

Minutes for the Lowell License Commission meeting for Thursday, February 28, 2019 at 6:00 p.m., held in the City Council Chamber, 2nd floor, City Hall, 375 Merrimack St., Lowell, MA 01852.

Present: John Descoteaux, Commissioner, Chairman, Commissioners Clifford Krieger, Martha Howe, and Joseph Donahue; Captain James Hodgdon of the Lowell Police Department.

Absent: Commissioner Terry McCarthy

The Commission, on the motion by Commissioner Krieger, second by Commissioner Howe, voted to approve the meeting minutes for February 14, 2019.

The Commission reviewed the following applications:

Application for special one-day license to sell/dispense malt beverages and wines only, or either one:

Abie Kposowa, for the Ghana @ 62 Independence Day party, Saturday, March 9, 2019, 8:00 p.m. to 1:00 a.m. to be held at UTEC, 35 Warren St. Abie Kposowa was present. Chairman Descoteaux asked the number of attendees to be expected. Ms. Kposowa stated approximately 100 people. The Commission, on the motion by Commissioner Howe, second by Commissioner Donahue, voted to approve the license for Abie Kposowa for March 9, 2019.

Application for special one-day license to sell/dispense all alcoholic beverages

Pauline A. Minch of St. Michael School, for Live Auction Fundraiser, Saturday, March 30, 2019, 5:00 p.m. to 10:00 p.m. at St. Michael Church Hall, 14 6th St. Pauline Minch was present. Chairman Descoteaux asked how many years has St. Michael School held the live auction. Mrs. Minch stated approximately 20 years. Attendance at the live auction may seat 300 people according to Mrs. Minch. The Commission, on the motion by Commissioner Donahue, second by Commissioner Krieger, voted to approve the license for Pauline A. Minch of St. Michael School for March 30, 2019.

Applications for special one-day license to dispense wines only

Jim Dymont, Executive Director, The Brush Art Gallery & Studios, 256 Market Street, for the following events:

Artist Talk "UMass Lowell Faculty" Exhibit, Saturday, March 23, 2019, 2:00 p.m. to 4:00 p.m.

Artist Reception "Annual Studio Artist" Exhibit, Thursday, June 20, 2019, 5:00 p.m. to 7:00 p.m.

Artist Talk "Annual Studio Artist" Exhibit, Sunday, July 21, 2019, 1:00 p.m. to 3:00 p.m.

Artist Reception "Quilted Portraits: We've Got Personality" Exhibit, Saturday, August 10, 2019, 2:00 p.m. to 4:00 p.m.

Artist Reception "Photography" Exhibit, Saturday, October 5, 2019, 2:00 p.m. to 4:00 p.m.

Artist Reception "Annual Members" Exhibit, Saturday, December 7, 2019, 2:00 p.m. to 4:00 p.m.

Jim Dymment was present. The Commission, on the motion by Commissioner Donahue, second by Commissioner Howe, voted to approve licenses for Jim Dymment of The Brush Art Gallery & Studio.

The Commission reviewed the application for special events permit for the amplification of sound by Marta Bobinski, The Center for Hope and Healing Inc., sound system for "Take Back the Night" activity, Thursday, April 11, 2019, 5:00 p.m. to 7:00 p.m., at Arcand Plaza. Marta Bobinski was present. The Commission, on the motion by Commissioner Krieger, second by Commissioner Howe, voted to approve the special events permit for amplification for April 11, 2019.

The Commission reviewed the application for public amusement license for Carnival by Dean & Flynn Inc., dba Fiesta Shows of Seabrook, NH, John A. Flynn, representative, for Fiesta Shows Carnival at the Welcome/Festival Field, 381-501 Pawtucket Blvd., May 24 to June 2, 2019, hours - Tuesday to Friday 6 p.m. to 11 p.m., Monday and Saturdays 12 p.m. to 11 p.m. John Flynn was present. Chairman Descoteaux asked Mr. Flynn about the carnival presence in the City of Lowell. Mr. Flynn stated he was recently reminded that his father started the carnival in Lowell in 1971. The Commission, on the motion by Commissioner Krieger, second by Commissioner Howe, voted to approve the public amusement license for carnival by Dean & Flynn Inc., dba Fiesta Shows of Seabrook.

The Commission, on the motion by Commissioner Howe, second by Commissioner Donahue, voted to continue the hearing from February 14, 2019 to March 14, 2019 on the allegations of misconduct as charged by Raymond Kelly Richardson, Superintendent of Police, dated January 3, 2019, against Bhumi Liquors, Inc., d/b/a Pacific Liquors, 421 Central Street, Ila Bhagat, Manager of Record, an all alcoholic beverages package goods store licensee.

The Commission reviewed three (3) communications from Raymond Kelly Richardson, Superintendent of Police. The first of three is dated February 20, 2019, regarding The Last Safe, Inc., d/b/a The Last Safe & Deposit, 160 Merrimack St., Timothy Regan, Manager of Record. The Executive Secretary stated that Timothy Regan, as reported to the Secretary in June 2018 by Alan Kaplan, one of two owners of The Last Safe, is no longer employed as Manager of Record. Chairman Descoteaux, noted that the information should have been conveyed to the Commission sooner, made the motion to send email notification to The Last Safe owners that they have thirty (30) days to file application for change of manager, and that the email be copied to the License Commission. Commissioner Howe agreed, seconding the motion, so voted. Commissioner Donahue questioned if Lowell Police Department should inquire with The Last Safe owners about Mr. Regan's employment. Commissioner Krieger stated that the database for the Alcoholic Beverages Control Commission may offer additional information as to the interest The Last Safe owners have in other licenses. The Commission proceeded to discuss scheduling for the hearings for The Last Safe, Inc., and for the licensee, The Middle Street Village, Inc., d/b/a The Village Smokehouse, 92-98 Middle St., Alan F. Kaplan, Manager. On the motion by Commissioner Howe, second by Commissioner Donahue, the Commission voted to schedule the hearing for The Last Safe, Inc. regarding the allegations of misconduct in the Superintendent's communication dated February 20, 2019 for March 28, 2019 at 6:00 p.m. The Commission, on the motion by Commissioner Howe, second by Commissioner Donahue, voted to schedule hearings for March 28, 2019 at 6:00 p.m. for The Last Safe, Inc. regarding the allegations of misconduct in the Superintendent's communication dated February 26, 2019 and in the Superintendent's communication regarding The Middle Street Village, Inc., dated February 26, 2019. The Commission agreed that there be subpoenas for witnesses regarding The Last Safe, Inc. and The Middle Street Village, Inc. who are identified in the police reports under the age of 21 years.

The Commission, on the motion by Commissioner Krieger, second by Commissioner Donahue, voted to adjourn the meeting at 6:25 p.m.

Respectfully submitted by Ryan Wynn, Executive Secretary, present at meeting.

\* \* \* \* \*