Tropicals, Inc.**

**Tropical Smoothie Café**

**400 Lowell Ave, Unit 9**

**-Application for new Common Victualler license for Monday through Saturday for the hours of 7 AM to 9 PM and Sunday for the hours 9 AM to 9 PM**

**-Pending business certificate issuance**

Items 7.2 and 8.1 were heard together.

Dennis Blanco, applicant, and Chrsitopher Baker, owner, was virtually present for this application. Chairperson Angus inquires where they are in the plaza. Mr. Blanco states they are in the old Weight Watchers unit. Chairperson Angus follows with question regarding their experience in the industry. Applicant states they have been operating Wendy’s in Massachusetts since 1997 and have 8 more Tropical Smoothie Cafes, as well. This is the second café in Massachusetts. Chairperson Angus questions their occupancy number versus number of seats and reminds them that their occupancy number includes staff. Mr. Baker states they have 32 seats.

*Motion:* Commissioner Koutoulas motions to approve the application for Entertainment license and Common Victualler license, pending business certificate.

*Second:* Commissioner Driscoll seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

 **8.2 Mamoor Ahmed, Manager**

 **Barakah Enterprise LLC.**

 **d/b/a Crown Fried Chicken**

 **194 River St**

**-Application for new Common Victualler license for Monday through Thursday for the hours of 10 AM to 10 PM and Friday through Sunday for the hours 10 AM to 11 PM**

**-Pending business occupancy**

Mamooor Ahmed, applicant, was present for this application. Chairperson Angus inquired if they would be having any radio or television on premises. Applicant stated not at this time and Chairperson Angus stated that if that changes, they will need to apply for an Entertainment license. The Chairperson further asked what the applicants experience in the business was. Mr. Ahmed stated he has been doing this for three years and they have other locations in Manchester and Lawrence. Chairperson Angus inquired what they would be serving and applicant stated mostly fried and grilled food items. Further, she asked if they had applied for the business occupancy and applicant said yes.

*Motion:* Commissioner Koutoulas motions to approve the application for Common Victualler license, pending business occupancy.

*Second:* Commissioner Driscoll seconded.

*Vote:* 3-0-0 vote unanimous, motion passed

 **8.3 Michelle Eason, Manager**

 **Michelle Eason d/b/a The Bradford Village Square**

 **109 South Main St**

 **-Application for new Common Victualler license for Monday through Saturday for the hours of 7 AM to 2 PM and Sunday for the hours 7 AM to 1 PM**

**-Pending business occupancy**

Items 7.3 and 8.3 were heard together.

Michelle Eason, applicant, was present for this application. Chairperson Angus inquired if anything would be changing at the restaurant. Applicant said no, third times the charm. Chairperson Angus stated that the applicant has operated the business previously and this is her third time. There were no further questions on the matter.

*Motion:* Commissioner Driscoll motions to approve the application for Entertainment license and Common Victualler license, pending business occupancy.

*Second:* Commissioner Koutoulas seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

 **8.4 Michael Eras, Manager**

 **BCM Holdings d/b/a Roasted Coffee Bar**

 **181 Groveland St**

 **-Application for change of manager**

Michael Eras, applicant, was virtually present for this application. Chairperson Angus inquired about changes in the corporate structure and if he will still be the manager of the premises. Mr. Eras stated he bought his partner out and is now the sole owner of the corporation. He will still be the manager of the premises. There were no further questions on the matter.

*Motion:* Commissioner Driscoll motions to approve the application for change of manager.

*Second:* Commissioner Koutoulas seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

1. **OUTDOOR DINING APPLICATIONS**
2. **ALCOHOL/ABCC APPLICATIONS**
3. **MOTOR VEHICLE APPLICATIONS**
4. **CARRY IN LICENSE APPLICATIONS**
5. **ITEM FOR DISCUSSION**
6. **SHOW CAUSE HEARING**

 **14.1** **Panayiotis Panourgias, Manager**

 **The Fat Greek, LLC**

 **d/b/a The Fat Greek**

 **15 Washington St**

 **-Show cause hearing: Failure to renew your Common Victualler license and**

 **Entertainment license**

Manger was not present. Chairperson Angus states an email was received from Mr. Panourgias stating he is unable to attend due to staffing issues at his second location. He states that he came into the Clerk’s office on February 6th and completed the Common Victualler license.

