



# BOARD OF LICENSE COMMISSIONERS

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FITCHBURG CITY CLERK

*Feb 23 2022 10:50 am*

Daniel Sarefield, Chairman  
Richard Boscardin  
John Zarrella

## MINUTES OF MEETING

*A regular meeting of the Board of License Commissioners was held on February 7, 2022 over the Zoom meeting platform, and called to order by Commissioner Sarefield at 6:03 PM. Commissioners Boscardin and Zarrella were also present at the meeting. FPD Liaison Lieutenant Howe and Provisional City Clerk Amanda Alford were present.*

### **I. REVIEW AND APPROVAL OF MINUTES OF PRIOR MEETING(S)**

*The minutes of January 19, 2022 and January 28, 2022 were approved by unanimous consent.*

### **II. RENEWAL APPLICATIONS:**

#### **Monday through Saturday Entertainment Permit**

Kingston Island Cuisine for live acoustic music, live amplified music, DJ, and dancing.

Slattery's Restaurant for live acoustic on March 17, 2022.

*Applications approved by unanimous roll call vote 3/0*

#### **Sunday Entertainment Permit**

Kingston Island Cuisine for live acoustic music, live amplified music, DJ, and dancing.

*Application approved by unanimous roll call vote 3/0*

### **III. CORRESPONDENCE**

Correspondence from Lieutenant Howe regarding an incident that took place at Major's Café on February 3, 2022.

*Responding Officer Ismael Sanchez was present at the meeting.*

*Lt Howe stated that the recommendations the Board made at the Special Meeting on January 28<sup>th</sup> were not implemented nor were the security policies Ms. Griffin outlined during this meeting. Specifically, there was no security at the front door or inside the night of this incident. Ms. Griffin stated that one of her policies was to not allow new patrons inside the establishment after 12:45 a.m. because, according to her, the problems that occur are from patrons leaving other establishments. He noted that this recent*

*incident did involve individuals that had left another establishment and went to Majors Café. At this time, he has not been able to determine when the individuals entered the establishment because his office is still awaiting the video surveillance Ms. Griffin agreed to provide. He stated the disturbance began with a verbal altercation inside the establishment. The patrons left and a physical altercation involving 5 individuals began on the sidewalk outside. He noted that it was someone outside who witnessed the altercation that notified them to call the police and he was concerned that there was no security present or anyone monitoring the door.*

*Officer Sanchez stated that when he arrived on scene, he didn't see anyone working at the door. He only spoke with the bartender, then afterwards with the owner. Ms. Griffin showed him part of the video on her cell phone which depicted a disturbance on the sidewalk in front of the establishment which he believes could have been prevented had security been working the door. Ultimately, they ended up charging four individuals involved in the altercation. Lt Howe asked Officer Sanchez if anyone was injured during the altercation. Officer Sanchez responded that one individual sustained bruises and was bleeding from his head. EMS was called but he refused medical treatment.*

*Lt Howe stated that in addition to the incident noted in his correspondence, there was another that took place on Saturday, February 5, 2022 at approximately 12:08 a.m. (also noted under "New Business") This incident involved a disturbance inside the establishment and the person was asked to leave. Commissioner Boscardin asked Officer Sanchez if Ms. Griffin was on the premises during this incident or the one he responded to on January 21<sup>st</sup>. Officer Sanchez responded no. Lt. Howe asked how many employees were working during the incident that took place on February 3<sup>rd</sup>. Officer Sanchez stated that there was one bartender on duty and another female, who is not employed, helping with cleanup. He stated that in speaking with the bartender, she did not know the individuals involved in the incident.*

*Commissioner Sarefield asked if these past few incidents involved the same individuals or if they had any connections. Officer Sanchez stated that he was not the responding officer to the disturbance on February 5<sup>th</sup> but that none of the parties involved in this incident were part of the incident on January 21<sup>st</sup>. He stated that he has been working the 11-7 shift in this area for some time and it seems there are constant issues at this location and they involve different parties.*

*Lt Howe noted that a lack of management and responsibility seems to be the cause of these issues. Officer Sanchez noted that when responding to this establishment, he gets the impression that the employees and patrons he speaks with do not want to tell the whole story. Lt Howe asked Officer Sanchez if any of the patrons were heavily intoxicated and whether any of them were consuming alcohol after the police were called. Officer Sanchez stated that a couple of individuals involved in the incident on February 3<sup>rd</sup> appeared to be heavily intoxicated, especially the one that was injured. He stated that three of the individuals involved were inside the establishment when he spoke to witnesses. He approximated about 40 to 50 patrons inside at the time and noted that it would be difficult to control a situation with only one bartender working.*

*Commissioner Sarefield noted that these incidents appear to violate local regulations. To date, the video surveillance had not been presented to the Police Department which violates Rule 6.6, and as noted by Officer Sanchez, patrons involved in the disturbance were inside the establishment after the police were called which is a violation of Rule 6.13. Lt Howe also noted in reviewing the police reports that Ms. Griffin had not followed through with the requests of the Board as indicated at the meeting of January 28<sup>th</sup>.*

*Commissioner Sarefield recommended that a Summons Hearing be scheduled for February 11, 2022 and that Ms. Griffin be asked to invite the employees working the shifts during these incidents to be present. Lieutenant Howe noted that his department would serve the summons to Ms. Griffin and that it would be helpful to include the responding Officers. He asked Officer Sanchez to attempt to secure the video surveillance before the meeting.*

*Roll call vote to notify Majors Café of a Summons Hearing on February 11, 2022 was unanimously approved 3/0.*

#### **IV. NEW BUSINESS**

*Lt. Howe noted another incident that took place at Major's Café on Saturday, February 5th at approximately 12:08 a.m. involving a disturbance that took place in the establishment. The patrons involved were asked to leave.*

*Director of Economic Development, Mary Jo Bohart, inquired about the possibility of licensed establishments sharing outdoor premises. She noted that she has not received any inquiries about this yet, but could foresee locations on Cushing Street and Mill Street benefiting from sharing outdoor seating areas. Commissioner Sarefield stated that he thought it was a good idea, but that he would suggest obtaining a legal opinion from our Solicitor regarding potential liability. Provisional City Clerk offered to reach out to the ABCC to inquire about this process and to determine requirements, if any, to apply for a shared outdoor premise.*

The meeting adjourned at 7:03 PM

Respectfully submitted,

Amanda K. Alford, Provisional City Clerk

Approved:



Daniel Sarefield



Richard Boscardin



John Zarrella