

Minutes of the March 11, 2021 meeting of the City of Chelsea Licensing Commission.

Location: Chelsea City Hall Council Chambers Room 500 Broadway, Chelsea, MA and Facebook Live. Meeting opened at 6:10 p.m. by Chairperson Mark Rossi.

Commission members present: Chairperson Mark Rossi, Vice Chairperson Emily Cherniack James Guido, Mike McAteer,

Commission members absent: Gladys Vega

Also Present in Council Chamber Room: Licensing Administrator Naomi Libran, Assistant City Solicitor Strehon Treadway, Captain Keith Houghton, Office Joseph Santiago and Officer Nicole McLaughlin.

Chairperson Rossi asked for a motion to accept the minutes of the February 4, 2021, McAteer motioned to adopt, Vice Chairperson Cherniack seconded and vote unanimous.

Clerks Update/New Business:

Licensing Administrator Libran explained the process for outdoor seating based on how well it went last year during Covid-19. The outdoor seating will begin on April 1st until November 5th or 60 days after end of Governor Baker's Orders and there is a fee associated with the permit. The Licensing Administrator asked for a motion to seek a designation of authority to sign the Outdoor Seating Permits. Chairperson Rossi motioned to adopt, McAteer seconded and vote unanimous.

The hearings on the agenda were called out of order.

Agenda #4

Chairperson Rossi opened the Public Hearing to consider a Change of Manager application of an All Kind of Alcoholic Beverages (Off Premise) License of Fine Mart, LLC at 260-266 Broadway, Chelsea, MA. Present for the petitioner was Attorney Brian McNelis, Owner Diep Ngo and Proposed Manager Brian Ho. Attorney McNelis mentioned that the previous manager had passed away. Now the proposed manager Mr. Ho, he is 26 yrs. old and has been an employee and has earned the trust and respect of the owners of Fine Mart. In 2020 he became a citizen and also, eTips certified. He is well versed in the rules and regulations of the ABCC and City of Chelsea licensing commission. Chairperson Rossi opened the public speaking portion. No one spoke, therefore the public speaking portion was closed. McAteer motioned to approve the change of manager, Rossi seconded and vote unanimous.

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requested video surveillance footage from the night of November 21, 2020. The Licensee produced the requested video on November 25, 2020. The video showed that more than 25 patrons were present and both employees and patrons were away from tables without face coverings, and not maintaining social distancing. The Licensee stipulated to the facts contained in Officer Santiago's report and to the accuracy of the still photos that accompanied it. Attorney Cipoletta noted that the Licensee cooperated with Officer Santiago and that the Licensee had taken steps to correct the violations. In support of this he provided the Commission with photographs showing reduced seating at the premises taken shortly after he received the first notice of violation dated in January 2021. He argued that in the context of changing COVID-19 regulations there was little understanding or enforcement of the requirement of the orders. Security guard Sixto Ayala testified that the night in question he had allowed customers who were waiting outside in the cold for take-out food into the licensed premises. Commissioner Rossi noted that even disregarding the issue of occupancy, no one in the photographs was wearing a mask or maintaining six feet of distance. These were requirements that were well known to the general public. Commissioner Cherniack noted that not even employees were in compliance with well-known requirements. Chairperson Rossi opened the public speaking portion. No one spoke, therefore the public speaking portion was closed. Commissioner Guido motions the roll back the hours of the Licensee's on-premises all alcoholic beverages and amusement and entertainment licenses to 11:00 pm all nights for 60-days.

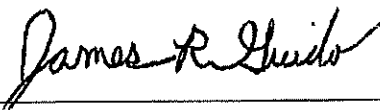
Meeting adjourned at 7:00 p.m.

Next meeting April 8, 2021

Adopted: April 8, 2011









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