

**MINUTES
LICENSE COMMISSION MEETING
SEPTEMBER 21, 2016**

A REGULAR MEETING OF THE Revere License Commission was called to order by Chairman Joseph W. Quarantello, Jr. at 3:00 p.m. on September 21, 2016. Commissioner Linda Guinasso, Commissioner John M. LaCroix, Police Lt. Sean Randall, Liaison with the Revere License Commission, and Maggie Haney, Recording Secretary, present.

VOTED ON THE FOLLOWING APPLICATIONS SUBMITTED FOR CONSIDERATION

St. Mary of the Assumption Church
670 Washington Avenue
Stephen Fielding, Contact

Application for a Special One-Day License for Malt/Wine, Common Victualler and Entertainment: Application of St. Mary of the Assumption Church for a special one-day license for malt/wine, common victualler and entertainment, to be exercised at St. Mary's Hall, 670 Washington Avenue from 5 p.m. until 10 p.m. on Saturday, September 24, 2016, for a Feast of St. Lucy's dinner dance.

Stephen Fielding appeared for the application. This is the annual St. Lucy's Feast, with approximately 125 people attending, no children. The beer and wine will be in a segregated area.

There were neither opponents nor proponents when called. Upon a motion duly made by Commissioner Guinasso, and seconded by Commissioner LaCroix, it was VOTED to approve the application.

Tomas Burgers, LLC
570 Broadway
Zaid Thweib, Manager

Application for a Common Victualler & Entertainment Licenses: Application of **Tomas Burgers, LLC**, Zaid Thweib, Manager, for a Common Victualler License to be exercised at 570 Broadway for eat-in and takeout service of burgers and salads. Requested seating is 20, requested hours of operation are Sunday – Saturday 10 a.m. – 11 p.m. Requested Entertainment is widescreen cable television.

Zaid Thweib appeared for the application. He plans to serve subs, burgers, ice cream, etc.

There were neither opponents nor proponents when called. Upon a motion duly made by Chairman Quarantello, and seconded by Commissioner LaCroix, it was VOTED to approve the application.

Aladdin Sane, LLC
d/b/a **Philly Pretzel Factory**
4 Squire Road
Robert Gesek, Manager

Application for a Common Victualler License: Application of Aladdin Sane, LLC d/b/a **Philly Pretzel Factory**, Robert Gesek, Manager, for a Common Victualler License to be exercised at 4 Squire Road for takeout and delivery service of soft pretzels, sodas and hot dogs. No seating, requested hours of operation are Monday – Saturday 7 a.m. – 6 p.m., Sunday 7 a.m. – 3 p.m.

Robert Gesek appeared for the application. The business will be all takeout, freshly made pretzels.

There were neither proponents nor opponents when called. Upon a motion duly made by Commissioner LaCroix, and seconded by Commissioner Guinasso, it was VOTED to approve the application.

Salvi's Donuts, LLC
d/b/a **Dunkin Donuts**
5 Ward Street
Lidiana Souza, Manager

Application for Transfer of a Common Victualler License: Application of Salvi's Donuts, LLC d/b/a **Dunkin Donuts**, Lidiana Souza, Manager, to transfer a Common Victualler License from BJ's Wholesale Club, Inc., said license to be exercised at 5 Ward Street in a café area inside BJ's Wholesale Club, providing eat-in and takeout

service of coffee, doughnuts, pastries and breakfast sandwiches. Requested seating is for 28, and requested hours of operation are Monday – Sunday 5 a.m. – 11 p.m.

Salvi Couto appeared for the application. BJ's has elected to have Dunkin' Donuts in their café, and he will be operating that franchise.

There were neither proponents nor opponents when called. Upon a motion duly made by Chairman Quarantello, and seconded by Commissioner LaCroix, it was VOTED to approve the application.

Mary Wasso
d/b/a **Revere Psychic Studio**
1040 North Shore Road
Mary Wasso, Manager

Application for Transfer of a Fortuneteller License and Change of Location: Application of Mary Wasso d/b/a **Revere Psychic Studio**, Mary Wasso, Manager, to transfer a Fortuneteller License from Rosie Cooper, and to change location from 209 Squire Road, Room 20, to 1040 North Shore Road. Requested hours of operation are Sunday – Saturday 11 a.m. – 9 p.m.

Mary Wasso appeared for the application. City Councillor Powers addressed the Commission to inquire if there had been any problems with the business in the past. Other than a minor issue with signs, which was corrected, there have been none. Given that information, he expressed no opposition.

There were neither opponents nor proponents when called. Upon a motion duly made by Commissioner LaCroix, and seconded by Chairman Quarantello, it was VOTED to approve the application.

Revere Restaurant Group, Inc.
d/b/a **Tio Juan's Margarita's Mexican Restaurant**
85 American Legion Highway
Ryan O'Leary, Manager

Application for a Change of Manager: Application of Revere Restaurant Group, Inc. d/b/a **Tio Juan's Margarita's Mexican Restaurant**, Ryan O'Leary, Manager, for a change of manager from Wendy Golini.

