



# City of Westfield, Massachusetts

RECEIVED LICENSE COMMISSION

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WESTFIELD CITY CLERK

Commissioners  
Christopher Mowatt, Chr.  
Edward Diaz  
Alice Dawicki

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**LICENSE COMMISSION MEETING**  
**Monday, November 15, 2021 6:00 p.m.**

## MINUTES

Meeting convened at 6:02 p.m.

Present was Chairman Mowatt, Commissioner Diaz and Commissioner Dawicki.

The next License Commission was scheduled for December 13, 2021.

A motion was made by Chairman Mowatt seconded and VOTED to approve the minutes of October 13, 2021 as presented.

### PUBLIC PARTICIPATION:

None

### VIOLATION HEARING:

1. Krause, LLC d/b/a Gabe's 252, Andrea Hunter, mgr, 252 Elm Street Westfield, MA regarding report of alleged violation of patrons on premises after business hours consuming alcohol.

Friday, October 1, 2021 5:37a.m.

204 CMR 2.05 (2)

No licensee for the sale of alcoholic beverages shall permit any disorder, Disturbance or illegality of any kind to take place in or on the licensed premises. The licensee shall be responsible therefore, whether present or not to wit.

MGL, Chp 138 Sec 12

Patrons on premises after business hours consuming alcohol (5 counts)

Westfield License Commission Rules and Regulations 1.04 Hours of Operation – Closing Policy.

Chairman Mowatt read the violation letter into the minutes.

Present was Gabriel Krause owner who stated the following:

- The incident did indeed happen at the establishment.
- Drinking after hours in the establishment does not happen frequently.
- He knows they should not be doing this.

Commissioner Diaz stated the following:

- Stressed that he must protect his business and his license.
- His establishment is in a high traffic area and he is setting himself up to fail.
- Bottom line is that he needs to follow the rules.
- That location has an aura that attracts issues.

Commissioner Dawicki asked if he knew drinking after hours was wrong, why did he do it?

Gabe stated the following:

- That evening after the bar closed himself and his security people went to a friend's house to drink.
- When they left they went back to the bar and just stayed there and continued to drink.
- He knows they should not of done that.
- He accepts full responsibility.
- He is making moves to not have that happen again.

Officer Francis Gaulin was present and stated the following:

- The establishment has had a few minor incidents since this occurrence.
- Gabe has been on top of things since then.
- He has not seen that this has happed in the past.

With nothing further, a motion was made by Chairman Mowatt, seconded and unanimously VOTED to move to deliberation.

## **DELIBERATION:**

A motion was made by Chairman Mowatt, seconded and unanimously VOTED that based on the evidence heard the Commission finds at the licensee violated MGL 138 Sec. 12 (5 counts). The licensee also violated 204 CMR 2.05 (2) No licensee for the sale of alcoholic beverages shall permit any disorder, disturbance or illegality of any kind to take place in or on the licensed premises. The licensee shall be responsible therefore, whether present or not to wit. Licensee also violated the Westfield License Commission Rules and Regulations 1.04 Hours of Operation – closing policy.

Chairman Mowatt stated the following:

- Based on Officer Gaulin's statements that this has not been done before, he does not feel that this was done in malice.
- People make mistakes.
- He is being charged based on five (5) counts due to five (5) people drinking in the establishment after hours.
- He would like to see a little leeway in the suspension.

Commissioner Diaz stated the following:

- He has not had an incident like this before or after this happened.
- He has to understand that this a violation and not legal.
- He believes that he and his staff are under stress and this just got away from them.

- He agrees with the leeway and some courtesy.

Commissioner Dawicki stated the following:

- She agrees with Chairman Mowatt and Commissioner Diaz.
- She does not feel he intended to break the law.
- Five (5) counts of patrons drinking after business hours is a serious offence.
- Feels the commission needs to follow the guidelines for suspension for fairness.

Commissioner Diaz agrees.

Chairman Mowatt stated that with five (5) counts he could possibly lose his license. This situation was under his control.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to suspend the liquor license of Krause, LLC d/b/a Gabe's 252 for five (5) days. These five (5) days shall be held in abeyance for a period of twenty four (24) months provided no further violations of Chapter 138 or the ABCC Regulations occur.