*Motion:* Commissioner Driscoll motions to place the matter on file.

*Second:* Commissioner Koutoulas seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

 **14.2** **Charle Maroun, Manager**

 **CM Direct of MA LLC**

 **d/b/a Smith's Tavern**

 **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 November 10, 2024, at 01:56**

Manager was not present. Chairperson Angus states an email was received from Mr. Maroun stating he is unable to attend due to being in a motor vehicle accident and being in the hospital. Mr. Maroun requests the matter be continued to the following meeting.

*Motion:* Commissioner Driscoll motions to continue the matter on file to the March 6th meeting.

*Second:* Commissioner Koutoulas seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

 **14.3** **Phillip Charles Bentham II, Manager**

 **Hidden Pig LLC**

 **d/b/a The Hidden Pig**

 **130 Washington 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 November 28, 2024, at approximately 01:30**

Phillip Charles Bentham II, manager, Ashley Bentham, and Phillip Charles Bentham I were present for this show cause hearing.

Sgt. Kevin Lynch of HPD spoke on the matter. Sgt. Lynch stated that on November 28th around midnight, Detective Sgt. Glen Fogarty reported that all restaurants and bars were closed except for the Hidden Pig. There was a large crowd and a DJ was present, bar was standing room only. Last call called at 12:45 AM, by 1 AM the bar was still full of patrons, consuming alcoholic beverages, and Det. Sgt. Fogarty counted 110 people in the bar. Their occupancy is 77. Owner was also advised about the window coverings/shade. Per MGL Ch. 138, Sec. 1 window coverings should not exceed 5 feet from ground level.

Commissioner Koutoulas expressed concerns about the late hour that they were open and the overcapacity issue. Manager states that he never said to HPD that he would be open until 2 AM and further counters that he did not have 110 people in there – he states that he could not possibly fit that amount in his restaurant. Around 12:30 AM, his wife and father started getting people to leave. Some were unruly, so wife went outside to ask HPD for help and claims HPD did not offer help, instead they pushed back on the capacity. Manager expresses they spent $4,000 on the blinds and have put them from the top to middle and hoped that could be a common middle ground. He would have to remove current blinds to have it go from the ground up.

Commissioner Koutoulas states that the issue with the visibility is state law and the Commission must uphold the state law. She asks for Det. Sgt. Fogarty to step forward to speak on the matter. Det. Sgt. Fogarty approached the podium and states the manager said he was planning to close at 2 AM. Further, Det. Sgt. Fogarty states he did count 110 people and reminds the Commission that the Hidden Pig moves all their furniture to one side of the room to make room. He also witnessed a fight occur with patrons outside of the bar.

Manager continues to rebut and states he did not say open until 2 AM and could not fit the capacity of 110. Commissioner Koutoulas inquires if doorman has a clicker, manager states yes. Commissioner Koutoulas states that she will be trusting in the testimony of HPD and finds the establishment to be in violation both the time, occupancy, and the window coverings. Manager states the blinds are there for the safety of the staff when counting money. Commissioner Koutoulas asks Sgt. Lynch if the blinds came be brought down at the end of the night, but Sgt. Lynch states no - according to the ABCC blinds can only cover from the ground to five feet.

Commissioner Driscoll inquires when there is DJ entertainment do they have a doorman. Mr. Bentham states yes, always.

Commissioner Koutoulas asks if there is video. Mr. Bentham states they have video recording in the establishment, but it was not inspected or requested by HPD at the time and the retention period for the video has passed.