Ryan O'Leary appeared for the application. He summarized his employment history for the Commission.

There were neither opponents nor proponents when called. Upon a motion duly made by Commissioner Guinasso, and seconded by Commissioner LaCroix, it was VOTED to approve the application.

Mirage, Inc.
d/b/a **Mirage Restaurant**
220 Lynnway
Armen Toukhmanian, Manager

Application for Transfer of an All Alcohol Restaurant License: Application of Mirage, Inc. d/b/a **Mirage Restaurant**, Armen Toukhmanian, Manager to transfer an All Alcohol Restaurant License from Lobster Cabin, Inc., said license to be exercised at the same location, 220 Lynnway. Hours of operation, seating, and entertainment to remain the same.

Attorney Lawrence Simeone represented the applicant. This is a transfer to the current managers of the licensed establishment. There are no anticipated changes in operation.

There were neither opponents nor proponents when called. Upon a motion duly made by Chairman Quarantello, and seconded by Commissioner LaCroix, it was VOTED to approve the application.

La Esquina del Sabor, Inc.
1 Unity Avenue
Alba Balbin, Manager

Application for a Common Victualler License: Application of **La Esquina del Sabor, Inc.**, Alba Balbin, Manager, for a Common Victualler License to be exercised at 1 Unity Avenue for eat-in, takeout, delivery and table service of Colombian food. Requested seating is for 17, requested hours of operation are Sunday – Saturday 6 a.m. – 10:30 p.m.

Diego Preçiado appeared for the application, represented by his attorney, James Cipoletta. The current applicant had been operating under an agreement with the prior license holder, then arranged his own lease with the property owner, and now wants a license. The prior license holder considers himself the lawful tenant and business owner, and the matter is under litigation. At this time, the applicant would like the matter considered separately from the litigation, as that is a matter to be decided in court.

Moawwad Abougalala, the original license holder, represented by his attorney, Cory Rhoades, presented his case to the Commission regarding the issue of proper ownership of the business and license, and argued that the Commission should not approve a license for the applicant.

There were no proponents when called. The following people spoke in opposition to the application:

- City Councillor George Rotondo
- City Councillor Patrick Keefe
- Stephen Fielding
- City Councillor Joanne McKenna
- Bill Jackson
- Unnamed Associate Pastor of the First [inaudible] Church of Revere
- Morris Morris

In view of the absence of a license, and the proper food service permits, the Commission proposed closing the restaurant while they reviewed the original operating agreement and lease and tabling the application until such time as they could hold a special meeting. This suggestion was protested by the applicant's attorney. Chairman Quarantello moved to deny the license. The motion was seconded by Commissioner Guinasso, at which point, the applicant's attorney consulted with his client, who was amenable to closing for a short time.

Upon a motion duly made by Chairman Quarantello, and seconded by Commissioner LaCroix, it was VOTED to table the matter until September 28, 2017, during which time the establishment would remain closed.

Four Partners, Inc.
d/b/a **Antonia's at the Beach**
492 Revere Beach Boulevard
Rodrigo Angulo, Manager

Application to Amend Entertainment License: Application of Four Partners, Inc. d/b/a Antonia's at the Beach, Rodrigo Angulo, Manager, to amend its Entertainment license to include widescreen cable TV; radio; jukebox; karaoke; vocal and instrumental music; dancing by patrons. – **Continued from August meeting.**

This matter was taken out of order, to resolve the hearing issues first.

HEARINGS

Four Partners, Inc.
d/b/a **Antonia's at the Beach**
492 Revere Beach Boulevard
Rodrigo Angulo, Manager

Hearing: Hearing concerning possible violations of entertainment licensing laws and state regulations, and noise complaints. – **Continued from August meeting.**

Alexander Herrera appeared for the hearing, represented by his attorney, Joseph Franzese. The neighbors have been disturbed by open doors and windows, and several police calls, creating a great deal of noise and disruption in the area. Attorney Franzese told the Commission that the business called him upon receipt of the official letter of complaint from the License Commission. He stated that he immediately reviewed the situation and instituted changes to reduce disruptions in the neighborhood. While acknowledging that improvement, Commissioner Guinasso questioned the prior recidivism in the face of repeated warnings. The license holder apologized, and promised to amend his ways. The Commission VOTED to table the matter, with a warning.

Four Partners, Inc.
d/b/a **Antonia's at the Beach**
492 Revere Beach Boulevard
Rodrigo Angulo, Manager

Application to Amend Entertainment License: Application of Four Partners, Inc. d/b/a Antonia's at the Beach, Rodrigo Angulo, Manager, to amend its Entertainment license to include widescreen cable TV; radio; jukebox; karaoke; vocal and instrumental music; dancing by patrons. – **Continued from August meeting.**

This matter was taken out of order. The Commission asked how the applicant intends to control noise and disturbances with the amended entertainment. Attorney Franzese said his clients would keep the doors closed, and would use a decibel meter to ensure that noise was kept within the limits specified by City ordinance. Mr. Herrera stated that he would always be in charge. Upon questioning by the Commission, Mr. Herrera also promised to keep the windows closed after 10 p.m.