#### **INFORMATIONAL HEARING:**

1. Krause, LLC d/b/a Gabe's 252, Andrea Hunter, mgr, 252 Elm Street, Westfield MA regarding police incident# 21-33668. Commission is also requesting a copy of the following protocols for the establishment be submitted no later than Tuesday, November 2, 2021.

- Protocol for alcohol incidents inside and outside of the establishment.
- Protocol for the disbursement of patrons when they start leaving the inside of the establishment and how the establishment will make sure when outside that patrons leave the surrounding area without incident.

Chairman Mowatt read the letter calling the licensee into the meeting along with the minutes.

Present was owner, Gabriel Krause who stated the following:

- He remembers this incident.
- When this happened he was in the front area of the bar.
- A patron drove to the front of the bar and stated that someone out back was bleeding.
- He ran to the back of the building.
- He saw two (2) men sitting in a parked car.
- Instantly they got out and squared up to fight him. They were both aggressive.
- He tried to calm the passenger down.
- The driver got out of the vehicle and shoved him.
- He has all of this on camera.
- The DJ was backing up and four (4) men were behind the car and refused to move.
- The DJ wasn't trying to hit them he was just trying to slowly back up and they refused to move.
- When they wouldn't move he got out to confront them.
- That's when all four (4) of them dragged him to the back of the building and beat him.
- He did not have security out back.
- Since that incident he now has security on Wednesday's and they will be checking the back of the building.
- He has trespassed those four (4) individuals.

Commissioner Diaz asked if they were patrons of his establishment that night and if they were overserved and intoxicated.

Gabe stated the following:

- They lied to the police officers.
- There were very peaceful inside the establishment.
- He does not believe they were overserved or intoxicated because they did not cause any issues inside the establishment.

Commissioner Dawicki stated the following:

- The Commission received the protocol they asked for.
- He needs to get a grip on what is going on inside of his establishment.
- If she wanted to frequent the establishment she would not feel safe to go in there.

Gabe stated the following:

- Due to this incident happening, he now makes sure the back lot is monitored more frequently and no one is hanging around back there.
- He just bought a new scanner to try to stop patrons from coming and going multiple times throughout the night.
- His security staff will start moving people along at the end of the night until the last person leaves.
- He takes this seriously and knows that he can always improve.

Commissioner Dawicki stated that she wants him to succeed and get his business under control.

Chairman Mowatt stated the following:

- He is not the only establishment having issues with patrons.
- You need to figure out the customers that you don't need and the ones that you do need to help your business succeed.
- That establishment has a history before you that the owners allowed the customers to run and determine the fate of the business.
- You need to change your clientele if problems will continue to happen.
- You need to look closely at the issues happening at your establishment and make sure it doesn't keep going on.
- You need to make sure you protect your liquor license.

Commissioner Diaz asked how he came up with the protocol for alcohol incidents inside and outside of the establishment and the protocol for the disbursement of patrons when they start leaving the inside of the establishment and how the establishment will make sure when outside patrons leave the surrounding area without incident.

Gabe stated the following:

- He did not work with the Westfield Police Department.
- He and his lead security employee worked together to decide how they should operate the business.
- The protocols were simplified but he will work to have a binder with more protocols and more details that the employees must follow.

Officer Gaulin stated that the Police Department has no problem sitting with Gabe and his staff to help them come up with a safety protocol.

Commissioner Diaz stated to Gabe that it is in his best interest of his license and the safety of his patrons to work with the Westfield Police Department.

Gabe stated the following:

- In his personal perspective he didn't want to seem like he was over reaching and show that they need to call the police every night with an incident.
- He has been able to handle most situations.

Commissioner Diaz stated that he is not overreaching and it is good to work with the Police Department.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to file the incident.

2. Whip City Patriots, Inc. d/b/a The Whip, Zachary Stambovsky, President, 287 North Elm Street, Westfield, MA regarding incident# 21-32160 & 21-34007.

Chairman Mowatt read the letter calling the licensee into the meeting along with the minutes.

Present was owner, Zachary Stambovsky and employees Bo Tangredi, Greg Stratto and Zay-cuan Kelly.

Bo Tangredi stated the following regarding incident# 21-32160

- He has no recollection of this incident.

