



# City of Chicopee, Massachusetts

## License Commission

City Hall Annex - 274 Front Street - Chicopee, MA 01013

Tel: (413) 594-1530 Fax: (413) 594-1531

William Pagel, Chairman  
Donald Goulette  
Joseph Martin  
Jeanette Jez  
Bernie St. George

Minutes for May 16, 2019 meeting held at River Mills Senior Center @6:00 PM

In attendance: Chairman Pagel, Commissioners Goulette, Martin, Jez and St. George. Atty. Rooke was also present.

Minutes for April 18 & April 25, 2019 are presented to the Board. Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Hearing for Friendly Liquor Store- Alleged violations: Count 1 -Section One: General Licensing Rules for Licensees 1.00Applicability of Rules and Regulations 1.05 Physical Premises a. The licensed premises shall conform to the floor plan approved by the Chicopee License Commission with regard to the structures and the walls at the premises, any changes in the floor plan or any renovations of any kind shall not be made without notification to the Chicopee License Commission and the approval of the Chicopee License Commission. All premises covered by the license shall be kept in a clean and sanitary condition; Count 2-Section One Twenty B. Safety 1.As required by the Chicopee Fire Department, the Licensee shall maintain unobstructed means of egress and means of access, and shall remove combustible materials.

In attendance: Dennis Patel, Building Commissioner Carl Dietz, Fire Inspector Katie Kalbaugh and Det. Michael Dion. Det. Michael Dion reads his report into the record. Atty.Rooke states that he has spoken with Building Commissioner Carl Dietz, Fire Inspector Katie Kalbaugh and Det. Michael Dion and the licensee has been cooperative and has rectified all issues except a panic bar. Chairman Pagel states that the description on the license is one that needs to be adhered to. He understands there is building and fire codes that need to be addressed but the description needs to be adhered to. He wants all departments to be clear on that. Commissioner Martin asks if he owns the building and who has done all the modifications? Ms. Taillefer states that by looking at the pictures provided, it appears the locks on the door have been there for years unbeknownst to the Board. Mr. Patel states he rents the space and has not made any changes. The previous owner had the door in question blocked by a cooler that he has since moved. The door is unlocked at all times now. Fire Inspector Kalbaugh states that the panic bar needs to be installed on the side door as a matter of safety for the customers as well as the staff Commissioner Jez makes a motion that a letter be placed in the file detailing the discussion and that they have 30 days to install the panic bar. Commissioner St. George seconds. Motion approved 5-0. This concludes the hearing.

Hearing for Chicopee Center Legion Post 452- Alleged Violations: **Count 1- Chapter 138 §69- Sale or delivery** to intoxicated persons; Count 2- Chicopee Rules and Regulations-1.08 Environs of Licensed Premises a. It shall be the obligation of licensees to ensure that a high degree of supervision is exercised over the conduct of the licensed establishment at all times. Count 3- M.G.L.Chapter140 § **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.

In Attendance: Adam Anischik and Det. Michael Dion. Det. Dion reads his report into the record. Atty. Rooke recommends the Commissioners issue a no finding for Count 1 as there is nothing to indicate there was a violation. Commissioner Jez makes a motion on Count 1 there is no finding of a violation. Commissioner St. George seconds. Motion approved 5-0. Chairman Pagel expresses his frustration with Sweet 15 parties Mr. Anischik states they are 50% of his business. Chairman Pagel understands. Mr. Anischik states that for future

Sweet 15 parties the back bar will not be opened. They are supposed to be for 15 year old kids. If anyone wants a drink, they will have to go to the main bar. Chairman Pagel suggests he use wrist bands for the underage kids. Commissioner Jez asks if he could send a letter stating his intentions as far as new policies for Sweet 15 parties. He states he will. Commissioner Martin states that when the police are intercepted at the door and cannot enter because they are outnumbered and are in fear of their lives it is not unacceptable. Commissioner St. George adds that there was a serious injury and the police were thwarted in their attempts to discover what happened. Commissioner Jez states that level of disrespect and uncooperativeness is just not acceptable. Commissioner Martin asks if he was present. He was not. Commissioner Martin states that there were people that came outside and then went back inside. That is unacceptable in his opinion. Commissioner Goulette asks if there was only 1 bartender on duty or if there was another manager there. Mr. Anischik states there was a bartender in the banquet hall and on in the bar area. Chairman Pagel suggests the 2 police details be hired for all Sweet 15 events. Commissioner Martin states that Mr. Anischik is not alone with having problems at Sweet 15 parties. It is an issue at other businesses. Commissioner Jez states that it is an ongoing issue and they have seen more serious problems at other businesses. Commissioner Martin states they want to be proactive with curbing these issues. Commissioner Goulette makes a motion that Count 2 is founded. Commissioner Jez seconds. Motion approved 5-0. Commissioner St. George makes a motion that Count 3 is founded. Commissioner Jez seconds. Motion approved 5-0. Commissioner Goulette makes a motion on Count 2 for a one day suspension to be held in abeyance for 6 months provided there are no further violations. Commissioner Martin seconds. Motion approved 5-0. Commissioner Goulette makes a motion on Count 3 for a one day suspension to be held in abeyance for 6 months provided there are no further violations and that for all Sweet 15 parties 2 police details be hired and wrist bands employed. Commissioner Martin seconds. Motion approved 5-0. Mr. Anischik states that he wants the Commissioners to know that the fight wasn't from the Legion. It was a road rage incident that spilled over. Commissioners commiserate but unfortunately it became the business responsibility once they were on their property. Commissioners make the following suggestions: Wrist bands used for all Sweet 15 parties, no re-entry and security placed on the doors for functions. This concludes the hearing.

