

Minutes for the Lowell License Commission meeting for Thursday, May 12, 2016 at 6:30 p.m., held in the Council Chamber, 2nd floor, City Hall, 375 Merrimack St., Lowell, MA 01852.

Present: John Descoteaux, Commissioner, Chairman, Commissioners Cliff Krieger, and Terry McCarthy; and Deputy Superintendent Jack Webb of the Lowell Police Department.

Absent: Commissioners Kristen Hogan and Nancy McGovern.

The Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to approve minutes for emergency meeting April 15, 2016.

The Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to approve minutes for meeting April 28, 2016.

The Commission reviewed the applications for special one-day license to sell/dispense malt beverages & wines only, or either one:

Thomas P. Mulligan of Lenzi's Catering at St. Margaret, 486 Stevens Street for the St. Margaret School Distinguish Award, Saturday, May 21, 2016, 5:00 p.m. to 9:00 p.m. Thomas Mulligan was present.

Donna Garabedian of St. Louis Parish, at St. Louis Center, 221 West 6th St., for Auction, Saturday, May 14, 2016, 5:30 p.m. to 12:00 midnight. Donna Garabedian was present.

Marta Rodrigues for PALYC, at 739 Central St., Lowell, Portuguese American Lowell Youth Center, 739 Central Street, Dinner - Dance, Saturday, May 14, 2016, 6:00 p.m. to 1:00 a.m.

Marta Rodrigues for PALYC, at 739 Central St., Lowell, Portuguese American Lowell Youth Center, 739 Central Street, Fados, Sunday, May 29, 2016, 5:00 p.m. to 1:00 a.m.

Marta Rodrigues for PALYC, at St. Anthony Church, 893 Central Street, Sao Joao Feast, Saturday, June 25, 2016, 2:00 p.m. to 12:00 a.m.

Marta Rodrigues for PALYC, at St. Anthony Church, 893 Central Street, Sao Joao Feast, Sunday, June 26, 2016, 12:00 p.m. to 10:00 p.m. Marta Rodrigues was present.

Sovanna Pouv for Wedding Ceremony, at UTEC, 34 Hurd Street, Saturday, May 28, 2016 from 5:00 p.m. to 11:00 p.m. Sovanna Pouv was present. Mr. Pouv requested that his application be amended to 12:00 midnight.

The Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to approve the licenses for Thomas P. Mulligan of Lenzi's Catering, Donna Garabedian of St. Louis Parish, Marta Rodrigues for PALYC, and Sovanna Pouv, and to approve the hours 5:00 p.m. to 12:00 midnight for Mr. Pouv license.

The Commission reviewed the applications for special event permits for amplification of sound for outdoor public entertainment:

Marta Rodrigues of the Portuguese American Lowell Youth Center, sound system for d.j./play back w/artists, at the Sao Joao Feast, June 25, 2016, 2:00 p.m. to 12:00 a.m., and June 26, 2016, 10:00 a.m. to 10:00 p.m. at St. Anthony Church, 893 Central Street. Marta Rodrigues was present. The Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to approve the special event permits for Marta Rodrigues for the dates of June 25, and June 26 – 2016.

Jose M. Santos of Holy Ghost Society, sound system for band, Holy Trinity Feast, Saturday, May 21, 2016, 12:00 p.m. to 12:00 a.m., and Sunday, May 22, 2016, 1:00 p.m. to 10:00 p.m. for the outdoor grounds at Holy Ghost Park, 65 Village Street. The Commission did not act upon the applications by Jose M. Santos of Holy Ghost Society for special event permits due to his absence at the meeting.

The Commission reviewed the application by Diamond Action, Inc., d/b/a Lowell Spinners, all alcoholic beverages restaurant licensee at 450 Aiken Street for change of manager from Timothy A. Bawmann to Brian C. Lindsay of Hudson, NH. Brian Lindsay was present. Mr. Lindsay stated to the Commission that he has been an employee of Diamond Action, Inc. since 1996. The Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to approve Brian C. Lindsay as manager of record for Diamond Action, Inc.

The Commission opened the hearing on the application by United States Bunting Cricket Club and Athletic Association, all alcoholic beverages club licensee at 449 Boylston Street for change of manager, and new officer, director. Richard Sheehan of Tewksbury is proposed as new manager, and director. Richard Sheehan and Attorney Larry Bean of Nicosia & Associates, legal counsel for the Bunting Club, were present. Attorney Beane stated that Richard Sheehan has been a club member since 1994. Mr. Sheehan is to take the place of Mike Sheehan, who is deceased. The Commission, on the motion by Commissioner McCarthy, second by Commissioner Krieger, voted to approve the application by the United States Bunting Cricket Club and Athletic Association.

The Commission reviewed the application for alteration of licensed premises for all alcoholic beverages package store licensee A.S.D.K. Ram Corporation, d/b/a Ramos Package Store, Sanjay Patel, Manager, for premises at 77 Branch St. The Commission, on the motion by Commissioner McCarthy, second by Commissioner Krieger, voted to ratify the publication of legal notice for Friday, May 13, 2016, and to hold the public hearing on May 26, 2016.

The Commissioner reviewed the communication from William M. Taylor, Superintendent of Police, dated May 4, 2016 re: DCGR, Inc., d/b/a D & G All Star Lounge, David Cruz, Manager, all alcoholic beverages restaurant license at 177 Merrimack St., for an incident April 17, 2016, and the allegation of violation MGL chapter 138, section 63A, Hindering an Agent of the Licensing Authority, and Lowell License Commission Regulation 1.14 Access to Premises by Police and Agents. The Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to schedule a hearing on the allegation of misconduct against DCGR, Inc. for Thursday, May 26, 2016 at 6:30 p.m., to be held in the Council Chamber.

The Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to defer to May 26, 2016 the matter of the License Commission vote on whether to enter into executive session to comply with, or act under the authority of, MGL Chapter 30A, Section 22, in light of motion by Commissioner Krieger to review License Commission executive session minutes for executive sessions of May 8, 2014, May 15, 2014, and December 4, 2014.

The Commission voted to adjourn the meeting at 6:40 p.m. on a motion by Commissioner Krieger, second by Commissioner McCarthy.

Respectfully submitted by Ryan Wynn, Executive Secretary, present at meeting.