



## BOARD OF LICENSE COMMISSION

484 Broadway, Rm 26 Everett, Massachusetts 02149

Phil Antonelli-Chairman

Phil Arloro Member

Michael Dantone-Member

Annette DeBilio-Admirative Assistant

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### LICENSING BOARD

#### MINUTES

Monday, February 7, 2022

Everett City Hall, Room 27

484 Broadway, Everett, MA 02149

**Roll Call:** Members Present: Chairman Phil Antonelli, Board Member, Phil Aloro and Mike Dantone, Sgt. Al Sabella and Attorney Keith Slattery

**Minutes Taken By:** Annette DeBilio Clerk to the Board

#### Minutes of the Meeting:

Motion is made by Phil Arloro and seconded by Mike Dantone to open Meeting 6:30 PM

Motion is made by Phil Arloro and seconded by Mike Dantone to approved the minutes from November 22, 2021 and December 6, 2021

1. Winners – 361 Ferry St. – Tony Portillo, owner and Attorney John Cornell appeared as a follow up from the meeting on December 6, 2021 for a request to have use of the basement. A motion was made by Phil Arloro to allow use of the downstairs with the condition that there will be no live music, no dancing, no DJ's and with the capacity not to exceed 75 people. Last call is to be at 12:15AM, the rear egress should be maintained at all times.  
Motion seconded by Mike Dantone  
**Mike Dantone – yes Phil Arloro – yes Phil Antonelli – yes Motion Passed**
2. Mama Santos – 386 Main St, Yaquelyn Cruz, manager and Attorney John Cornell appeared as a follow from the meeting on December 6, 2021 for purchasing alcohol from a liquor store and for her hours to be extended to 1:00 AM. Yaquelyn did supply the Board with additional receipts of alcohol. Phil Arloro made a motion to extend the hours to 1:00 AM, with the condition that every month for the next 6 months that alcohol receipts are to be email to the Clerk of the Board.  
Motion seconded by Mike Dantone  
**Mike Dantone – yes Phil Arloro – yes Phil Antonelli – yes Motion Passed.**
3. Carmen Schaivo, 71 Tileston St did not appear.
4. Village Bar & Grill, 85 Tileston St, Joao Lopes appeared for an Alteration of Premises to allow for outdoor seating. Motion made by Phil Arloro, seconded by Mike Dantone  
**Mike Dantone – yes Phil Arloro – yes Phil Antonelli – yes Motion Passed.**
5. Josie's Bar, 277-283A Main St, Josie Ward appeared requesting her hours to be extended to 1:00AM. Motion made by Phil Arloro to approve the 1:00 AM close, seconded by Mike Dantone  
**Mike Dantone – yes Phil Arloro – yes Phil Antonelli – yes Motion Passed.**

