

Minutes of the September 17, 2020 meeting of the City of Chelsea Licensing Commission.

Location: Chelsea City Hall Council Conference Room 500 Broadway, Chelsea, MA. Meeting opened at 6:10 p.m. by Chairperson James Guido.

Commission members present: Chairperson James Guido, Mike McAteer, Gladys Vega and Emily Cherniack

Present in Council Conference Room: City Solicitor Cheryl Watson Fisher, Licensing Administrator Naomi Libran and Captain Keith Houghton, Officer McLaughlin, Officer Noftle.

Chair Guido asked for a motion to accept the minutes of the July 16, 2020, McAteer motioned to adopt, Cherniack seconded and vote unanimous.

Communications / Clerk's Update:

1. City Solicitor discussed the ABCC enforcement efforts with the police department and that two established have scheduled hearings with ABCC on September 29, 2020. The establishments cited by the ABCC are Latinos Falcons at 158 Broadway, and Rincon Latinos Restaurant at 373 Washington Avenue.
2. City Solicitor Cheryl Watson Fisher discussed the Governor's Order to Extend Outdoor Seating if allowed by local licensing. Guido moved to extend outdoor seating upon request to December 31, 2020, McAteer seconded and vote unanimous.
3. A discussion as to Amusement and Entertainment license renewal fees occurred with the recommendation that the fees be lowered for 2021 to \$50.00 per category instead of \$150.00 per category.

The Chair opened the Public Hearing to consider a Change of Manager application of the All Alcoholic Beverages (On Premise) License of Colwen Management, Inc. d/b/a/ Holiday Inn Chelsea at 1012 Broadway, Chelsea, MA. Present for the petitioner was Attorney Rashi Mangalick and proposed Manager Chavonne Johniken. Attorney Mangalick mentioned that the new manager has had several years of experience in hospitality and managing bars. Chair opened public speaking and no one spoke. McAteer motioned to approve change of manager, Guido seconded and vote unanimous.

Chair opened the Public Hearing to consider a New Wine and Malt Beverages License application (Package Store) for Mohammed Oumarhouch d/b/a 7-Eleven at 115 Broadway, Chelsea, MA. Present for the Petitioner was himself and his Attorney Simeone. Attorney Simeone mentioned that he was aware there was no license and Commissioner McAteer mentioned that the sale of alcohol is also a change in use that requires a special permit. City Solicitor Fisher mentioned that there are no available licenses at this time and petitioner was aware of it. The ABCC regulations require a public hearing to be held within 30 days of receipt of the application. Chair opened public speaking portion and Captain Houghton

stated his concerns about how many licensees are in the general area of petitioner's location. Houghton mentioned the issues that CPD experienced on that end of the Broadway Corridor with public drinking. Attorney Simeone mentioned that the Petitioner has been operating his business for a long time in Chelsea with no problems. He has worked for over 21 years and has no substantial violations and is an asset to the Courthouse. He wants to be competitive in this bad economy and most of the stores have beer and wine these days. He is asking for what is a staple in convenience stores these days. Every dollar counts and the alcohol will be sold from the counter. Commissioner Guido mentioned that he doesn't want single cans of beer sold. Attorney Simeone felt that was not a problem. Guido further said that the matter should be continued since there are no licenses. Simeone said that would not be problem. Vega said she would like to review the issue of a "public need" in the next hearing. McAteer moved to continue the hearing Guido seconded and vote unanimous.

Chair opened the Public Hearing to consider a Change of Manager application of the All Kinds of Alcoholic Beverages (On Premise) License of Merritt Social and Athletic Association, Inc. at 101 Webster Avenue, Chelsea, MA. Robert Connors appeared on behalf of the Club and himself. He would like to take over managing the bar because prior manager resigned and retired and moved to Florida. He said he has read the City's rules but has no experience running a bar. Chair opened public speaking and Captain Houghton said it is a social club and they performed a CORI check and see no issues. Connors said right now it is club only and no function use. McAteer moved to approve the change of manager. Cherniack seconded and vote unanimous.

Chair opened the disciplinary matter of Miriam Lopez of 250 Main Street, Everett, MA., employed by Blue Taxi. The matter involved an appeal of the Licensing Department Commission decision of denial of a Hackney Driver license and violation of refusing to accept a fare (complaint). Ms. Lopez with her translator Yaribeu Perez, Complainant Bill Martinez and his daughter Gillian Fulani all appeared. The complaint was that she refused a fare because it was under \$5.00. The Solicitor stated that Ms. Lopez should not have been driving at all because she did not have a current Hackney License. Ms. Lopez said she did not renew because she was driving for Uber and didn't think it was necessary to renew her Hackney License. Complainant said he is madder at the taxi owners because another taxi denied him again because fare was under \$5.00. Ms. Lopez gave conflicting stories as to whether she denied him. In her letter, she wrote she was not working that day and at the hearing, she stated that she had a call to pick up another fare. The commissioners ask the complainant if this is the taxicab driver and he said he was positive it was her. McAteer asked Ms. Lopez if she recognizes the complainant and she said she doesn't remember him. Chair Guido moved to approve the license and asked Licensing to bring in the taxicab owners. Cherniack seconded and vote unanimous.

Discussion amongst Commissioners and staff as to taxicab owners and instead of bringing them in before the Commission, Licensing staff was to send out a letter informing taxicab owners of the rules.

Licensing meeting adjourned at 6:53 p.m.

Next meeting October 29, 2020.

Approved on November 12, 2020

  
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