Zay-cuan Kelly stated the following:

- He called the police regarding this incident.
- The patron was one of their regulars.
- He found him in his car in the parking lot at 2am.
- He thinks he was drinking in his car.

Greg Stratto stated the following:

- He was allowed inside the establishment.
- He was given a drink and he maybe took one sip before the bartender took it away from him.

Chairman Mowatt stated that he is concerned that there is a pattern of overserving and intoxication of their patrons. People are leaving and not able to drive.

Bo Tangredi stated the following regarding incident# 21-32160 & 21-34007:

- The bouncers know not to let intoxicated patrons inside the establishment.
- Sometimes it's hard to notice and they can't always catch them.
- Their staff has been with them for a while.

Chairman Mowatt stated the following:

- The bar staff needs to pay more attention to the customers.
- He is concerned that they may feel they will get more tips if they continue to serve them when they are intoxicated.
- You need to have your bar and wait staff be your eyes and your ears for issues with patrons and have them notify security.

Commissioner Dawicki stated the following to employee Zay-cuan:

- He did a good job calling the Police.
- He helped save the patrons life.

Zay-cuan stated the following:

- He was in the Navy and a Correctional Officer.
- He will always help people out.
- He was the one who called 911.

Bo stated that the establishment has no problem calling the police for help.

Officer Gaulin stated the following:

- He is on patrol at midnight and responds most of the time to The Whip.
- Bo does an excellent job with the bar and his staff.
- Sometimes things do slip through the cracks but all in all he does a great job.

Commissioner Diaz stated that he likes to hear when establishments work with the Police and have a good history working with them.

Bo stated that everyone seems to be on edge these days. Things are getting worse for establishment because a lot of them are closing. He has been getting a lot of patrons from Springfield and Hartford in his establishment.

Chairman Mowatt reminded them to protect their license and their business.

A motion as made by Chairman Mowatt, seconded and unanimously VOTED to file the incident.

Bo stated to the commission that there are a lot of police officers that he considers friends. He feels the Westfield Police Department is there to help establishments, not hurt them.

## **REGULAR MEETING:**

1. Krause, LLC d/b/a Gabe's 252, 252 Elm Street, Westfield, MA requesting a liquor manager change from Andrea Hunter to Gabriel Krause.

Gabe was present and stated the following:

- He would like to change the liquor manager from his mother back to him since he is back from active duty.
- He does not want this business hanging over his mother any more.
- His TIPS certification is up to date.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the liquor manager change from Andrea Hunter to Gabriel Krause.

2. Great Awakening Brewing Company requesting permission to hold a ticket concert event on March 12, 2022 from 7pm – 10pm.

Kim Grenier was present and stated the following:

- She is looking for approval to hold a ticketed concert event on March 12, 2022 from 7pm to 10pm at their establishment.
- The band will play from 7pm – 9pm.
- They will be open to the public until 4pm.
- They would then close to get ready for the concert and reopen at 5pm for the ticketed event.
- They will be serving food and drink.
- This will be a Bon Jovey cover band.
- The establishment will close at 10pm.

Chairman Mowatt asked what kind of security they have.

Kim stated the following:

- They have two (2) entrances into the establishment.
- They will have a host at both entrances.
- They currently do not have anyone who is the crowd control certified. They are looking into that.
- They will make sure they have a manager who has that certification.
- She is working with Carissa to upgrade their occupancy.
- Two weeks ago they has 92 people in their establishment who usually stay about an hour and a half.
- They have never had any issues.

Chairman Mowatt stated the following:

- He is concerned that when you have your bar and restaurant open and there is a constant table turn you are handling it well.
- But now with this concert you will have lot of people there just for the music and the biggest problem is going to be your parking lot not your bar.
- His concern is the amount of security that you may need in the parking lot when the patrons leave.
- This is something that you will need to investigate to see if you need to hire a police detail.
- When people get psyched up on music they are still psyched up when they get to their car.
- He asked if they are sure that they want to do this.

Kim stated the following:

- Their space is 12,000 square feet for their business.
- They will continually need to look at how they utilize that space and be creative because the rent is high
- They do have the availability if they have more bathrooms they could have up to 400 people in the establishment.
- Moving forward they would occasionally want to have some concerts, and have events where businesses showcase their items.
- They need to see how they can utilize that space.
- They currently are open Thursday through Sunday.

