



CITY OF FITCHBURG

Filed in the City Clerk's Office:

NOTICE OF PUBLIC MEETING

FITCHBURG CITY CLERK

2019 SEP 12 AM 9:29

BOARD OF LICENSE COMMISSIONERS

MEETING DATE: Monday, September 16, 2019

MEETING TIME: 6:00 AM PM

MEETING PLACE: COMMUNITY ROOM (BASEMENT LEVEL)

Name of building (if applicable) FITCHBURG FIRE DEPARTMENT

Room number (if applicable) _____

Address 33 NORTH STREET

City Fitchburg MA 01420

AGENDA ITEMS:*

- I. REVIEW AND APPROVAL OF MINUTES OF PRIOR MEETING(S)
- II. APPLICATIONS

Solicitor:

Anita Saini, 66 Leyte Rd. – selling and leasing solar systems for 1st Light Energy.

Taxi Driver:

Fernando Antonio Cuevas – City Cab
Dwayne Douglas Sefton – City Cab

Licensed liquor establishment application:

970 South, Inc. dba Partner's Pub, 970 South St., Walter Kirby Manager for Transfer of Annual, Restaurant, All Alcoholic Beverages license to South Fitchburg Beverage, Inc. dba Partner's Pub, 970 South St., Jonathan Dickhaut Manager.
(Refer to public hearing on October 7, 2019)

Automatic Amusement Device:

Partner's Pub, 970 South St. for One (1) Video, One (1) Juke Box, Two (2) poll tables – A-Z Vending

Late Closing Permit:

Partner's Pub, 970 South St. for 2AM Late Closing Sunday through Saturday.

Special One Day License to sell/serve alcohol:

Jacqueline Cullen for Special One Day Wine and Malt beverages license for a Food Truck Festival from 4:30PM to 9PM on October 18, 2019 for 500 people in the River Styx parking lot at 166 Boulder Drive.

*Please note: Massachusetts Open Meeting Law requires that all topics that the Chair reasonably anticipates must be listed and that the list of topics must be sufficiently specific to reasonably inform the public of the issues to be discussed at the meeting.



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III. SUMMONS HEARING

Beemer's Pub, 310 Main St. – Peter Cote, Manager
Disturbance on premise allegation:

On Saturday, August 24th at approximately 12:52 am Fitchburg Police dispatch received a call reporting a fight between 4 or 5 people located in the upstairs bar area of Beemers. Officer Hyvarinen arrived to the front door area of Beemers and observed people on the sidewalk. He also observed people in the establishment. He went to enter the establishment to investigate the reported fight but the door was locked. An employee did let him inside. The head bouncer of Beemers told Officer Hyvarinen that they were closing early because of the fight.

The patrons that were in the upstairs area of the establishment were asked to vacate the area utilizing the rear entrance. While patrons were leaving the officer observed 100 or more patrons located at the downstairs dance floor. A fight erupted on the dance floor between two females. Officer Velazquez arrived to assist Officer Hyvarinen. For safety reasons the officers on scene decided to not make an arrest and had everyone exit the bar, while also separating the two females that were fighting.

While the officers were dealing with the two females fighting they encountered a person outside who was refusing to leave the area. At the same time a fight erupted across the street between 4-6 people and another 30-40 people watching. The officer identified the people involved to be from Beemers. Another fight broke out with one of the females that was fighting earlier at the dance floor of Beemers. During this time the Fitchburg Police did not have enough officers to handle the disturbances that were happening in rapid succession of each other. Officers were not able to stop the many disturbances and began to be surrounded by the crowd that was turning hostile to the police.

While Officers tried to make arrests they were assaulted. An unknown female jumped on the back of Officer Hyvarinen interfering with his official duties. Officer Lamkin was attempting to make an arrest but a crowd of people was pulling at the officer trying to pull him away from the female he was trying to arrest. Officer Lamkin was then punched with a closed fist in the jaw causing him to release the female he was trying to arrest and focus on the male that hit him.

Mutual Aid from the surrounding areas was needed to contain and control this disturbance, Fitchburg Police Department (8 officers), Fitchburg State University (1 officer), Lunenburg Police (1 officer), Leominster Police (3 officers), and Massachusetts State Police (3 troopers).

Once the disturbance was contained Officer Hyvarinen spoke with Peter Cote who is the owner of Beemers Pub. Mr. Cote told him that patrons from Tryst lounge tried to get into his establishment so he locked the front door. Cote stated the fight took place upstairs because people were opening the side door to sneak people in and they were confronted and that was why the fight started. Video was asked to be preserved which Mr. Cote agreed to. Officer Hyvarinen asked to see the video footage of the individuals sneaking in the side doors but Mr. Cote stated cameras do not point at the doors. Officer Minichiello spoke to the owner of Tryst identified as Heather. She stated when the fight broke out at Beemers she only had a few people in her establishment. As the crowd was leaving Beemers she locked her doors to keep the disturbance from entering Tryst. She will provide video also. Officer Hyvarinen will review video of the incident.

The following Officers have information concerning this incident.

Officer Nathan Lamkin, Officer Eldred Wright, Officer Barry Hyvarinen jr., Detective Tabitha Pepple, Officer Daniel Minichiello, Officer Hiram Velazquez, Officer Mark Kaddy, Sgt. Derek Sullivan



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IV. CONTINUED MATTERS

Continued from June 2017

Lodging House licensing procedure – comments from Commissioners regarding draft form presented by Liz Murphy at last meeting

Continued from July 15, 2019

Discussion: Issuance of temporary liquor license to coincide with a temporary building inspection. ABCC advice is necessary to determine how it would work.

V. OTHER

Discussion: Temporary taxi driver permit being granted by taxi company during License Commission meeting summer hiatus or other time periods when License Commission does not meet.

NEXT REGULAR MEETING

October 7, 2019

A handwritten signature in black ink, appearing to read "David M. Farrell". The signature is written in a cursive style and is positioned above a horizontal line.

Name and title of person submitting this notice

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