



**SELECT BOARD**  
**TOWN OF TEWKSBURY**  
TOWN HALL  
1009 MAIN STREET  
TEWKSBURY, MASSACHUSETTS 01876

TODD R. JOHNSON, ESQUIRE, CHAIR  
JAMES F. MACKEY, III, VICE CHAIR  
PATRICK HOLLAND, CLERK  
MARK KRATMAN, MEMBER  
JAYNE E. WELLMAN, MEMBER

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**August 8, 2023 – Meeting Minutes**  
**Tewksbury Town Hall**  
**1009 Main Street**  
**Tewksbury, MA**

Mr. Todd R. Johnson, Esq., Chair, called a regular Select Board meeting to order at 7:00 p.m. Also participating in the meeting were Mr. James F. Mackey, III, Vice-Chair; Mr. Patrick Holland, Clerk; and Mr. Mark Kratman, Board Member.

**Not Present:** Ms. Jane E. Wellman, Board Member (Excused)

**Also Present:** Mr. Richard Montuori, Town Manager

**SCHEDULED ITEMS**

**1. Los Tres Compadres LLC d/b/a 3 Amigos Bar and Grill – Common Victualler License and Transfer of Liquor License (Public Hearing)**

Attorney Michael Vigorito, representing the applicants, Mr. David Castro, and Mr. Francisco H. Lemus-Portillo, co-owners of the business.

Attorney Vigorito said the co-owners successfully operated a restaurant since 2017 in Malden, MA called the 3 Amigos Bar & Grill, and they were hoping to expand and open another location in Tewksbury where Bobby and Jacks Memphis BBQ was currently located. He added that they had a significant amount of experience in operating a restaurant, managing the sale of liquor, and all employees would be TIP certified.

**Discussion Regarding: Common Victualler License**

Chair Johnson asked if there were members of the Board who had questions or comments.

**MOTION:** Vice-Chair Mackey made a motion to approve the Common Victualler License for Los Tres Compadres LLC d/b/a 3 Amigos Bar and Grill. Board Member Kratman seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

**Discussion Regarding: Transfer of Liquor License (Public Hearing)**

Chair Johnson opened the public hearing and read aloud the public hearing notice into the record as summarized below:

“Notice is hereby given that the Select Board will conduct a public hearing in accordance with Massachusetts General Laws, Chapter 138, on Tuesday, August 8, 2023, at 7:00 p.m. on the

application of Los Tres Compadres LLC d/b/a 3 Amigos Bar and Grill by David Castro, Manager, to transfer an All-Alcoholic Beverage License from BJMB, Inc. d/b/a Bobby and Jack's Memphis BBQ, and to sell all alcoholic beverages as a Common Victualler, and to operate this license on said premises located at 1777 Main Street, Tewksbury, MA described as having approximately 8,302 square feet with three rooms, one entrance, six exits, and a seating capacity of 214 with a total occupancy of 235."

Attorney Vigorito stated that the applicants had been operating 3 Amigos Bar & Grill in Malden, MA, successfully since 2017, and had continually dealt with serving alcoholic beverages since that time. He added that the establishment and staff would be ServSafe and TIP certified, and would undergo training from the owners. He said they had never had any issues in the past regarding serving alcohol.

Chair Johnson asked if one or both of the owners would be present at the Tewksbury location. Mr. Castros replied that he would manage the Tewksbury location.

Board Member Kratman stated that every year the Tewksbury Police Department did a check of all of the establishments that sold alcohol to make sure they were following the rules of the town and the state. He asked if the restaurant would have an identification card reader that would ensure the person was aged 21+. Attorney Vigorito replied that was certainly something that the establishment could be put in place.

Board Member Kratman asked if the applicants had ever received any violations from the City of Malden or the ABCC. Mr. Castros replied that they had received one violation in 2020, regarding someone presenting a fake identification. He said since then, everyone had to present appropriate identification prior to being served.

Board Member Holland asked if there had been any violations or abeyance of the business Bobby and Jack's Memphis BBQ. Mr. Montuori replied in the negative.

Vice-Chair Mackey stated that he was looking forward to the business coming to the Town of Tewksbury, but noted he heavily recommended that the applicant invests in a card reader.

Chair Johnson asked if there were members of the public who had questions or comments. There were none.

**MOTION:** Board Member Kratman made a motion to close the public hearing. Vice-Chair Mackey seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

**MOTION:** Board Member Kratman made a motion to approve the request for a Transfer of Liquor License to Los Tres Compadres LLC d/b/a 3 Amigos Bar and Grill. Board Member Holland seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

## **2. Brothers Sports Bar & Grille – Entertainment License, Transfer of Liquor License, and Continued Common Victualler License (Public Hearing)**

Mr. Peter Tsianakas and Ms. Kayla Perry O'Donnell were present on behalf of the application.

