

**Minutes of the April 13, 2023 meeting of the City of Chelsea Licensing Commission.**  
**Location: City Chambers, City Hall. Meeting opened at 6:00 p.m. by Chairperson**  
**Marnie MacAlpine**

**COMMISSION MEMBERS PRESENT:** Marnie MacAlpine, Emily Cherniack, Mike McAteer, Alexandria Christmas

**ALSO, PRESENT IN COUNCIL CHAMBER ROOM:**

Licensing Administrator Naomi Libran, City Solicitor Cheryl Watson Fisher, Police Chief Keith Houghton, Captain David Betz, Officer Nicole McLaughlin, Assistant City Solicitor Peter Christopher and Councilor Leo Robinson. Commissioner MacAlpine asked for a motion to accept the minutes of the March 16, 2023, McAteer motioned to adopt, Christmas seconded and vote unanimous.

**CLERKS UPDATE/ NEW BUSINESS:**

City Solicitor Fisher asked if we could have a motion to approve of renewals for the following:

- Petroleum License
- Old Gold Licenses
- Pawnshop License
- Garage/ Parking Lot License

Alex Christmas motioned to approve, Marnie MacAlpine seconded and vote unanimous.

City Solicitor Fisher spoke about why the process to change the retail Marijuana Application changed slightly, and the miscommunication between the Commission and the Administration. She recommended that the Commission should on occasion bring some of the applicants back to see progress. She would like to bring back some of the already granted "provisional" licenses, to make sure they are on course to open up.

Chair read the communication from taxicab owners as to the rates. Ms. Fisher recommended that the commission hold **Public hearing on Taxi Cab Fares** in the city of Chelsea. The Licensing Department has been collecting data stating that the initial fare and the subsequent mile charge, is not enough. The price of gas is up, Cost of living is up: Starting fare is \$1.60, then .45 Cents and a .50 cent fuel charge also a \$24.00 hourly wait time, these fees have not been reviewed since 2005. Licensing will gather information regarding this issue for the owners of the taxi companies as they would like us to review the fares and have a public hearing on it.

Commissioner MacAlpine opened the **Public Hearing to consider an Amusement & Entertainment License** application for John Flynn appeared for FIESTA Show Carnival from June 8, 2023- June 18, 2023 at 295 Eastern Avenue, Chelsea MA closing at 10 Pm per evening. John Flynn explained that the only change is that there is a second egress that was not there last year. Will be using amplification that are on the rides. MacAlpine opened public speaking portion, Roy Avellenada spoke that there have been no issues with this event. Chelsea has been working with the Kiwanis Club to raise money for scholarships for Chelsea High School. McAteer motion to approved, subject to Police & Fire Review, MacAlpine seconded and vote unanimous.

Commissioner MacAlpine opened the Public Discipline Hearing to consider revoking, suspending or modifying the Liquor Consumption License at Pineda Restaurant Corp, DBA Rincon Latino at 373 Washington Ave. Chelsea, MA. Appearing on behalf of the owners (Orlando & Ricardo Pineda) was attorney Lawrence Christopher. Attorney Christopher began by stating the establishment suspended the waitress and that all facts are admitted in the police report. The restaurant does not dispute the actions of the employee. He has relayed that his employees have been trained with Safe Serve/TIPS.

Ms. MacAlpine has some concerns that this business has not obeying the rules and regulations since 2017, they have been before the board several times. Some concerns of the restaurant are: was there a supervisor on the floor watching this exchange, also there was a waitress off duty drinking behind the bar (which is illegal). One of the owners denied that the waitress was working.

Much debate regarding the operation and safety plans, and why there was no supervisor. The video that was shown by the police department, showed the patron being served approximately 15 beers within 5 hours, and the waitress/employee going behind the bar dirking and then later on serving a drink to a customer. The police department then showed a video from the liquor store next door whereby the same patron left Pineda and then walked into the liquor store. He caused a disturbance by knocking down items in the store. Police department stated it was obvious he was over served because the establishment attempted to place him in an Uber.

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Chair opened public speaking portion and Chief Keith Houghton spoke as a neighbor, not official capacity, and said this business has issues, lots of traffic throughout the 18 hours this bar is open. He spoke that there is people urinating and walking in and out. The committee watched the video of this gentleman being served over 15 beers within a 4 hour period, no food, no water and needed help putting his coat on and stumbling out of the bar.

Assistant City Solicitor Peter Christopher asked who was supervising the staff, the wife was in the kitchen cooking at the time, and could see the rest of the establishment. Mr. Pineda is usually there, just so happens he was not this day. He also wanted to clarify that the waitress who was drinking behind the bar was NOT working at that time. There was not a supervisor on duty when this occurred. The Chair pointed out that she went behind the bar to take a beer.

The Commission did watch the video and acknowledged that, after the gentleman left the bar, he then continued to go into a liquor store, where the cashier refused to sell him any alcohol. There were words exchanged, and a bystander called the police, anticipating an issue.

The Licensing commission members discussed the following:

Establishment should not serve buckets of beer

Owners to supply Current Safe Serve/TIPS Certifications from both staff and managers

The Commissioners discussed the length of time for a suspension. McAteer recommended 3 days. Christmas moved that the liquor License will be suspended from Thursday May 4<sup>th</sup> thru Thursday May 11<sup>th</sup> – seconded by Cherniak. Christmas, McAteer and Cherniak voted in favor, MacAlpine voted against.

Commission Member Christmas would like an action plan from the owners, going forward and how it will be executed and Commissioner MacAlpine stated that she was not convinced that this business will comply with whatever the commission recommend, because they have not complied with any other disciplinary actions previous. Commissioner MacAlpine is opposed to this action, warning the proprietors, that next time will be a much harsher punishment.

Commissioner MacAlpine opened to consider a **Retail Marijuana Establishment License for Concrete Garden Inc.** DBA Concrete Garden at 307 Broadway, Chelsea MA. Vladimir Samuel, will have 11-15 employees, 75% from Chelsea and surrounding areas. They also are awaiting CCC's provisional license. CPD has already approved security plan, which includes cameras, panic buttons. Will be in collaboration with North Suffolk Mental Health which is directly next door. Hours of operation will be 9 am to 9 pm. Has received ok from building. Main owner works at another dispensary. Motion approved, however City of Chelsea does not have another license. When one becomes available, Concrete will be next provisional. Christmas made motion to pass, was seconded.

Commissioner MacAlpine opened the **Public Hearing to consider an Amusement & Entertainment License**, for Harbor House Collective. There are already 7 TV's that are only used for Menu at the dispensary. Sometimes has a food truck, with no music. Would like to have music in the dispensary. Emily Cherniack made motion to approve, A. Christmas seconded. Motion approved.

MEETING ADJOURNED AT 7:37 PM

NEXT MEETING: May 11, 2023

Approved: May 11, 2023

*M. MacAlpine*

*Emily Cherniack*

*Michael McAteer*

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