



CITY OF EVERETT

BOARD OF LICENSE COMMISSIONERS
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Phil Antonelli, Chairman
Brian McCarthy, Member
Phil Arloro, Member
Annette DeBilio, Administrative Asst.

LICENSING BOARD MINUTES April 23, 2019

Meeting called to order. Present were, Chairman Phil Antonelli, Board Member Brian McCarthy, Board Member Phil Arloro, and Detective Paul Durant.

1. McCormick Liquors, - Phil Arloro had concerns about the nip bottles that are being thrown on the streets. Phil shows Paul Pietrantonio pictures of the nips on the street. He is advised to put barrels outside and to check up and down the street and pick up the bottles. Paul says that he will put barrels outside and will also put fliers in his windows and have his drivers check the street when they are out. Phil tells Paul that he saw someone walking down the street that was so drunk he could not stand up. Phil advises him to train his employees not to serve people that are intoxicated. Paul will speak with his employees.
2. Bearmoose Brewing Company, 1934 Revere Beach Parkway, appeared for an Alteration of Premises, the Chairman reads the public notice. Jeff says that the alteration is for a dedicated area for and independent deli to serve food. The Board votes and approves the changes.
3 yays - 0 nays
3. Energy North Liquor Store - Samad Madkour was in representing Ken Blake the owner. Attorney Brian Riley and Attorney Keith Slattery representing the City were in to work with the Licensing Board in regards to Licenses that have not been in use. Attorney Riley explains that the License has not been in use since 2017. Samad says that they are in talks with 7-Eleven and the Silver Fox. They do have people that would like to buy the license but they would rather have the business in Everett. Attorney Riley asked if Energy

North has been before the Board before in regards to this License. The Chairman says that they have been before the Board and was told that they were in talks with Wynn and trying to find a location. Attorney Riley explains that the issue is that when there is a renewal of a license if the owner has a license and it has been used then get an automatic renewal as long as the premise is now open for business and still have the same property. The License does not have the same property and should not have been renewed. The License cannot be used because they do not have access to the address of 38 Broadway. The Chairman will take a vote to revoke the license. He explains that once a location is found they will be able to apply for another one. If at that time the Board will petition that state to issue another one for them. The zoning down on lower Broadway has change and will not allow a gas station in there area. Samad asked if this could be held off until the next meeting when Ken Black could appear. Attorney Slattery states that the issue will not change. Phil Arloro agrees that they were before the Board last year and nothing has changed since then. Brian McCarthy makes a motion to revoke the license from Energy North. The Chairman there is a motion to revoke the license and when Ken Blake has a location he can come before the Board. The Board votes to revoke the License of Energy North. 3 yays - 0 nays. Attorney Riley recommends a second vote to make finding on what it is based on. Brian McCarthy makes a motion to 1. The property was not available at the time and the license has not been use for at least the last 18 months. The Chairman states that there is a before them to revoke the license due to the location at 38 Broadway no longer exist, the owner does not have a lease agreement from any other tentative property. The Board votes again 3 yays - 0 nays. The license will be revoke.

4. Winners - Attorney Mackey present with Tony Pertillo. Attorney Brian Riley and Attorney Keith Slattery present for the City. The Chairman explains that there was an incident on April 20th. Tony was advised to retain counsel. Due to the not being on agenda they will give him a week to prepare and will appear before the Board on Monday April 29, 2019. Attorney Mackey was given the register receipts and the last chance agreement. Phil explains that there were no police reports. Phil Arloro states the Tony knows that he was operating in the basement and that he was not supposed to be down there. There were also sparklers that found and were confiscated. Also that there was a beer bong on the premises and they are not allowed. Also

the Chairman states that Tony has been saying that he has a police officer that would be willing to work with Tony to help him out. A police officer would not be able to work in the bar. A letter will be sent out to appear next week on April 9, 2019.

5. Bone-Up Brewing - Alteration of Premise. Chairman Antonelli reads the public notice. Liz explains that they will have a dedicated area to serve snacks and prepackage foods that may be heated up. They do not plan on having a full service kitchen. The Board votes and approves the change.
0 nays - 3 yays
6. Total Wine & Spirits - Change of Manager to James Donald Kleeberger, Jr
The Board votes and approves the change.
0 nays - 3 yays
7. Costco Liquors - Appeared before to Board to show the floor plan of where the alcohol will be placed. They plan on placing it at the back of the store near the deli. It will be 3 aisle and limited to one area. There will not be any displays throughout the store. This area is the most staffed with employees and security. To get into the store you will have to have a membership. Under Mass Law if someone wants to come in just to purchase alcohol they will be allowed to but cannot buy any other items. There is only about 1% of people that will do this in other stores. If people use the self-check out to purchase alcohol an attendant will have to go to that station and the customer will have to show an ID to purchase the alcohol. The Board approves the floor plan.
8. Tres Gatos - The Chairman explains that the Board has received noise complaints and that the windows are dark. Ozzie says that he has been closing at 12 midnight even though his license says he can stay open until 12:30 AM. He thinks that the noise may be coming from the church across the street because people are there on Friday and Saturday nights until late. Phil Antonelli says to keep the noise down and Sgt. Durant says he will go by the restaurant and check the windows.
9. Not on the agenda was Night Shift Brewing for an event that they will be having on April 27, 2019 from 11 AM to 10 PM. They will have bands playing throughout the day. Phil Antonelli explains that anytime an event like this is

going on it has to be brought to the attention of the Licensing Board. Sergeant Durant explains that they will have to hire 3 police officers and superior officers for the entire day. The concern is it is also opening day for little league and there will be a lot of traffic. Mellon back will open there lot for parking. Night Shift will be hiring their own security also. The Chairman does not feel comfortable with only 3 police officers for the event. An email will be sent to the police and fire for 2 fire details and a minimum of 3 police officers and a boss.

10. El Tipico - Attorney Andrew Delorey has withdrawn the application for a new license.

Meeting Adjourn