The following people spoke in favor of the application:

- City Councillor John Powers, who was in favor, but also favors restrictions that the doors remain closed, and the dance floor be restricted in size
- A woman who elected not to identify herself
- Beau Howard, who provides entertainment at the restaurant
- Attorney Franzese introduced a letter in favor written by State Representative RoseLee Vincent

There were no opponents when called. Upon a motion duly made by Chairman Quarantello, and seconded by Commissioner Guinasso, it was VOTED to approve the amendment for the hours of Wednesday – Saturday from 8 p.m. – 11 p.m., with the caveats that the doors be closed at all times, the windows closed by 10 p.m., the dance floor be no larger than 16' x 12', and that there be no amplification of live entertainment.

388 Broadway, LLC
d/b/a **Volare**
388 Broadway
Cecilia Maya, Manager

Hearing: Hearing concerning possible violations of licensing laws and regulations relating to control of premises and service to intoxicated patrons.

The Commission first heard from the Police Department, as represented by Officer Fantasia. Over the last several years, the police have found that Thursdays – Saturdays after 9 p.m. – 10 p.m., the establishment becomes more of an unruly bar than a restaurant. In the first seven months of 2016, leaving aside incidents resulting from directed patrols and the like, the police responded to Volare 13 times, resulting in 4 arrests, including 2 major assaults. Many of the late-night patrons are known to police as gang members or drug users. Officer Fantasia also cited problems with patrons congregating outside on the sidewalks, causing disturbances and frequently fighting. He did feel that things had improved slightly when management hired new security people, but only slightly.

Cecilia Maya appeared for the hearing. In addition to hiring new security people, they have instituted a dress code, and stopped using glassware after 10 p.m., using plastic cups instead. These measures have not significantly improved the problem. Some of these changes were only implemented after the business received the letter from the License Commission. She blamed the police for not coming to them and telling them that there is a problem with incidents at their establishment. The Chairman reminded her of management's responsibility to properly manage their business and patrons. Salvatore Gaglio, the chef, and Christopher Salerno also represented Volare at the hearing.

After much discussion, a motion was duly made by Chairman Quarantello to table the matter for 30 days, during which the following measures would be taken: doors will close at 12:30 to both new patrons and patrons re-entering the building; extra security will be retained; the establishment will continue to retain a detail officer every Friday and Saturday night from 10:30 p.m. – 2:30 a.m., and will call Revere Police if a detail officer does not arrive on a scheduled night. This motion was seconded by Commissioner LaCroix, and it was VOTED to table the matter for 30 days with the above conditions.

COMMUNICATIONS:

1. Notice of cancellation of hearing from the Massachusetts Alcoholic Beverages Control Commission regarding The Dining Room, Inc. d/b/a **Sebastian's Restaurant**.
2. Hearing notice from the Massachusetts Alcoholic Beverages Control Commission to determine if R K & E Corp. d/b/a **BK's Bar & Grill** has violated laws and regulations prohibiting gambling. Hearing date: Tuesday, November 8, 2016 at 11 a.m.

3. **LATE COMMUNICATION:** Hearing notice from the Massachusetts Alcoholic Beverages Control Commission to determine if **Revere Lodge #1171 of the B.P.O.E. of U.S.A.** has violated laws and regulations prohibiting gambling. Hearing date: Tuesday, January 10, 2017 at 11 a.m.
4. **LATE COMMUNICATION:** Hearing notice from the Massachusetts Alcoholic Beverages Control Commission to determine if The Sons of Revere, LLC d/b/a **The Sons of Revere** has violated laws and regulations prohibiting gambling. Hearing date: Tuesday, January 10, 2017 at 1 p.m.
5. **LATE COMMUNICATION:** Approval from Massachusetts Alcoholic Beverages Control Commission of Change of Beneficial Interest and Transfer of Stock for Uno Restaurants, LLC d/b/a **Uno Chicago Grill**.

All communications were accepted and placed on file.

LATE LICENSE RENEWALS FOR 2016

Class 2 Motor Vehicle Dealer

Joseph A. DeFeo d/b/a **City Auto Sales & Service**, 516 Broadway

Upon a motion duly made by Chairman Quarantello, and seconded by Commissioner LaCroix, it was VOTED to approve the late renewal.

It was unanimously VOTED to schedule the next regular meeting on October 19, 2016, at 3:00 p.m. in the Council Chamber.

Following the foregoing, there being no further business to come before the Board upon Motion duly made and seconded, it was VOTED to adjourn the meeting at 6:10 p.m.

Joseph W. Quarantello, Jr., Chairman

Maggie Haney, Recording Secretary

Minutes of the meeting of September 21, 2016