

Minutes for the Lowell License Commission meeting for Thursday, September 13, 2018 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, Terry McCarthy, Martha Howe, and Joseph Donahue; and Gary Gordon, Assistant City Solicitor, and Captain Paul Laferriere of the Lowell Police Department.

The Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to approve the meeting minutes for August 9, 2018; vote: ayes Chairman Descoteaux, Commissioners Krieger, McCarthy, and Howe; abstain Commissioner Donahue.

The Commission reviewed copy of communications, dated August 22 and August 28, 2018, received from the Department of State Police regarding Bay State Auto Sales, a used car Dealer licensee at 418-420 Chelmsford St., and Urbano Painting Inc. Chairman Descoteaux recommended a hearing date of September 27, 2018 at which used Dealer licensee Charles E. Byrne of Bay State Auto Sales is to be present, and to request the presence of State Trooper Charles A. Luise, the author of the communications of August 22 and 28, 2018. The Commission approved the hearing date of September 27, 2018 at 6:00 p.m. in the City Council Chamber.

The Commission reviewed applications and voted to ratify on the motion by Commissioner Donahue, second by Commissioner Howe, the issuance of the following licenses: issued August 22, 2018 to Wendy Blom of LTC, Kerouac Park, "LTC Dinner in the Park" fundraiser, Thursday, September 13, 2018, 6:30 p.m. to 8:30 p.m.; issued August 28, 2018 to Alexis Garcia of the Merrimack Repertory Theatre, Nancy L. Donahue Theatre Liberty Hall, 50 East Merrimack St., Theatrical Performances by the Merrimack Repertory Theatre, Native Gardens, September 12, 13 - 2018 [2 dates], concession sales/service for 45 minutes prior to performance, and 15 minutes during intermission; and issued September 11, 2018 to Tabatha Garnett, Catering Manager, Aramark, Allen House, 2 Solomont Way, Faculty Showcase, Wednesday, September 12, 2018, 2:00 p.m. to 8:00 p.m.

The Commission reviewed applications for special one-day license to sell/dispense malt beverages and wines only, or either one:

Tabatha Garnett, Catering Manager, Aramark, Allen House, 2 Solomont Way, Lawyers, Mock Trial & Prelaw Alumni Reception, Wednesday, September 19, 2018, 4:00 p.m. to 10:30 p.m.; Allen House, 2 Solomont Way, Center for Women & Work 20th Anniversary, Thursday, September 27, 2018, 4:00 p.m. to 9:00 p.m.; University Crossing 260, 220 Pawtucke3t Street, Annual Difference Makers Event, Wednesday, October 10, 2018, 4:00 p.m. to 10:00 p.m. Tabatha Garnett was present.

Alexis Garcia of the Merrimack Repertory Theatre, Nancy L. Donahue Theatre Liberty Hall, 50 East Merrimack St., Theatrical Performances by the Merrimack Repertory Theatre, Native Gardens, and Murder for Two, September 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, October 3, 4, 5, 6, 7, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28 - 2018 [28 dates], concession sales/service for 45 minutes prior to performance, and 15 minutes during intermission. Alexis Garcia was present.

Tim Shiels of the Merrimack Repertory Theatre, Nancy L. Donahue Theatre Liberty Hall, 50 East Merrimack St., Theatrical Performances by the Merrimack Repertory Theatre, Murder for Two, and Miss Bennet: Christmas at Pemberley, October 31, November 1, 2, 3, 4, 7, 8, 9, 10, 11, 28, 29, 30, December 1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23 - 2018 [30 dates], concession sales/service for 45 minutes prior to performance, and 15 minutes during intermission. Tim Shiels was present.

David Henderson of the Merrimack Repertory Theatre, Nancy L. Donahue Theatre Liberty Hall, 50 East Merrimack St., Theatrical Performances by the Merrimack Repertory Theatre, Slow Food, and The Heath, January 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 30, 31, February 1, 2, 3, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24 - 2019 [30 dates], concession sales/service

for 45 minutes prior to performance, and 15 minutes during intermission. David Henderson was present.

John Dyson of the Merrimack Repertory Theatre, Nancy L. Donahue Theatre Liberty Hall, 50 East Merrimack St., Theatrical Performances by the Merrimack Repertory Theatre, The Haunted Life, and Cry It Out, March 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, April 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 24, 25, 26, 27, 28, May 1, 2, 3, 4, 5 - 2019 [30 dates], concession sales/service for 45 minutes prior to performance, and 15 minutes during intermission. John Dyson was present.

Edgar Cyrus of the Merrimack Repertory Theatre, Nancy L. Donahue Theatre Liberty Hall, 50 East Merrimack St., Theatrical Performances by the Merrimack Repertory Theatre, Cry It Out, May 8, 9, 10, 11, 12, 15, 16, 17, 18, 19 - 2019 [10 dates], concession sales/service for 45 minutes prior to performance, and 15 minutes during intermission. Edgar Cyrus was present.

Emaly Horn, who was present, withdrew her application for the event at Lucy Larcom Park, Elevate Lowell Music and Art Show, Saturday, September 15, 2018, 4:00 p.m. to 9:00 p.m.

The Commission, on the motion by Commissioner McCarthy, second by Commissioner Krieger, voted to approve special one-day malt beverages & wines only licenses for Tabatha Garnett of Aramark, Alexis Garcia, Tim Shiels, David Henderson, John Dyson, and Edgar Cyrus of the Merrimack Repertory Theatre.

