

Minutes of the April 24, 2018 meeting of the City of Chelsea Licensing Commission.

Location: Chelsea Public Library 569 Broadway Chelsea, MA 02150

Meeting opened at 6:03 p.m. by Mark Rossi (Chair)

Commission members present: Mark Rossi (Chair), Michael McAteer (McAteer), Vice Chair Jim Guido (Guido). Absent: Roseann Bongiovanni (Bongiovanni)

Also present: Officers Christopher Troisi, Nicole McLaughlin and Det. Carlos Vega on behalf of Chelsea PD, Strephton Treadway on behalf of Chelsea Law Dept. and Licensing Administrator Jenny Builes.

Guido moved to adopt the minutes of the March 27, 2018 meeting. McAteer second. Chair Rossi- yes.

Clerk's Update/New Business:

Licensing Admin read all communications to the commission and to all members of the public. Chair moved the communication regarding Ventura Taxi to a conference for next month's meeting. All other communications were accepted and filed. Guido- yes; McAteer-yes and Chair Rossi- yes.

Public Hearing: Mi Salvador & Mexicano Restaurant at 220-222 Broadway

Chair Rossi opened the public hearing to consider revoking, suspending or modifying the All Alcoholic Beverages License of Mi Salvador & Mexicano Restaurant at 220-222 Broadway relative to the police report #18-515-OF and violating Mass General Law Ch.138 Sec.69. Attorney John L. Dodge of 100 Everett Ave Suite 2 in Chelsea MA appeared along with Vladimir Chino Aquino of 45 Proctor Ave in Revere MA, and he is also the owner of the restaurant. Madeline Chino of 224 Crest Ave in Chelsea MA also appeared on behalf of Mr. Aquino. Officer Chris Troisi appeared on behalf of CPD and attorney Strephton Treadway on behalf of Chelsea Law Department 500 Broadway Chelsea MA 02150.

Chair Rossi opened the public speaking portion. Marianne Winship of 61 Beacon Street in Chelsea MA, spoke and is in support of Mi Salvador & Mexicano. She was stunned when she heard about this incident. She encourages the commission to work with the owner because the establishment has been very helpful in the community. No one else spoke, therefore the public speaking portion was then closed. Attorney Dodge spoke and mentions that they do not contest the underline of the Chelsea Police. Attorney Treadway confirmed with Dodge with admitting to the factors of the police report. Treadway mentions that the facts in the police report are identical to the video that was obtained by CPD. The Everett Ave surveillance video shows a family of two adults and two children. The mother is stumbling, the husband and children get inside of the car. The premise video shows the mother coming inside the establishment in good condition. Later on, the mother is being dragged out by security. Guido questioned what type of an establishment this location is. Dodge confirmed that it is a restaurant since 2009. The Mr. Aquino also has a brother Jose Aquino who owns Cinco de Mayo. Mr. Aquino are has a tortilla factory on Crescent Ave. He also has a restaurant in Revere and has had no issues until this incident. Dodge mentions that Mr. Aquino is deeply upset and horrified from this incident. Mr. Aquino is usually at the premise but, unfortunately that day his grandson Nicholas suffered from a cardiac arrest on February 3, 2018 and was sent to MGH. He went there to support his family. Dodge presented a copy of the report to the commission. He mentions that his grandson was at the hospital for a few days from 2/3/18 to 2/11/18. Afterwards, he was sent to rehab. Mr. Aquino was not present at the restaurant that evening. The waitress Jamie Hernandez was a new hire for approximately one week. She was not TIPs certified. The security was from Tito's Security. The waitress served the family a total of five margaritas from the receipt Mr. Aquino retrieved. He thinks maybe the family had a few drinks before

arriving to the establishment. He informed Tito's Security not to send that individual back to his establishment. Mr. Aquino also fired Ms. Hernandez and required all of his staff to be re-eTIPs certified. All members of his staff were re-certified by Victoria Hart. He also decided to limit patrons to three drinks. Those who request more will be refused service and be asked to leave. No children under 21 years old will be allowed inside the premises after 11pm. Last call will be at 12:30 a.m. He asks the commission that no discipline is taken at this time. He assures that this incident will not happen again.

At the time of this incident the staff was unsupervised due to the family emergency. McAteer questioned who is second in charge of the establishment if the owner is not present. That day, Mr. Aquino depended on his employees to manage the establishment. Aquino did not know that this incident occurred in his establishment, until Chelsea Police requested a 30 days video surveillance. Dodge mentions that Aquino's staff did not report this incident to Chino and nothing happened inside the establishment until the subject was arrested outside. Treadway reminds everyone that the mother in the video was dragged out of the establishment. Dodge understands what occurred that evening and Chino is taking the steps to correct it. Treadway recommends viewing the video surveillance. Rossi summarized the actions that Chino will be taken to avoid this incident again. He reminds the rest of the commission that Aquino is willing to limit the drinks served, limit children under 21 years old to be at the establishment after 11pm and has re-certified all his staff. Rossi questioned Aquino on his hiring policy. Aquino mentions that for this particular waitress she came into the establishment looking for a job. She had no experience but he was willing to train her on the menu and computer system. She was hired as a trial for one week and eventually will be TIPs certified. Aquino will now require experience and TIPs certification as a requirement. Rossi questioned if this emergency was to occur again who will be on premise managing the establishment. Aquino mentions that his waiter has five years of experience with working with him will assist. Dodge asked the license to be suspended and Chino will provide a name who will be in charge in case of an emergency. McAteer motioned to suspend the license for two days in abeyance for eighteen months provided that the licensee has no further violations and provide a designee in case of an emergency within thirty days. Guido second. Chair Rossi-yes.

Public Hearing: Gran Chimu, Inc. d/b/a Las Palmas Restaurant at 44-48 Central Ave

Chair opened the public hearing to consider revoking, suspending or modifying the All Alcoholic Beverages license of Gran Chimu, Inc. d/b/a Las Palmas Restaurant at 44-48 Central Ave relative to the police report #18-524-OF and violating City of Chelsea Licensing Commission Rules and Regulations Section 2.17(a). Attorney Audai Cote appeared on behalf of Liliana Rivera the owner of Las Palmas Restaurant. He mentions that the property is currently under an agreement. The potential new owners are interested in building a residential apartment building and are not interested in the liquor license. He requests the commission to allow Las Palmas to operate for six months until the new owners apply to the zoning board. Chair Rossi opened the public speaking portion. No one spoke, therefore the public speaking portion was then closed. Chelsea Police Department had no comments. Cote requested to keep the establishment open until the end of the year. He also has the agreement between the new owners digitally and he mentions that Ms. Rivera has returned from Peru. Guido was concerned on why she did not come to this meeting. Cote mentions that the licensee would like to sell the license and pay off her expenses due to this establishment. Chair Rossi comments on how last month the licensing commission suspended her license. Guido motions to revoke the license of Las Palmas. McAteer seconds. Chair Rossi- yes.

2018-2019 Renewal Licenses for Petroleum Storage, Garage Repair Shops, Parking Lot/Garages, Old Gold and Pawnbroker Licenses. Guido motioned to approve renewal applications to licensee's who renewed in a timely matter. Those who did not renew will receive late notice. McAteer second. Chair Rossi- yes.

Meeting adjourned at 7:06 p.m.

Respectfully submitted by,



Jenny Builes
Licensing Administrator

Adoption Date: 5/22/2018



Mark Rossi, Chair



James Guido, Vice Chair



Michael McAteer, Director ISD



Roseann Bongiovanni, Member