



# City of Chicopee, Massachusetts

## License Commission

Joseph Martin, Chairman  
Donald Goulette  
Jeanette Jez  
Joseph Pasternak  
George Tarnowski

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Minutes for the April 20, 2023, meeting held in the City Council Chambers @ 6:00 PM

In attendance: Chairman Martin, Commissioners Goulette, Jez and Tarnowski.  
Commissioner Pasternak arrived after the meeting had started. Atty. Corridan was also present.

Public Input- None at this time.

Minutes are presented to the Board. Commissioner Jez makes a motion to approve.  
Commissioner Goulette seconds. Motion approved 4-0.

Hearing for The Rumbleseat - In attendance: William Stetson, Atty. Shawn Allyn, Jessica Godbout, Officer Kyle Robbins and Officer James Paul. Chairman Martin reads the alleged violations of Count 1- Chapter 138 §69- Sale or delivery to intoxicated persons. Chicopee Police Report 22CHI-947-AR (2 counts) Count 2-M.G.L. Chapter 140 § Section 183A. - The licensing authorities shall grant a license under this section unless they find that the license, taken alone or in combination with other licensed activities on the premises, would adversely affect the public health, safety or order, in that the concert, dance, exhibition, cabaret, or public show cannot be conducted in a manner so as to: (a) protect employees, patrons, and members of the public inside or outside the premises from disruptive conduct, from criminal activity, or from health, safety or fire hazards Chicopee Police Report 22CHI-947-AR (1 count). At this time Officer Robbins reads his report. Atty. Allyn questions Officer Robbins about the events of that night, if he had talked to the bartender, followed up with the hospital, how he knew the participants, if he ever entered the establishment. Officer Robbins responded he did not enter the building, the altercation/situation was outside, he was aware of the participants from other dealings, he did not follow up with the hospital after transportation first to the police station for booking and then to the hospital after suspect was trying to harm herself and stated she was pregnant. The suspects were intoxicated and highly agitated. Ms. Godbout was the bartender on duty that night. She stated the individuals entered the bar and consumed several beers and a couple of shots. They also had ordered food. One suspect was walking around and mingling. The other individual was at the table by herself for a while. She wanted to leave and the other one did not. They were offered rides which were rejected. They were not served anything in the last hour they were there. One of them was becoming more agitated as time went on and was in and out of the bathroom. She was trying to cash them out.

She called the police to deescalate the situation. By that time one of them had already gone outside. It was when the police were already on scene that the other individual left the building, and she was intoxicated. Commissioners question the beer and shots that were served and the time frames. The shots were mostly juice and there was food consumed in the time they were inside. At this time Chairman Martin closes the hearing to begin deliberations. Commissioner Jez makes a motion that Count 1- is unfounded. Commissioner Tarnowski seconds. Motion approved 4-0 with 1 abstention. Commissioner Pasternak abstains as he was not present for the whole hearing. Commissioner Jez makes a motion that Count 2 is unfounded. Commissioner Tarnowski seconds. Motion approved 3-1. Commissioner Goulette disapproves. Commissioner Pasternak abstains as he was not present for the whole hearing. This concluded the hearing

Hearing for The Rumbleseat - Report 2. In attendance: William Stetson, Atty. Shawn Allyn, Mr. Michael Pietras and Officer Peter Adamczyk. Chairman Martin reads the alleged violations: **Count 1 -Chicopee Rules and Regulations-Section One: General Licensing Rules for Licensees -1.03Admissions to the Premises h.** Licensees shall not permit entrance to the premises by more persons than the maximum occupancy limit established by the Building Department. Certificate of Inspections should be posted next to liquor licenses. (Capacity 144 persons per Certificate of Inspection); **Count 2-M.G.L. Chapter 140 § Section 183A.** - The licensing authorities shall grant a license under this section unless they find that the license, taken alone or in combination with other licensed activities on the premises, would adversely affect the public health, safety or order, in that the concert, dance, exhibition, cabaret, or public show cannot be conducted in a manner so as to: **(a) protect employees, patrons, and members of the public inside or outside the premises from disruptive conduct, from criminal activity, or from health, safety or fire hazards.** At this time Officer Adamczyk reads his report. Atty. Allyn questions Officer Adamczyk and asks if he had counted the people in the establishment, if he knew what the capacity was. Officer Adamczyk states he did not count the patrons at the time of entering. Based on his training he estimated the crowd to be over the 144 listed capacity. He based this on the number of people inside and the people who were leaving. Mr. Stetson states the officer made an estimate and made the allegation and did not actually count the people. There should be no finding on estimates. There was a band playing and when the blue lights showed up, everyone ran to the front of the building. There was no one in the back room or in the side room. He's sure his impression was that there were a lot of people in there. The bartender who called reported 30 people fighting to get the police there faster. Once the fight started inside, the staff moved them outside and then some groups of people gathered, and the fight continued. Fights are rare at his bar. And there were no arrests. His staff handled the situation properly. Mr. Pietras informs the Board as to how the capacity is calculated in accordance with building codes. Commissioner Pasternak asks Mr. Stetson if he has a plan in place to monitor patrons entering the premises so he doesn't exceed capacity. Mr. Stetson does not. At this time Chairman Martin closes the hearing for deliberations. Commissioner Tarnowski makes a motion