6. Tres Gatos, 322 Chelsea St, Ozzie appeared for his advertisements, He was told that he could advertise on his own but was not allowed to hire a promoter to advertise musicians for him.
7. LaFinca, 37 Norwood St, Manuel appeared for a police report that the Board received about a fight. Manuel explained that there were 3 new patrons in his bar and when a regular patron went to the bar words were exchanged. Manuel told the patrons to calm down and they went outside and a fight started. Manuel called the police and when the police arrived the security from LaFinca helped the police. The 3 patrons are now permanently banned from his bar.
8. Karma Lounge, 355 Ferry St, Attorney Mark Rotundo, Varun appeared to extend their hours to 1:00 AM and a fight. Attorney Rotundo had a report from the security officers from Karma Lounge. Motion made by Phil Arloro to approve the 1:00 AM close, seconded by Mike Dantone  
**Mike Dantone – yes Phil Arloro – yes Phil Antonelli – yes Motion Passed.**
9. Everett recently received a Full Alcohol License for the Alcohol Beverage Commission. There are 2 applications currently applying for the License. Elm Street Market, 178 Elm St. and Crimson Liquors, 435 Ferry St. Attorney Slattery is going to approach the ABCC to request another full alcohol license.
10. LaPerle, 444 Broadway, Valery and her security Erwin appeared for being open after her Licensed 12:00 AM closing time. The Chairman read the police report out loud to Valery, explaining that Sgt Butler was driving down Broadway and noticed that the business was open at 1:55 AM with people inside. The police officer approached the door. When the doorman opened the door he identified himself as the general manager and that this was a private party. The police officer looked inside and noticed that there were several people inside drinking beer and mixed drinks and there were 2 women picking up \$100.00 dollar bills of the floor and placing them in bags. The officer asked to see the alcohol license and he produced the license which state they had a 12:00 AM closing time. The officer advised the manager to have everyone leave the restaurant immediately. As people were leaving a patron stated that he paid for a massage and did not receive it. The manager later identified a woman as the masseuse that was hired for the night. The Chairman asked Valery if she was there that night which she stated yes, she was and it was a her birthday party. Valery didn't think that she was doing anything wrong and that she could do what she wanted in her business. She states that she did not charge people for drinks but she did pay her staff. Phil Arloro asked Valery if she charged the patrons for alcohol. Valery said again that she did not charge anyone for the purchase of alcohol. Phil Arloro said again that there would be no record of any charges for alcohol on that night after 12:00 AM. Valery's answer was yes and no! The Chairman refers to minutes from a meeting in 2020 where Valery was told that she was not to operate as a night club and she stated that she is operating as a restaurant. Valery was told that the Board had made a decision to have any new business close at 12:00 AM but, the Board would allow Valery to come back before the Board in 3 months and they would reevaluate the closing time. Valery says that when she was on Bow Street, she was a restaurant and was told that because she had sprinklers at the new location that she could operate as a night club. Attorney Slattery says someone may have been speaking about the night club fire that had happened in Rhode Island years ago. The Chairman says that Valery has a 12:00 AM license and is advertising that if they come in at 11:00 the fee is \$10.00. Valery asked if she can have music or a band because she had that on Bow St. Phil Arloro feels that Valery is trying to making excuses. Valery says that is not true. The Chairman plays a video from La Perles Facebook page showing all of the tables moved off the floor with music playing and crowds of people dancing. Attorney Slattery states that the business has a 97-person capacity and if the fire department went to her establishment, they would shut her right down. The Chairman states that the front windows are now fully blocked and that is not allowed per the building department. He asked if Valery has an Entertainment permit and Valery says that she does not and that when she was on Bow St she always had entertainment and never had a entertainment permit. She was told that she has to have an entertainment permit to have entertainment and only iPad music is allowed. Phil Arloro says there are videos are Zumba lessons at her business. Valery asked why she can't have Zumba lessons. The Chairman states that you are a restaurant not a dance school. Phil Arloro asked Valery if she was at the restaurant on the night of the party why didn't she speak to the police. Valery says that she did speak with the police but there is not mention of Valery in the police report. Phil Aloro refers back to the police report when the officer arrived at the business the security guard would not let him in.



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Erwin says that he was not at the door that there that night there was another gentleman there and he called for Erwin to go to the door. Erwin states that at the time that the Police Officer arrived there was no one in the restaurant, just the cleaning people and that they had video footage showing that. Varley says the best way for her to make money is the have music, dance and food. She said this is not a secret that she always had this. The Chairman states that she has been told several times that she is not a night club she is a restaurant. Valery continuously states that she didn't think she was doing anything wrong and what she did wasn't bad. Attorney Slatter says that if the state fire marshal came to her business, they would shut her down for the amount of people she had in there. He explains that he is trying to help her. Valery makes an accusation that the Board is coming after her and they are trying to take her down to close the restaurant and that they are coming for her. The Chairman addresses the accusation saying that they are trying to explain to her the proper use of her license. That she was open after hours, she is advertising that she has admission at 11:00 for \$10.00 and if she just doesn't understand. The Chairman says that if you want and entertainment permit that she will have to apply for one. He also explains again that she is to operate as a restaurant and close at 12:00 AM. Valery shows her Inspection Certificate from the building department and asked what does it mean when is says Banquet Hall. Phil Aloro asked that on the night that they were open after hours was alcohol sold? Valery says yes alcohol was sold. Phil Arloro wants it on record that she previously said it was not sold.

Phil Arloro makes a motion to table this issue until March 7, 2022 and the Board wants to see the credit cards statement, POS reports from the time she opened and any video footage from the night of January 27, 2022. This information should be provided 10 days prior to the meeting. Mike Dantone seconds the motion.

**Mike Dantone – yes Phil Arloro – yes Phil Antonelli – yes Motion Passed.**

Kerwin now state that this is no video footage and said they had never said there was. Valery then says that she does have surveillance. Valery says that she feels like she is in court and if she needs an attorney. Phil Aloro suggest that she should bring an attorney with her. George Lane the Commissioner of Buildings speaks to explain the use of the Inspection Certificate. He states that restaurants and bars fall under an use group A2. Which in the group contains banquet halls and night clubs, but La Perle was inspected for a restaurant and bar. Night clubs' inspections are different from a restaurant. Valery thinks that because it says restaurant, bars, banquet hall and clubs that she can operate as all of them. She says this is not the first time that she has operated in this manner. The Chairman state her alcohol license states clearly it is a restaurant.

Phil Aloro makes a motion to adjourn the meeting. Mike Dantone seconds the motion.

**Mike Dantone – yes Phil Arloro – yes Phil Antonelli – yes Motion Passed.**

**Meeting Adjourned**