

City of Westfield, Massachusetts
LICENSE COMMISSION

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WESTFIELD CITY CLERK

Commissioners:
Christopher Mowatt, Chr.
Edward Diaz
Alice Dawicki

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LICENSE COMMISSION MEETING
Wednesday, October 9, 2019
MINUTES

Meeting convened at 6:00 p.m.

Chairman Mowatt, Commissioner Diaz and Commissioner Dawicki were present.

A motion was made by Commissioner Dawicki, seconded and unanimously VOTED to approve the September 11, 2019 minutes as presented.

Due to the November holiday, the November License Commission meeting will be held on Tuesday, November 12, 2019.

PUBLIC PARTICIPATION:

None

REGULAR MEETING:

1. Lt. Bard was present to speak with the Commissioners regarding new procedures since he has taken the role from Lt. Hall.

Lt. Bard was present and stated the following:

- He will bring any and all incident reports that are investigated to the commission.
- He will submit a lengthier incident report because he feels a full report is better than a partial report. More information is better.

Commissioner Mowatt stated that the commission likes having every incident report where the police are called submitted. This allows the commission to recognize if a pattern is taking place.

Lt. Bard stated the following:

- He and his team have been educating the licensees as best as they can.
- He has been trying to educate the door men at the bars to recognize the fake ID's.
- He has been reminding them that they should only take Massachusetts ID's and not out of state ID's.
- He has also been trying to educate them on over serving.
- He has reminded them that if someone comes into their establishment intoxicated they should turn them away. They should not even give them water. Once they are let into their establishment already intoxicated, that establishment owns them.

Commissioner Diaz asked if this is still part of the Community Police Team.

Lt. Bard stated that his unit is now called Community Service Unit and there is a new direction they will be taking from how the Community Police Team worked.

Commissioner Diaz stated that the Westfield Police have always done a fantastic job in the City.

Lt. Bard stated the following:

- These fake ID's that are in town are coming from China with a cost of \$105.00 each.
- They are delivered inside a box filled with socks.
- Everything on this fake ID is identical to the person's real ID except for the year of birth.
- If a person is caught with a fake ID on them they are being charged accordingly.
- The police department then files a form with the RMV and that person's license will be suspended for six months.

Chairman Mowatt asked what the bars involvement with having a person with a fake mass ID in their establishment.

Lt. Bard stated the following:

- The bar is not in violation if a Mass fake ID is scanned in their system and does not come up that it is fake.
- He has been showing the door guys that they must put a light up to the license to illuminate the initials of the patrons and the date of birth.
- It is illuminates it and it is bright then it is real.
- With a fake ID you will hardly see the initials or date of birth.
- Fake ID's also show a larger portion of your upper torso with a dark background instead of the light one that it should be.
- The ABCC was just in not too long ago and they checked five establishments for underage patrons with one failing.

- He has suggested to one bar owner that if they have a concern with females entering their establishment they should hire a female bouncer and check their purses before they enter the establishment.
- He is more than willing to be present for any and all license commission meetings.
- He wants to see bars succeed.
- When the bars fail the Westfield Police Department fail.
- He has instructed the bar owners to call the police when incident occurs.

Commissioner Diaz stated the following:

- All establishments should know that they should be calling the police when incidents occur.

Lt. Bard stated that when incident occur all parties including the victims are trespassed from the establishment.

Commissioner Dawicki asked if the Westfield Police will still be doing compliance checks.

Lt. Bard stated the following:

- The Westfield Police Department will still be looking to do compliance checks in the future.
- The ABCC was just here because they received information that there were underage patrons in some of the establishments.

The Commission instructed the office manager to send Lt. Bard a copy of the Commission's compliance check guidelines.

2. The Commission acted upon the following incidents.

- Whip City Brew incident# 19-1054-OF call# 19-25522 8-10-19
 - A motion was made by Chairman Mowatt, seconded and unanimously VOTED to file the incident and send the licensee a letter stressing it would be in their best interest for their camera's to be operational.
- Maple Leaf incident# 19-1223-OF call# 19-30432 9-15-19
 - A motion was made by Chairman Mowatt, seconded and unanimously VOTED to file the incident.
- Rain incident# 19-1215-OF call# 19-30159 9-13-19
 - A motion was made by Chairman Mowatt, seconded and unanimously VOTED to call the licensee into an informational hearing.

- Rain arrest# 19-352-AR call#19-30139 9-12-19
 - A motion was made by Chairman Mowatt, seconded and unanimously VOTED to call the licensee into an informational hearing.
- Rain arrest# 19-353-AR call# 19-30139 9-12-19
 - A motion was made by Chairman Mowatt, seconded and unanimously VOTED to call the licensee into an informational hearing.

3. Pottery Cellar, 73 Mill Street, Westfield requesting a Section 14 wine & malt license for October 24, 2019 6pm to 9pm / November 9, 2019 10.30am to 2.00pm / November 21, 2019 5pm to 9.30pm.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the one day requests with a fee of \$100.00 total for all three events.

LATE COMMUNICATION:

1. Tavern Restaurant Westfield, 2 Broad Street, Westfield, Peter Kantos, mgr requesting a Section 14 wine & malt license for Saturday, October 19, 2019 from 12pm to 6pm for the Pumpkin Fest at 53 Elm Street.

The office manager stated that the Tavern has had this event in the past. It is held at 53 Elm Street in a roped off area of the empty lot.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the wine & malt request and to waive the fee due to this being a community event.

2. Westfield State Dining, 577 Western Avenue, Westfield, Mary Reilly mgr requesting a Section 14 wine & malt license for November 12, 2019 pm to 7.30pm at the Scanlon Banquet Hall for a Donor Appreciation event.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the wine & malt request.

3. Rally's Bar & Grill, 115 Meadow Street, Westfield, Lou & Jacquelyn Scarfo, mgr requesting a Section 14 wine & malt license for Saturday, October 26, 2019 from 10am to 6pm.

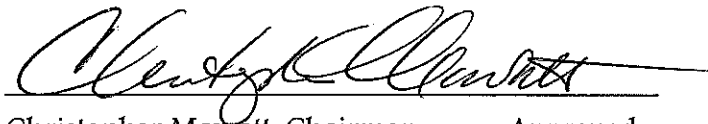
A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the wine & malt request.

ADMINISTRATIVE BUSINESS

1. Received approval from the ABCC for American Legion manager change. License will be issued once we receive TIPS certification from the new liquor manager.
2. Received approval from the ABCC for Delaney's Market Wine & Malt Package Store License. The office manager stated that the licensee stated they are hoping to be open sometime in December. License will be issued once they are ready to open.
3. The Commission instructed the office manager to send a letter to Lucky Mart stating their wine & malt package store license was approved with the following conditions:
 - The liquor manager and all employees current and new in the future must be TIPS certified.
 - Controls must be put in place, verified by the Westfield Police Department and approved by the Commission that prevent the sale of alcohol to minors whether it be scanners or some sort of written procedure or written policy.
 - Controls must be put in place, verified by the Westfield Police Department and approved by the Commission that prevents the sale of alcohol outside of licensed hours. Those controls must actually prevent the sale and must be such that it is not based on one persons consideration or regard for making decisions to whether that sale be allowed or not.

The Commission instructed the office manager that once these are in place by the licensee, to reach out to Lt. Bard to have the establishment inspected and submit a written report to the Commission for approval.

With no further business the meeting adjourned at 7:00 pm.



Christopher Mowatt, Chairman

Approved.