Application for additional Automatic Amusements for Pour Richards, 116 School St- 1 Skill Touch, 6 Multi Game Arcade Machines- Commissioner Jez makes a motion to approve. Commissioner Goulette seconds. Motion approved 5-0.

Application for a Special Event Permit for Absolute Nutrition, 1485 Memorial Dr for the Annual Health Expo to be held on June 9, 2019 from 10:00 AM until 6:00 PM with James Magagnoli as applicant (event will be held in the parking lot with tents and detail officers hired). Commissioner Goulette makes a motion to approve. Commissioner Jez seconds. Motion approved 5-0.

Application for a Special One Day Permit (All Alcohol) for Kennedy Post 275, 41 Robbins Rd for a Bike Run to benefit the American Legion Vietnam Veterans Program to held on Thursday May 16, 2019 from 4:00 PM until 10:00 PM with Robert Baranowski as applicant  
Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Special One Day Permit (All Alcohol) for Kennedy Post 275, 41 Robbins Rd for a Bike Run to benefit the Holyoke Soldiers Home to held on Thursday June 20, 2019 from 4:00 PM until 10:00 PM with Robert Baranowski as applicant. Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Special One Day Permit (All Alcohol) for Kennedy Post 275, 41 Robbins Rd for a Bike Run to benefit the Operation Comfort Warriors to held on Sunday June 23, 2019 from 12:00PM until 6:00 PM with Robert Baranowski as applicant. Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Special One Day Permit (All Alcohol) for Kennedy Post 275, 41 Robbins Rd for a Bike Run to benefit the Post 275 Children's Christmas Party to held on Sunday June 30, 2019 from 12:00 PM until 6:00 PM with Robert Baranowski as applicant. Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Special One Day Permit (All Alcohol) for Kennedy Post 275, 41 Robbins Rd for a Bike Run to benefit the Cystic Fibrosis Society to held on Sunday July 21, 2019 from 12:00PM until 6:00 PM with Robert Baranowski as applicant. Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Special One Day Permit (All Alcohol) for Kennedy Post 275, 41 Robbins Rd for a Bike Run to benefit the American Legion Veterans Program to held on Thursday July 25, 2019 from 4:00PM until 10:00 PM with Robert Baranowski as applicant. Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Special One Day Permit (All Alcohol) for Kennedy Post 275, 41 Robbins Rd for a Bike Run to benefit PTSD to held on Sunday September 29, 2019 from 12:00PM until 6:00 PM with Robert Baranowski as applicant. Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Special One Day Permit (All Alcohol) for Kennedy Post 275, 41 Robbins Rd for a Bike Run to benefit the Post 275 American Legion Riders to held on Sunday October 19, 2019 from 4:00PM until 10:00 PM with Robert Baranowski as applicant. Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Special One Day Permit (Wine/Malt) for Log Cabin/Delaney House for a Car show to be held at Mercedes Benz, 295 Burnett Rd on Saturday June 15, 2019 from 11:00 AM until 3:30 PM with Peter Rosskothen as applicant- Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Special One Day Permit (Wine/Malt) for Aramark @ Elms, 291 Springfield St for a Alumnae Weekend Celebration to be held on Friday June 7, 2019 from 4:00 PM until 7:00 PM with Maria Lopes as applicant. Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Special One Day Permit(All Alcohol) for Aramark @ Elms, 291 Springfield St for a Alumnae Weekend Celebration to be held on Saturday June 8, 2019 from 1:00 PM until 10:00 PM with Maria Lopes as applicant. Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Special One Day Permit( Wine/Malt) for Amvets, 754 Montgomery St for the Bike Night fundraiser to be held on June 6, July 11 and August 15, 2019 from 5:00 PM until 10:00 PM with Howard Cormier as applicant (police details will be hired). Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Special One-Day Permit(Wine/Malt) for the Chambers 20<sup>th</sup> Anniversary Event to be held @ Interstate Towing, 1660 Westover Rd on Thursday June 13 from 4:30 PM until 8:00 PM with Peg Boxold as applicant. Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Mobile Common Victualer for Holyoke Hummus- Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Mobile Common Victualer for Crazy Arepas-Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Mobile Common Victualer for Greater Westfield Medical Reserves Corp (Galaxy Council Event Food Service) - Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Common Victualer for Hazels Kitchen, 76 Main St (change of location). Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Common Victualer for 5 Guys, 474 B Memorial Dr- Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Application for a Weekday Entertainment license for 5 Guys, 474 B Memorial Dr- Commissioner Jez makes a motion to approve. Commissioner Martin seconds. Motion approved 5-0.

Filing fees are read by Commissioner St. George

Review of Police reports- Det. Dion has a report for View St Tavern. Commissioner Jez makes a motion to hold a hearing. Commissioner Martin seconds. Motion approved 5-0.

Correspondence -St. Stanislaus Social Club - clerical error on the listing of the clerk/secretary.

Pour Richards-Mr. Harty would like the business to be open during the summer concert series, a mistake was made on the application. Is this acceptable? So far only June has been approved. Commissioners stand by the decision made to approve the permits with the business being closed during the concert series. Update: Mr. Harty has decided to cancel the June concert series. He will apply for the July series with the understanding the business will be open during the concert series.

Chen and Lin letter: Commissioners have reviewed the letter submitted but the appeal period has passed. Mr. Lin should have appealed the decision to the ABCC