Chairman Mowatt stated that the establishment has been doing great.

Commissioner Diaz stated the following:

- He sees where Chairman Mowatt's concern comes from.

- Westfield has establishments that have weddings and other events that hold more than 150 people and have bands and DJ's that have no issues and do not have to hire a detail officer.
- He does recommend talking with the Westfield Police regarding this event and to see if there is a way to get extra lighting in that parking lot.

Commissioner Diaz asked the office manager, Kimberly Sienkiewicz to talk with Chief Valliere to see if he is ok with this event and if he feels the establishment needs to hire an officer.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the request for a ticketed concert event on March 12, 2022 from 7pm to 10pm contingent upon receiving a security plan thirty (30) days before the event to review and ask any questions if need be.

3. Location transfer of Deals 4 Wheels, Inc., 115 Springfield Road, Westfield, MA to 276 Union Street for a Class 2 Auto License. Licensee will surrender Class 2 Auto License for Car Mart after approval of the location transfer.

Present was Darlene Roache who stated the following:

- She is looking to downsize her business.
- 115 vehicles that she has for sale is too much for her right now.
- She is looking to turn in her Car Mart License at 276 Union Street and move the business of Deals 4 Wheels, Inc. from 115 Springfield Road to the Union Street Location.
- She is looking to do that for sentimental reasons because the original Deals 4 Wheels at Springfield Road has been in her family for many years.
- She will be hiring the service of the vehicles out to another business.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the transfer of location for Deals 4 Wheels at 115 Springfield Road to 276 Union Street.

Darlene thanked the Commission for all their help over the years and for making coming to a meeting so comfortable. She also stated that this commission is more welcoming the commissions in the past.

4. Mohamed Shattabdeen, Shifan d/ba/ Auto Globe, 115 Springfield Road, Westfield requesting a Class 2 Auto License.

Mohamed Shattabdeen, Shifan was present and stated the following:

- He is looking for a Class 2 Auto License for the former Deals 4 Wheels location, located at 115 Springfield Road.
- He has an existing successful business currently in Springfield.
- His nephew will be coming to run the business in Springfield so that he can focus on the Westfield location.

The Office Manager stated that the following items are still pending from the licensee:

- Workers Compensation
- 25M Bond
- Garage Liability

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the Class 2 Auto License contingent upon receiving the documentation that the office manager stated was pending.



5. Slovak Citizens Club, Inc. 51 East Silver Street, Westfield, MA requesting an amended entertainment request for their second floor.

The Office Manager Kimberly Sienkiewicz stated the following:

- The licensee currently has approval to have liquor on the second floor.
- They have not used the upstairs for any entertainment or events in many years.
- Due to COVID they have had a financial hardship.
- They are looking for ways to bring more revenue to their establishment.
- Their second floor is like a gym.
- They are looking to be able to offer to their members VolleyBall, Corn Hole Tournaments, possible pickle ball tournaments.
- They are thinking also of maybe renting the upstairs again and having possibly karaoke, bands, DJ's, vocal music and general dancing by patrons.
- They wanted to make sure they put down everything they might do but at this time they are not sure how things will go.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the amended entertainment request to include the stated entertainment.

6. Review and approval of the 2022 Class 1, Class 2 and Class 3 Auto Renewals.

The Office Manager stated that after reviewing the Auto's for Renewals, there were two licensees noted on their applications the following:

- A & Z Auto's, 66 South Broad Street, Westfield, MA 01085  
Farzaan Mufeed, owner  
Class 2 Auto License

Questions 6A on the application: List the name and address of each individual who has submitted to any court, administrative agency, public attorney or arbitrator in this present calendar year a complaint that concerns your business establishment.

Licensee noted: Kashnyre Henley, Po Box 253 West Bridgewater, MA 02379 – per licensee he stated that they went to court and the issue was resolved by the licensee.

- Railroad Auto Recycling LLC, 19 Railroad Avenue, Westfield, MA 01085  
Class 2 & Class 3 Auto Licensee

Licensee noted that Dmitriy Salagornik is no longer on the LLC and part of the business.

The Commission reviewed the 2022 Auto Licensee renewals.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the following 2022 Auto Licensee Renewals.