Phillip Charles Bentham I approached the podium to speak. He stated he was there that evening and everything was fine. He does not feel it was overcrowded but did not count.

Det. Sgt. Fogarty speaks and states that while manager did say he was going to be open until 2 AM, the business was not open until 2 AM. He was open after 1 AM but closed prior to 2 AM.

Chairperson Angus asks when last call is. Mr. Bentham (II) states they begin encouraging people for last call around 12:30 AM, then every 10-15 minutes continue to encourage people to wrap up and leave. Reiterates that the night in question, his wife asked for help to get patrons out by HPD. Claims HPD’s demeanor was very aggressive and unwilling to assist them, instead focused on them (owner).

Discussion pivots to patron who got into fight outside of the bar. Mr. Bentham states the patron is not his responsibility, could have been drinking at other bars all day. Commissioner Koutoulas corrects him – it is his/staff responsibility to observe patrons’ level of intoxication and not overserve.

Ashley Bentham approached the podium to speak. States she does not have much to add, manager stated everything correctly. She addressed blind issue and concern for staff during counting money. It was suggested that they get a folding screen to cover the area where and when money will be counted.

Commissioner Driscoll says capacity and blinds are major issues. Manager notes this is his first time having a capacity issue. He runs similar events each year and has never had an issue. Commissioner Driscoll asks if they only have a doorman during events, manager states yes. Chairperson Angus inquires how often they have events – manager says twice a year. Commission Driscoll requests that with any events of these nature that they have two doormen going forward.

Ashley Bentham asks if blinds can be down during the day. Commission says law states no.

Chairperson Angus requests that contact information be provided for both managers at the restaurant.

*Motion:* Commissioner Koutoulas motions to place The Hidden Pig on probation through March 18th, requires them to resolve the blind issue, and have two trained (communicate with each other) door persons at the door with clickers during events.

*Second:* Commissioner Driscoll seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

 **14.4** **Ronald Clermont, Manager**

 **Worthy Idea LLC**

 **d/b/a Oriental Gardens**

 **400 Lowell Ave**

**-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 October 30, 2024, at approximately 18:27.**

Ronald Clermont, manager, was present for this show cause hearing.

Sgt. Kevin Lynch of HPD spoke on the matter and addressed an incident on October 30, 2024. Officers were dispatched for a well-being check for an intoxicated individual who had fallen while exiting a cab. The individual stated he had been at Oriental Gardens (OGs) and had consumed several rum and cokes, but could not remember how many. The individual was later transported to the hospital. Sgt. Lynch spoke with manager of OGs to obtain video footage and was informed they did not have video for the times requested.

Mr. Clermont spoke and states the individual arrived around 12 noon. The individual arrived on public transportation, ordered lunch and 4 Barcadi and Cokes, and left around 5 PM in a taxi. Mr. Clermont presented the receipt for the individual’s tab.

Commissioner Koutoulas inquired why the cameras do not work. Mr. Clermont stated they have had a few issues with the cameras, and he has had IT come to fix the cameras, but was not able to get them to store more than two weeks’ worth of footage. He has been working to have the storage increased.

Chairperson Angus questioned the receipt and noted the individual was charged for two drinks at 3:57 PM. Mr. Clermont says that sometimes bar tenders ring drinks in all at once. States he spoke with his staff to remind them that the drinks should be rung in at the time they are handed to the customer. Also states that he inquired with staff if the individual appeared okay, bartender indicated he seemed “like his normal self.”

Chairperson Angus states that it is very concerning that the individual left in that state. Manager agreed.

*Motion:* Commissioner Driscoll motions to place Oriental Gardens on probation for a period of thirty days, require re-training of all staff who serve alcohol in-person for TIPS certification and send notification once completed to the Clerk within 30 days, fix the camera issues and update the retention to 30 days and send notification to the Clerk once completed within 10 days.

