

Minutes of the November 1, 2018 meeting of the City of Chelsea Licensing Commission.

Location: City Hall Council Conference Room 500 Broadway

Meeting opened at 6:08 p.m. by Mark Rossi (Chair)

Commission members present: Michael McAteer (McAteer), Vice Chair Jim Guido (Guido), Roseann Bongiovanni (Bongiovanni), Jazmin Valentin (Valentin) and Mark Rossi (Chair)

Also present: Officers Nicole McLaughlin, Mustafa Mirza, Danielson Goncalves and Detective Carlos Vega on behalf of Chelsea Police Dept., Strehon Treadway on behalf of Chelsea Law Dept. and Licensing Administrator Jenny Builes.

Chair Rossi announced to the public that this meeting will be voice recorded.

Guido moved to adopt the minutes of the September 25, 2018 meeting and the October 4, 2018 Special Meeting. McAteer seconded. Valentin-yes; Bongiovanni-yes and Chair Rossi-yes. Vote Unanimous.

Clerk's Update/New Business:

Licensing Administrator read all communication to the commission and public. Guido motioned to accept and file. Bongiovanni seconded. Valentin-yes; McAteer-yes and Chair Rossi-yes. Vote unanimous.

Continued Public Hearing: Rincon Latino Restaurant at 373 Washington Avenue

Chair Rossi opened the public hearing for Rincon Latinos Restaurant at 373 Washington Ave regarding Chelsea Police Incident Report #18-1923-OF. Guido motioned to continue the public hearing. The Licensing department will send out the notice outlining the allegations. McAteer seconded. Valentin-yes; Bongiovanni-yes and Chair Rossi-yes. Vote unanimous.

Public Hearing: Bar La Cueva at 802 Broadway

Chair Rossi opened the public hearing to consider a Change of Manager application for Aguilar Corporation d/b/a Bar La Cueva at 802 Broadway. Attorney John Dodge of 100 Everett Avenue Suite two in Chelsea appeared along with Jessy and the principal of the corporation Manuel Aguilar. They would like to achieve a change of manager. Jessy has been working at the establishment for five years, works at Cambridge Health alliance and is a student. Jessy works at the establishment at night and is also TIPS certified. Officer McLaughlin questioned on if Jessy has any managerial experience. The experience she has is by working at the establishment with her uncle. Jessy is very familiar with the establishment and how it operates. Officer McLaughlin mentioned that recently Chelsea Police visited the establishment for an alcohol compliance check and the only issue was noise and this was addressed with the owner. Chair Rossi opened the public speaking portion. No one spoke, therefore the public speaking portion was closed. Bongiovanni was concerned on the history of the establishment and reassured the applicant that it will be their responsibility of this establishment and license. Jessy will be at the establishment for approximately 20-30 hours Thursday through Sunday. Mr. Aguilar will also be at the premises. Bongiovanni seconded Commissioner Guido's motion. McAteer-yes; Valentin-yes and Chair Rossi-yes. Vote unanimous.

Continued Public Hearing: Fine Mart at 266 Broadway

Chair Rossi opened the public hearing for Fine Mart at 260-266 Broadway regarding Chelsea Police Incident Report #18-953-AR. Attorney Brian McNelis of Melrose appeared along with Minh Vo and Diep Ngo. They are the owners and Minh is the manager. Officers Mirza and Officer Goncalves responded at the establishment on September 20 for a fight. The victim reported that she was assaulted by a worker at Fine Mart. She declined medical attention but was later taken to the hospital because she appeared to be intoxicated. Chair Rossi would like the record to note that the alleged victim has filed a criminal complaint. Officer Mirza testifies that the witness had later told him that she was sitting in her motor vehicle parked in front of the store while the victim was getting in assaulted then landed on the witness' car to which caused damage to the vehicle. Officer Mirza also testifies he reviewed the video footage and seen the victim walk into the store, take a beverage then tried to conceal it into her jacket or purse. She tried to attempt to shoplift that's when a clerk tried to stop her. As the clerk escorted her out a few words were exchanged, then proceeded to be a physical altercation when the clerk pushes her and she hit him with her handbag, he kicks her out the door. Detective Vega testified that he has not received the video footage. Attorney McNelis has the video footage ready to be picked up to which they will coordinate a time to recover the video. Chair Rossi opened the public speaking portion. No one spoke, the public speaking portion was then closed. Attorney McNelis spoke and mentions that this person has been there before to steal. She was actually in the establishment the same day and was stealing to which she was removed. McNelis spoke to the clerk and says that this person was spitting at him and telling him to "go back to China." They have been the owners for 20 years, have been married for 30 years and have never had to go before the board for something this serious. The clerk is no longer working there, he is suspended at the moment. There's been a history with this person which she keeps coming back to the establishment. McNelis mentions that the clerk claims that he has to call a specific phone number for police and not 911. Minh Vo spoke mentioning that he has guideline with his employees not to touch anyone. He reviewed the video and saw that the clerk saw her put a bottle in her bag. As he was trying to remove her from the premises she slapped him and yelled offensive words. Mr. Vo later spoke to his employee to treat everyone like human and if he cannot handle the situation call the police. He also mentions that he suspended/fired his brother in law from working there. Chair Rossi was concerned that there were two clerks and no none made the call to police. It took someone from the street to call the police. Ms. Ngo also spoke and mentioned that the clerk is her brother that has been working there for 18 years and explained that he kicked her in the foot an not in the stomach. She also adds that she trained her employees to treat people with respect and call the police. That day she claims that her brother did not remember the phone number to call the police and he was told to call a different phone number to call police instead of 911. Her brother is fired. Guido is inclined to table the report. He believed the owners are taking action on the situation. Chair Rossi is inclined to continue the hearing so that Chelsea Police have a chance to view the video. He would also like some remediate solutions to prevent this from happening again. Chair Rossi motioned to continue the public hearing to the next meeting. Bongiovanni seconded. Guido-no; Valentin-yes and McAteer-yes. 4-1