- **CLASS 1 AUTO - Applications Complete**  
Monty's Motorsports  
Bertera Motors of Westfield, Inc.  
Indian Motorcycle of Springfield, 1120 Southampton Road

Indian Motorcycle of Springfield, 962 Southampton Road

- **CLASS 2 AUTO – Applications Complete**

Railroad Auto Recycling, LLC	PCA Atlantic	Car Mart
Deals 4 Wheels	Ideal Auto Sales	Charm Auto Sales
Pro Automotive	A & Z Auto's	Hanks Auto
William Fenton Co, Inc.	Brills Auto Sales	Thrifty Car Sales
John Beltrandi	AC Auto Sales	413 Auto Sales
Westfield Auto Mall	256 Auto Sales	Pikeside Automotive
Laflamme Trucks & Equipment Sales		Brothers Custom Car

- **CLASS 3 AUTO – Applications Complete**

Railroad Auto Recycling, LLC	Brills Auto Sales	George's Auto Body
Eastern Vehicle Recycling	Laflamme Trucks & Equipment Sales	

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to approve the following 2022 Auto Renewals pending that the required documents are submitted to the office.

- Timothy's Auto Sales – pending 25M Line of Credit.
- Sentry Auto – Pending Garage Liability and dealer plate registration.

The Office Manager stated that ATG Westfield, 910 Southampton Road, Westfield failed to renew their Class 1 Auto License. Multiple letters were mailed to the licensee and went unanswered. The Office Manager stated she will send them a letter stating that their license will expire on December 31, 2021 due to them not renewing for 2022.

7. The following police incident reports were read and filed by the Commission:

- Wings Over Westfield, The Hangar 10-14-21 Incident# 21-34557
- Gabe's 252 10-17-2021 Incident# 21-34827
- The Whip 10-17-2021 Incident# 21-34845
- The Whip 10-20-2021 Incident# 21-35282
- The Whip 10-20-2021 Incident# 21-35301
- Gabe's 252 10-23-2021 Incident# 21-35562
- Skyline 10-23-2021 Incident# 21-35639
- Gabe's 252 10-31-2021 Incident# 21-36471
- Maple Leaf 11-6-2021 Incident# 21-37303
  
- The Whip 10-30-2021 Incident# 21-36361  
A motion was made by Chairman Mowatt, seconded and unanimously VOTED to send a letter to the licensee reminding them that it is their responsibility to make sure patrons exit and leave their licensed premises without any incident. Also to remind them to have their staff patrol the parking lot to prevent any further incidents.
  
- A motion was made by Chairman Mowatt, seconded and unanimously VOTED to send a letter to all Section 12 Licensees highlighting the need for due diligence in the incidents that are occurring in their establishments that are becoming more frequent and more violent and in some cases resulting in serious injury. They should also take serious note on their security plan and procedures to protect their liquor license as well as their entertainment license.

8. The Commission reviewed the correspondence from the Law Department regarding the Mullin Rule.

A motion was made by Chairman Mowatt, seconded and unanimously VOTED to take the Mullin Rule under advisement and revisit and apply it if necessary.

**ADMINISTRATIVE BUSINESS:**

1. Communication from the ABCC regarding the new eLicensing Municipal Application Submission Process.

The Office Manager stated that all ABCC application requests once approved by the local board will not be submitted via the new ABCC eLicensing Municipal Application Submission Process instead of mailing them to the ABCC. The process for approval from the ABCC used to be 6-8 weeks now by submitting on line the approval process is down to 3-5 weeks.

2. Communication from the ABCC regarding 2020 Census and updated quotas for retail licenses.

The commission reviewed the 2020 Census and it was noted that our population went down but not significantly that any liquor licenses were taken away from our quota.

With no further business the meeting adjourned at 7:55 p.m.

  
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Christopher Mowatt, Chairman      Approved

License Commission sign-in Sheet  
11-15-2021

Gabriel Krause

Francis Tangredi	8 Birch Bluff Rd Montgomery
Greg Stratton Jr.	48 Marla Circle Westfield
Zay-Cuam Kelly	53 PALMER AVE, SPRINGFIELD
Kim Grenier	77 Mill Street Westfield
Dee Roache	115 Springfield Rd. Westfield
M. SAIBANI	4 Amato Drive South Windsor