*Second:* Commissioner Koutoulas seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

 **14.5** **Pierre El Hayek, Manager**

 **Pierre El Hayek**

 **d/b/a Topline Imports**

 **534 River Street**

 **-Show cause hearing: Business practices**

 **-Failure to renew Class II car dealers license**

 **-Failure to attend the meeting of January 2, 2025**

Pierre El Hayek, manager, and Julian Branker was present for this show cause hearing.

Sgt. Kevin Lynch of HPD spoke on the matter, addressing a complaint received by the License Commission in December from Attorney Lowman regarding business practices at Topline Imports, alleging that Topline sold two cars in 2024 and neglected to send the titles to the Credit Union financing the cars. Sgt. Lynch indicates that between March 2022- December 2025, HPD received 14 documented incidents of complaints and numerous phone call complaints which range from no getting deposits back, not getting repairs done, etc.

Mr. El Hayek states that everything Sgt. Lynch has said is correct. He has overextended himself and hired a manager for the Haverhill location, who was not trust worthy. He states that he owns the business and is ultimately responsible. Further, states he has a desire to correct the problems. He has terminated the bad employees and is trying to move forward to better the business.

Commissioner Koutoulas asked if all cars on property have Lemon Law stickers on them. Mr. El Hayek said “Not all of them.” Commissioner Koutoulas stated that all cars must have them by law and this needs to be fixed immediately.

Chairperson Angus inquires why Mr. El Hayek did not attend last month’s meeting. He states that his employee received the letter and never notified him. The employee has since been terminated. Further, Chair Angus asked if he had renewed his dealer license yet and Mr. El Hayek presented to the Chair his 2025 license. Chair Angus then asks who is running the business. Mr. El Hayek states that himself and Julian Branker.

Commissioner Koutoulas asks Mr. El Hayek what his plan is. He states he wants to make things right and correct his business reputation. He has terminated his staff. He claims he has been in business for 15 years and the problems only began when the above-mentioned employee started working there.

Commissioner Koutoulas asks Mr. El Hayek who trains the employees. He states he does.

Julian Branker approaches the podium to speak. He states he has known Mr. El Hayek for fourteen years. He shares with the Commission about his experience in the auto industry and specifically, with Mr. El Hayek and Topline. Alleges the employee stole from the business, including their receipt books.

*Motion:* Commissioner Driscoll motions to place Topline Imports on probation for a period of 6 months and requires them to ensure that all cars have Lemon Law disclosures on them.

*Second:* Commissioner Koutoulas seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

 **14.6** **Carol Ann Duggan, Manager**

 **Haverhill Lodge #165 B.P.O.E of Haverhill**

 **d/b/a Elks Club**

 **24 Summer St**

 **-Show Cause Hearing: Alleged Violation of 204 CMR 2.03 Permitting an illegality on the licensed premises, to wit: Alleged Violation of 204 CMR 2.05, (7) to wit: No Club licensed to sell alcoholic beverages shall use any signs, printed matter or other means publicly to advertise the sale of alcoholic beverages**

Carol Ann Duggan, manager, was present for this show cause hearing. States have been holding this event for several years without issues and did not realize there was a problem with what they are doing. Chairperson Angus reminded them that as a club license they cannot advertise to the public and the advertisement does not state for members only. Further, they cannot use images of alcohol for advertisement. Ms. Duggan states interested parties needed to enter the club to sign up and would need to be a member or accompanied by a member. Further advertisement must indicate the event is for members only.

*Motion:* Commissioner Driscoll motions to place the show cause hearing matter on file.

*Second:* Commissioner Koutoulas seconded.

*Vote:* 3-0-0 vote unanimous, motion passed.

1. **COMMUNICATIONS**
2. **OTHER BUSINESS**
3. **ADJOURNMENT**

*Motion:* Commissioner Koutoulas motions to adjourn.

 *Second:* Commissioner Driscoll seconded.

 *Vote:* 3-0-0 vote unanimous, meeting adjourned at 7:46 PM.

**No Public Comment.**

**Respectfully submitted,**

****

**Kaitlin M. Wright**

**City Clerk**