The Commission reviewed the application and voted to ratify on the motion by Commissioner McCarthy, second by Commissioner Howe, the issuance on August 22, 2018 the special events permit for amplification to Wendy Blom, Executive Director, Lowell Telecommunications Corp., Jazz music, amplification brought in by the band, "LTC Dinner in the Park" fundraiser, at Kerouac Park, Thursday, September 13, 2018, 6:30 p.m. to 8:30 p.m.

The Commission reviewed the applications for special events permit for amplified outdoor public entertainment:

Parul Sanghvi (present) of Guryar, dance, and singers, Heritage Festival, Saturday, September 15, 2018, 12:00 p.m. to 7:00 p.m., at the Sampas Pavilion;

Emaly Horn (present), small concert with six powered speakers, Elevate Lowell Music and Art Show, Saturday, September 15, 2018, 3:00 p.m. to 9:00 p.m., at Lucy Larcom Park;

Raymond Kelly Richardson of the Lowell Police Department, Movie Screening, Lowell Police's Safe Summer Movie Night, Friday, September 21, 2018, 7:00 p.m. to 10:00 p.m., at the Cambodian Mutual Assistance Association, 465 School St. Captain Laferriere, representative;

Robin E. Dupell (present), ATP Restaurant Inc., d/b/a Cobblestones, live music, four piece band, Kinetic Sculpture Race closing ceremonies, Saturday, September 22, 2018, 10:00 a.m. to 10:00 p.m., outdoor area at 91 Dutton St.;

Robin E. Dupell, ATP Restaurant Inc., d/b/a Cobblestones, live music, band, City Challenge Race closing ceremonies, Saturday, October 6, 2018, 10:00 a.m. to 11:00 p.m., outdoor area at 91 Dutton St.

Chairman Descoteaux asked Captain Laferriere if the Lowell Police Department had any concerns about the events. Captain Laferriere stated there are no issues. The Commission, on the motion by Commissioner Howe, second by Commissioner Donahue, voted to approve special event permits for amplification for Parul Sanghvi, Emaly Horn, Richard Kelly Richardson, and Robin Dupell.

The Commission reviewed the applications by 2002 Enterprises, Inc., d/b/a for licenses for Old Gold, Silver, & Platinum, and Second Hand Articles, for premises at 581 Bridge Street. Abdol Shams was present. The Executive Secretary stated background information on Mr. Shams' previous business license in 2014 for old gold, silver, and platinum and license for second hand articles at Video Thunder, 494 Bridge St. Detective Ronald Reid of the Lowell Police Department did the investigation on Mr. Shams location at 591 Bridge St. The Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to approve

license for old gold, silver, platinum, and license for second hand articles for 2002 Enterprises, Inc., d/b/a Goodeed Electronics, Abdol Shams, President, 581 Bridge Street for the license period commencing May 1, 2018, to expire April 30, 2019.

The Commission reviewed the 2018 Lowell Halloween Costume Bar Crawl Proposal by Whats Poppin LLC – Mike Tecci, Nick Morano, and Robert Johnson for Saturday, October 27, 2018, 2 p.m. to 8 p.m. Mike Tecci, Nick Morano, and Robert Johnson were present. Mr. Tecci addressed the Commission. He acknowledged that the Lowell Kiwanis and the City office for Cultural Affairs & Special Events will sponsor Monster Bash, scheduled for October 27th. Mr. Tecci proposed the alternate date of Saturday, October 20th from 2 p.m. to 8 p.m. for the Halloween Costume Bar Crawl. Chairman Descoteaux stated the Commission’s appreciation for the professional manner Messrs. Tecci, Morano and Johnson have conducted their business activity. The Commission approved two of the five licensed establishments proposed by Whats Poppin: Village Smokehouse and Blue Shamrock. Three establishments have had violations in 2018: Dudley’s, Bar 74, and Revolution. Commissioner Donahue questioned the feasibility of only two establishments within one block and crowd control. There will be 1,000 on-line tickets available via Whats Poppin LLC. Captain Laferriere stated there was no issue last year. It can be easier to monitor the crowd within a limited area but eventually the crowd moves to other establishments. Mr. Tecci stated that two weeks before the event detail officers will be requested from the Lowell Police Department. At the conclusion of discussion, the Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, approved the Pub Crawl license for the 2018 Lowell Halloween Costume Bar Crawl, Saturday, October 20, 2018 from 2 p.m. to 8 p.m. with participating establishments Village Smokehouse and Blue Shamrock.

The Commission reviewed the application filed by Lao De Café, LLC, d/b/a Lao De Café, Ricky Rathsbath, LLC Manager, for an all alcoholic beverages restaurant license for premises at 108 Merrimack Street. It is requested that Ricky Rathsbath be approved as manager of record for Lao De Café, LLC. On the motion by Commissioner Donahue, second by Commissioner McCarthy, the Commission approved the publication of the legal notice for Friday, September

14, 2018, and the public hearing date of Thursday, September 27, 2018 at 6:00 p.m., to be held in the City Council Chamber.

The Commission ordered placed the communication regarding cancellation of special one-day licenses to sell/dispense malt beverages and wines only, or either one, and special events permits for amplified outdoor public entertainment, approved July 26, 2018:

Gabby Davis - Made In Lowell, for Kerouac Park, Friday Nights!, Friday, August 10, 2018, 5:00 p.m. to 9:00 p.m.; August 24, 2018, 5:00 p.m. to 9:00 p.m.;

Gabby Davis, Made In Lowell, live music at Kerouac Park, Friday Nights!, August 10, 2018, 5:00 p.m. to 9:00 p.m., August 24, 2018, 5:00 p.m. to 9:00 p.m.

The Commission, on the motion by Commissioner Krieger, second by Commissioner Donahue, voted to adjourn the meeting at 6:20 p.m.

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

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