



# BOARD OF LICENSE COMMISSIONERS

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FITCHBURG CITY CLERK

Mar 23 2022 8:49 am

Daniel Sarefield, Chairman  
Richard Boscardin  
John Zarrella

## MINUTES OF MEETING

*A regular meeting of the Board of License Commissioners was held on February 22, 2022 over the Zoom meeting platform, and called to order by Commissioner Sarefield at 6:04 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 the regular meeting of February 7, 2022 and the special meeting of February 11, 2022 were approved by unanimous consent.*

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

#### **Taxi Driver Permit**

Frank C. Davis - City Cab, Co.

*Mr. Frank Davis was present at the meeting. Application approved by unanimous roll call vote 3/0.*

### **III. NEW APPLICATIONS:**

#### **Special One Day License**

St. Joseph's Church for six (6) Special One Day Wine & Malt Beverage licenses for Fish Fry in the Church Hall area at 118 Theresa Street from 4:00PM to 6:30PM on March 4, 11, 18, 25, April 1, 8, 2022 for 200 people.

*Mr. Paul Migliozi was present at the meeting. Application approved by unanimous roll call vote 3/0.*

#### **Late Closing Permit (1AM)**

Major's Café, 149 Lunenburg Street (Sunday through Saturday)

*Present at the meeting were Ms. Ellen Griffin, owner of Major's Café and Attorney Thomas Martin, representing Ms. Griffin.*

*Commissioner Sarefield stated that he appreciated the information sent to the Board by Attorney Martin regarding the security procedures and signage that have been implemented since their last meeting. Ms. Ellen Griffin noted that three signs have been posted indicating "No cuts, no colors". Attorney Martin stated his client has satisfied the requests of the Board and asked for reinstatement of*

*the late closing permit. He noted the closing time requested was adjusted to 1:00 a.m. and this should resolve the issue of patrons leaving other establishments to head to Major's Café.*

*Commissioner Sarefield stated that he was disappointed with the video surveillance that was eventually provided to the Board as it did not include certain camera angles and only included footage after the police arrived. Ms. Griffin explained that she showed the video to the responding officer and offered to have him record it to his phone or to obtain it from Appleseed. She stated she assumed the police department had retrieved the tapes and by the time she was requested again to provide the video, it had already started to be taped over. Lt. Howe noted that the obligation is on the owner of an establishment to provide requested video surveillance. Attorney Martin stated that this would not happen again, and if necessary, he would retrieve the video surveillance on Ms. Griffin's behalf and deliver it to the police department.*

*Commissioner Sarefield referred to the letter submitted to the Board from Mr. Joshua Champagne regarding the incident that took place the night of February 3, 2022 and asked Mr. Champagne what his role was with the establishment. Mr. Champagne stated that he has worked the door and helped Ms. Griffin plan events. Commissioner Sarefield asked about any experience he had working at a licensed establishment and whether he has ever been a manager of record for a liquor license. Mr. Champagne stated that he offered to work as part of the management team and that he holds a Masters in Taxation. He stated that he has experience working in the back office of licensed establishments and personnel management, but he has not been a formal manager on record for a liquor license. Commissioner Sarefield stated that the letter only raised his concerns with the fact that there are non-employees or quasi-employees performing employee tasks. He noted that the manager on record was not present during the incidents that have been recently discussed. Ms. Griffin stated that she was not present on February 21<sup>st</sup> due to a family matter and noted that she was present on February 3<sup>rd</sup> but left just prior to when the incident occurred.*

*Commissioner Zarrella stated the Board's intention was not to punish Ms. Griffin but rather to ensure proper measures were implemented to avoid any further incidents and possible injuries. He commended Ms. Griffin and Attorney Martin for the steps that have been taken to comply with the Board's requests but that without seeing the measures implemented, he is unsure what action the Board could take at this time. He noted the most important influence would be the feedback from the police department.*

*Ms. Griffin asked the Board to consider her bartenders and the work she has done thus far. She noted that during the recent compliance checks, no issues had arose. She noted that her establishment being open later was the cause of the problems. Commissioner Sarefield stated that he understands this is difficult for her and her employees and agreed that closing at 1:00 a.m. would eliminate the late crowds. Attorney Martin asked if the Board's issue was the passage of time. Commissioner Zarrella noted that at the meeting of February 11, 2022 they had come to an agreement to appear before the Board at the regular meeting of March 7, 2022 to discuss what procedures had been implemented and the efficacy of the measures.*

*Motion to continue application to the next meeting on March 7, 2022 was approved by a unanimous roll call vote. 3/0*

#### **IV. COMMUNICATIONS**

1. Correspondence from Building Inspector, John Morales regarding the status of the certificate of inspection for Kingston Island Cuisine.

*Commissioners noted that a valid certificate of inspection is a requirement of the liquor license. Motion to summons Kingston Island Cuisine to a summons hearing on March 7, 2022 to discuss the status of the establishment's certificate of inspection was approved by unanimous roll call vote 3/0.*

2. Correspondence from Lieutenant Howe regarding an incident at Mill City Pub on February 12, 2022 and February 13, 2022.

*Lt. Howe noted that the establishment cooperated with police during both of the incidents, but that he included this correspondence because when responding officers arrived at the location and spoke with Joshua Champagne he indicated he was the owner of the establishment. Lt. Howe noted that according to the City Clerk's records the owner on file is Jessica Lagoy. He suggested conducting late night inspections of the establishment.*

*No action taken.*

3. Fitchburg Police Department Incident Report #22-5732-OF regarding video surveillance received by Major's Café.

*Refer to New Applications under Late Closing Permit.*

*No action taken.*

## V. NEW BUSINESS

*Lt. Howe stated there were two incidents to discuss. He stated the first incident took place at Partner's Pub on February 19, 2022 at 2:30a.m. He noted the establishment was not at fault as this was a domestic dispute that took place outside. He stated the second incident took place at Kingston Island Cuisine after an event they planned on February 20, 2022. He stated there was an altercation between the owner of the establishment and a promoter of the event. He noted that this incident took place after the establishment closed and that his department was still awaiting video surveillance.*

The meeting adjourned at 7:46 PM

Respectfully submitted,

Amanda K. Alford, Provisional City Clerk

Approved:



Daniel Sarefield



Richard Boscardin



John Zarrella