Public Hearing: Lama Entertainment at 5-11 Everett Avenue

Chair Rossi opened the public hearing to consider a Transfer of license to Lama Entertainment at 5-11 Everett Avenue. Attorney Jeffery Rosario Turco of 378 Broadway in Chelsea appeared along with Antonio Lama 164 Bloomingdale St. Chelsea. Officer McLaughlin had no issues and would like the establishment to keep communication as to security with Chelsea Police Dept. Attorney Turco spoke and is seeking a transfer of license from Bella Villa restaurant to Lama Entertainment LLC. Mr. Lama currently is the service manager at the registry motor vehicle in Revere. He has prior experience in restaurants and would like to get back into this type of industry. He's also applied for the common victualer license

and amusement/entertainment license. Chair Rossi opened the public speaking portion. Roy Avellaneda of 122 Bellingham St spoke and was concerned about the entertainment license for dancing by patrons. Maryanne Winship of 62 Beacon Street would like the establishment to have a video surveillance system. No one else spoke, therefore the public speaking was then closed. The hours are 4pm to 1a.m. seven days a week. Mr. Lama mentions that his background is food and beverage which is his passion. He will work at the RMV then at the establishment every day. He is TIPs certified and has been certified for the last 25 years. He is proposing a modern dinner establishment with background music, bar and Tapas which are small dishes from Spain or Peru and other countries cuisine. He plans to work at the establishment 30 hours a week along with his wife and eventually hire a day time manager. There is limited parking at this location but Mr. Lama assures that there is more parking available at night. McAteer mentions that a space of 5,000 square feet or less do not need parking through zoning. The entertainment lists dancing by patrons and live bands for occasional jazz musicians and dancing for any customers that would like to stand and dance. Mr. Lama understands this establishment is small and does not have the space for dancing by patrons. The occupancy is 48. Bongiovanni is concerned on the operating hours. Chair Rossi is concerned on the operating hours and the possibility of turning into a night club. Guido to approve and change the hours Monday-Thursday 4pm to midnight and Friday-Sunday to 4pm to 1a.m. McAteer seconded. Chair Rossi-yes; Bongiovanni-yes and Valentin-yes. Vote unanimous.

Public Hearing: La Chula LLC d/b/a La Chula Restaurant 22 Washington Ave

Chair Rossi opened the public hearing to consider a Restaurant, All Alcoholic Beverages License Common Victualer license and an Amusement/Entertainment license application to La Chula, LLC d/b/a La Chula Restaurant at 22 Washington Avenue. Jose and his wife Irene Torres appeared at the owners of the restaurant they would like to open an all American breakfast with Mexican dishes including pancakes and omelets. In the afternoon/evening the dishes will be Spanish dishes mainly because of the population in the neighborhood. Officer McLaughlin spoke and has no issues but would like to know how Mr. Torres will manage this establishment if he is also managing the Los Agaves Restaurant. Chair Rossi opened the public speaking portion. No one spoke therefore the public speaking portion was then closed. Mr. Torres mentions that his wife will be managing the restaurant at 22 Washington Ave and he will be co-sharing both locations. Mr. Torres mentions he and Mrs. Torres are members of the Chamber of Commerce. The liquor license application will not be approved until we have license available to which we will need to have another public hearing. Mr. Torres understand that there are no license available but would like to get on the record. Mr. Torres would like to remove the jukebox from the application. Guido motioned to approve the applications and change the hours to Monday-Thursday 7am to 12 midnight and Friday-Sunday 7am to 1 a.m. Bongiovanni seconded. McAteer-yes; Valentin-yes and Chair Rossi-yes. Vote unanimous.

Chair Rossi motioned to adjourn. Bongiovanni seconded; McAteer-yes and Valentin-yes. Meeting adjourned at 7:30 p.m.