



*City of Westfield, Massachusetts*  
LICENSE COMMISSION

Commissioners  
Christopher Mowatt, Chr.  
Edward Diaz  
Alice Dawicki

RECEIVED

By City Clerk's Office at 12:14 pm, 6/15/22

MUNICIPAL BUILDING  
59 COURT STREET  
WESTFIELD, MA 01085  
Phone 572-6202  
Fax 572-6332

LICENSE COMMISSION  
Monday, April 11, 2022  
Municipal Building  
59 Court Street, Westfield, MA  
Room 207, Council Chambers  
6:00 PM

## MINUTES

The meeting was called to order at 6:05 PM by the Chair, Commissioner Mowatt. Commissioner Dawicki were present. Commissioner Diaz was absent. Chair Mowatt announced that Commissioner Diaz would be arriving to the meeting soon.

Upon motion of Commissioner Mowatt and duly seconded by Commissioner Dawicki, it was UNANIMOUSLY VOTED: That the License Commission minutes of March 14, 2022 be ACCEPTED.

Commissioner Mowatt announced that the next regularly scheduled meeting will be May 9, 2022 at 6:00 PM. Commissioner Dawicki replied that she would be unable to attend that meeting. Commissioner Mowatt replied that he would wait for Commissioner Diaz to arrive to confirm the next meeting date.

PUBLIC PARTICIPATION - No one was present to address the Commission.

REGULAR MEETING:

1. Charles Croney d/b/a AC Auto Sales, 766 Southampton Road was present to apply for a Class II Auto Agent license. Charles Croney informed the Council that his application is for the sale of cars and there will be no repairs done on the property. There would only be on-site repairs for the cars that are being sold. He informed the Commission that he learned today that his Zoning Determination was denied by the Building Inspector due to the property not being in the proper zone. Research will be done by the City Clerk to see if there is a special permit for the property for the selling of cars to show the property is pre-existing non-conforming. Upon motion of Commissioner Mowatt and seconded by Commissioner Dawicki, it was UNANIMOUSLY VOTED: That the application be APPROVED CONTINGENT upon verification that the property is zoned properly.

2. Upon motion of Commissioner Mowatt and seconded by Commission Dawicki, it was UNANIMOUSLY VOTED: That the Agenda be MODIFIED to take the Public Hearing at 7:00 PM as that is how the Public Hearing was advertised on the Application for Amendment - Change of Class of License from Seasonal All Alcohol Package Store to Annual All Alcohol Package Store for Gopal Krishna Convenience Inc. d/b/a Union Mart, 420 Union Street, Westfield, MA, Meet Patel, Manager. (per special legislation - Chapter 9 of the Acts of 2022 passed January 25, 2022; Westfield Resolution #3038)

3. Meet Patel, Manager of Patel Liquor LLC d/b/a Westfield Liquors, 95 Main Street, was present to respond to a complaint filed at the March 14, 2022 meeting relative to not accepting empty/recyclable bottles and cans. He informed the Commission that his establishment does accept empty/recyclable bottles and cans but requests that they be in original containers, not in trash bags. And, that his recyclable truck only picks up once a month now so he may not have enough room to store the empty bottles/cans and may have to turn someone away. Commissioner Mowatt acknowledged his dilemma with not being able to store the empty bottles/cans, but that it is his legal responsibility to accept them. He also informed Mr. Patel that he cannot require that the bottles/cans be in their original containers and suggested the he have a tray and/or empty cartons for the empty bottles/cans to be put into.

At 6:15 PM, Commissioner Diaz arrived at the meeting and was recorded as being present.