that Count 1 is unfounded. Commissioner Goulette seconds. Motion approved 5-0. Commissioner Tarnowski makes a motion that Count 2 is unfounded. Commissioner Goulette seconds. Motion approved 5-0. This concludes the hearing.

Application for a Change of Officers/Directors for 99 Restaurant, 555 Memorial Dr  
Commissioner Jez makes a motion to approve. Commissioner Pasternak seconds.  
Motion approved 5-0.

Application for a Mobile Common Victualer license for Captain Jack's Roadside Shack  
(renewal)  
Commissioner Jez makes a motion to approve. Commissioner Pasternak seconds.  
Motion approved 5-0.

Application for a Mobile Common Victualer license for Paris & Ty's (renewal)  
Commissioner Jez makes a motion to approve. Commissioner Pasternak seconds.  
Motion approved 5-0.

Application for a Mobile Common Victualer license for Dev's Mac N Eats (new)  
Commissioner Jez makes a motion to approve. Commissioner Pasternak seconds.  
Motion approved 5-0.

Application for a Common Victualer license for Yazzy Market, 810 Meadow St  
(renewal)  
Commissioner Jez makes a motion to approve. Commissioner Pasternak seconds.  
Motion approved 5-0.

Application for a Special One Day Permit (All Alcohol) for Amvets Post 12, 754  
Montgomery St for Thursday Night Bike Night to be held on the following dates:  
May 4, 2023 6:00 PM -10:00 PM  
June 29, 2023 6:00 PM -10:00 PM  
August 24, 2023 6:00 PM -10:00 PM  
(Set up will begin at 3:00 PM. There will be 2 police officers and post security for the  
events.)  
Commissioner Tarnowski makes a motion to approve. Commissioner Pasternak  
seconds.  
Motion approved 5-0. **(Please note correction - application was for Beer/Wine only)**

Application for a Special Event Permit for the K of C Elder Council, 460 Granby Rd with  
Brian Houghton as applicant for the Weekly Car Shows to be held from 4:00 PM until  
9:00 PM on the following 2023 dates:  
Saturday April 29  
Wednesday May 24, 31  
Thursday June 1  
Wednesday, June 7, 14, 21, 28

Wednesday July 5,12,19,26

Wednesday August 2,9,16,23,30

Wednesday September 6 (All events held in front grove area)

Commissioner Jez makes a motion to approve. Commissioner Pasternak seconds.

Motion approved 5-0.

Application for a Special One Day Permit (Beer/Wine) for Moose Lodge 1849, 244 Fuller Rd with Bob Hupfer as applicant for the Annual Classic Car Shows to be held from 4:00 PM until 8:30 PM on the following dates:

Thursday May 11,18,25

Thursday June 1,8,15,22,29

Thursday July 6,13,20,27

Thursday August 3,10,17,24,31

Thursday September 7,14

Commissioner Jez makes a motion to approve. Commissioner Goulette seconds.

Motion approved 5-0.

Alcoholic Beverages Control Commission Advisory regarding the second further expansion of patio service and takeaway/delivery of alcohol by on-premises licensees. Commissioners review the information from the ABCC. They agree to allow outdoor dining this year. The application will be reviewed and updated. Commissioner Jez makes a motion to approve. Commissioner Pasternak seconds. Motion approved 5-0.

Filing fees are read by Commissioner Jez.

Review of Police reports- Sgt. Sawa informs the Board that there is a report for the J & W Banquet Hall, 60 Cabot St. The Commissioners would like to hold a hearing at the May meeting.