4. An Informational Hearing was held relative to Police Incident Reports for the following
  - a. Whip City Brew (The Whip), 287 North Elm Street, Zachary Stambovsky, Manager

#22-930 dated 01/10/2022 specifically relative to the status of the cameras. The following were present to address the incident: Bo Tangredi Zachary Stambovsky, Tiffany DoVale, Shauna Martin, Greg Strattnr, Jr. and Zay-Cuan Kelly. Shauna Martin informed the Council that 1:44 AM a fight broke out so she was trying to get everyone out of the bar by closing time and the customers were not happy to have to leave and they were banging on the doors and trying to get back in. She was the only person working so a male friend in the bar helped her. It was a scary situation. Commissioner Mowatt questioned why she was the only one working. Shauna Martin replied that it was a Sunday night and usually not very busy so only one bartender is needed. Commissioner Dawicki commented that she did a good job getting everyone out of the bar and expressed her concern that there was only one person working. Bo Tangredi replied that there was someone working in the kitchen and that person leaves at 10:00 PM. He would like a bouncer but there is no one that will take the job and the bar now closes at midnight on Sunday nights if not busy. Commissioner Mowatt asked if the closing early is the discretion of the bartender. Bo replied that yes it's the discretion. Commissioner Mowatt reminded Bo of the requirement of a crowd manager. Upon motion of Commissioner Mowatt and seconded by Commissioner Diaz, it was UNANIMOUSLY VOTED: That the crowd control regulations be followed.

The second incident for Whip City Brew (The Whip) was as follows: #22-4211 dated 02/08/2022 specifically relative to limited staff on duty. Tiffany DoVale informed the Council that she had asked a male patron to leave as the bar was closing. The patron refused to leave and so three other people that were in the bar were helping to get him out because Tiffany was the only one working. Commissioner Dawicki reiterated her concern of only one person working. Upon motion of Commissioner Mowatt and seconded by Commissioner Diaz, it was UNANIMOUSLY VOTED: That the crowd control regulations be followed.

The third incident for Whip City Brew (The Whip) was as follows: #22-6756 dated 03/05/2022 Bo informed the Council that Bouncer Zay-Cuan Kelly reported that a fight broke out in the bar and the female patron is refusing to leave. Commissioner Mowatt questioned if there was any security footage for this or any of the incidents discussed tonight. Bo replied that the security cameras were not working and that he has a proposal for new cameras to be installed soon. Lt. Eric Hall addressed the Commission expressing his concerns that there are no working security

cameras on the premises and requested Bo to get working security cameras soon. Councilor Diaz expressed his concern that there is a pattern of fighting and patrons refusing to leave and no security cameras and requested that working cameras be installed. Commission Dawicki advised Bo to post signs that there are security cameras in use once installed to help deter violence. Upon motion of Commissioner Mowatt and seconded by Commissioner Diaz, it was  
UNANIMOUSLY VOTED: That security cameras be installed.

- b. No one was present to represent in incident report for Gabe's 252, 252 Elm Street, Gabriel Krause, Manager #21-43364 dated 12/30/2021  
Upon motion of Commissioner Mowatt and seconded by Commissioner Dawicki, it was  
UNANIMOUSLY VOTED: That another notice be sent to Gabriel Krause requesting him to be present at the May 9<sup>th</sup>, 2022 meeting relative to the incident report.

Commission Mowatt went back to revisit the setting of the next meeting date.  
Commissioner Diaz replied that he would be available May 9<sup>th</sup>, 2022.

5. Commission Mowatt read the following Section 14, One Day Licenses that were previously approved by the Chair via email:  
Section 14, One Day Licenses approved by the Chair:
  - a. Westfield State University, 577 Western Ave, President's Reception, April 28, 2022
6. Discussion was held relative to Skyline Beer Company, 98 Southwick Road, to use right side outdoor area of building for outdoor concerts on May 28, 2022 and October 22, 2022 from 4:00 PM to 10:00 PM. Commissioner Mowatt informed the Commission that they will need One Day licenses because the concerts will be held in their parking lot which is not a licensed premises. Upon motion of Commissioner Mowatt and seconded by Commissioner Dawicki, it was  
UNANIMOUSLY VOTED: That one days licenses be approved for Skyline Beer Company, 98 Southwick Road, to use right side outdoor area of building for outdoor concerts on May 28, 2022 and October 22, 2022 from 4:00 PM to 10:00 PM contingent upon the submission of a plan to show how the alcohol will be served in the area and how the consumption will be controlled for the area.
7. Upon motion of Commissioner Mowatt and seconded by Commissioner Diaz, it was  
UNANIMOUSLY VOTED: That the ABCC Advisory regarding expansion to April 1, 2023 of patio/outdoor service and takeaway/delivery of alcohol by on premise licensees be accepted and placed on file. And it was further voted that

all on premise licensees be sent a copy of the Advisory informing them, per the Advisory, temporary outdoor service and delivery has been extended to April 1, 2023 as long as the guidelines (also a copy to be sent) are followed.

Commissioner Dawicki questioned if the Advisory applies to only licensees that already have a temporary outdoor and/or delivery license. Commissioner Mowatt replied that it does not say only existing ones, therefore, it applies to all on premises licensees as long as the guidelines are followed.

8. Approve monthly bills - None

9. Police Incident Reports

#22-8238 - K'S RESTAURANT - 318 E MAIN ST

Upon motion of Commissioner Dawicki and duly seconded by Commissioner Mowatt, it was

UNANIMOUSLY VOTED: That the report be PLACED ON FILE.

#22-8776 - GABE 252 - 252 ELM ST

Upon motion of Commissioner Diaz and duly seconded by Commissioner Dawicki, it was

UNANIMOUSLY VOTED: That the Licensee be informed to ATTEND AN INFORMATIONAL MEETING relative to the above incident.

#22-9370 Hutghi's at the Nook - 8 FRANKLIN ST

Upon motion of Commissioner Mowatt and duly seconded by Commissioner Diaz, it was

UNANIMOUSLY VOTED: That the report be PLACED ON FILE.

#22-9510 Gabe's 252 - 252 ELM ST

Upon motion of Commissioner Mowatt and duly seconded by Commissioner Diaz, it was

UNANIMOUSLY VOTED: That the report be PLACED ON FILE.

At 7:00 PM a Public hearing was held on an a Change of Class of License from Seasonal All Alcohol Package Store to Annual All Alcohol Package Store for Gopal Krishna Convenience Inc. d/b/a Union Mart, 420 Union Street, Westfield, MA, Meet Patel, Manager. (per special legislation - Chapter 9 of the Acts of 2022 passed January 25, 2022. Attorney Brad Moir was present to represent the application. He informed the Commission that the process for special legislation started over a year and a half ago. The City Council, Senator Velis and Representative Pease all supported the special legislation. Attorney Moir explained that the applicant has a seasonal all alcoholic package store license and for the convenience of the licensee and the residents of the area, the request for the conversion to an annual all alcoholic package store is being

requested. He also has an annual Wine and Malt package store license and that license will be turned in once the annual all alcoholic package store license is issued. The description and physical location will all stay the same as the seasonal all alcoholic package store license. Commissioner Mowatt informed the Commission that he has been to the store and Mr. Patel does a great job and it is convenient for the residents of the area. Commissioner Diaz questioned how many all alcoholic package stores are available. Commissioner Mowatt replied that there are not any more all alcoholic package store licenses available that is why the special legislation had to be applied for. Attorney Moir informed the Commission that the special legislation was created for this location and if it ceases, the license goes back to the local licensing authority and the local license authority may grant that license to someone else at that same location, as that is a condition of the special legislative Act. With no one present to speak in favor or in opposition of the application, the Public Hearing was closed.

Upon motion of Commissioner Mowatt and duly seconded by Commissioner Diaz, it was

UNANIMOUSLY VOTED: That the application be APPROVED.

Mowatt adjourn 7:05 PM

A true record, Attest:

Karen M. Fanion  
City Clerk/  
Interim Administrator for License Commission



Christopher Mowatt, Chair

*WESTFIELD LICENSE COMMISSION'S MISSION STATEMENT  
TO SERVE THE PUBLIC NEED AND PROTECT THE COMMON GOOD OF THE CITIZENS  
OF THE CITY OF WESTFIELD, BY ENSURING THAT ALL LICENSEES GOVERNED BY  
THE COMMISSION OPERATE IN COMPLIANCE WITH ALL LAWS OF THE  
COMMONWEALTH*