Chair Johnson opened the public hearings and read the public hearing notices into the record as summarized below:

“Notice is hereby given that the Select Board will conduct a public hearing on Tuesday, August 8, 2023, at 7:00 p.m. on the application of Brothers Sports Bar & Grille located at 553 Main Street, Tewksbury, MA by Peter Tsianakas and Kayla Perry-O’Donnell for an Entertainment License consisting of music streaming, television, and occasional live music (to be determined at a later date) during the hours of 8:00 p.m. through 12:00 a.m.”

Chair Johnson said included in the packet were copies of abutter notices and the legal notice was dated July 19, 2023.

“Notice is hereby given that the Select Board will conduct a public hearing in accordance with Massachusetts General Law 138 on Tuesday, August 8, 2023, at 7:00 p.m. on the application of Brothers Sports Bar & Grille located at 553 Main Street, Tewksbury, MA by Peter Tsianakas and Kayla Perry-O’Donnell to transfer an All-Alcoholic Beverage License from DLC Hospitality, LLC d/b/a as Sky Box and to operate this license on said premises located at 553 Main Street, Tewksbury, MA described as a one level restaurant having approximately 7,300 square feet with one entrance, four exits, and a total occupancy of 240 people”

Chair Johnson said included in the packet were copies of abutter notices and the legal notice was dated July 19, 2023.

#### **Discussion Regarding: Entertainment License**

Ms. Perry-O’Donnell explained that they hoped to have live music a couple of Fridays per month, which be solo or duo artists and nothing larger from 8:00 p.m. through 12:00 a.m. She added the music would be playing while people were dining so it would not be too loud.

Chair Johnson asked if any amplification would be used. Mr. Perry-O’Donnell replied they would not. She said a microphone and a solo speaker would be the only items used. She did note, however, that they may want to bring in a 4-piece band for a Christmas party.

Chair Johnson asked if there were any other Board Members who had questions or comments.

Board Member Holland asked if the live music would be on Friday nights only. Ms. Perry-O’Donnell replied that it could be on a different night of the week, but Friday nights were typically their busiest night.

Vice-Chair Mackey asked where the solo artists would perform. Mr. Tsianakas replied the stage was going to be torn out and they would use that space.

Board Member Kratman asked if there were any plans to do Karaoke or the like. Mr. Tsianakas replied that they hosted a Trivia Night at their existing location on Tuesday evenings.

Mr. Holland asked if the request was for 8:00 p.m. to 11:00 p.m. as the application stated 8:00 p.m. – 12:00 a.m.

Chair Johnson asked if there were members of the public who had questions or comments. There were none.

**MOTION:** Vice-Chair Mackey made a motion to close the public hearing. Board Member Holland seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

**MOTION:** Board Member Kratman made a motion to approve the application for an Entertainment License from 8:00 p.m. through 12:00 a.m. as submitted by the applicant. Vice-Chair Mackey seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

**Discussion Regarding: Transfer of Liquor License**

Ms. Perry O'Donnell stated that all of the servers were TIP-certified and every other month they held a "bar meeting" where rules and regulations were reviewed. Mr. Tsianakas added that they did not have a card reader for identification, but they would be happy to purchase one. He added that they would not accept out-of-state identifications.

Chair Johnson asked if there were Board Members who had questions or comments.

Board Member Holland asked if they had ever had any violations. Mr. Tsianakas replied that there had been none.

Board Member Kratman asked what the size of their other location was and reiterated the importance of using an ID reading system.

Chair Johnson asked if there were members of the public who had questions or comments. There were none.

**MOTION:** Board Member Kratman made a motion to close the public hearing. Vice-Chair Mackey seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

**MOTION:** Board Member Kratman made a motion to approve the Transfer of Liquor License. Vice-Chair Mackey seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

**Continued Common Victualler License**

**MOTION:** Board Member Kratman made a motion to table the discussion regarding the Common Victualler License. Board Member Holland seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

**3. Taste of Himalayas – (Continued) New Liquor License (Public Hearing)**

Mr. Sukhvinder Singh, the applicant, was present to speak on behalf of the application. He also introduced two of his co-workers who were also in attendance; Mr. Srijan Gautam, & Mr. Sangay Sherpa. He said he was applying for an All-Alcoholic Beverage License and the reason they had to appear before the Board again was because the members of the Board wanted to see that

there were other team members involved in the service of alcohol. He pointed out that he and his two co-workers were all TIP-certified.

Mr. Singh also addressed the location of the service bar.

Chair Johnson asked if there were members of the Board who had questions or comments.

Vice-Chair Mackey stated that he appreciated that the applicant had adequately addressed the Board's outstanding questions.

Board Member Holland asked if the two co-workers that were present had any prior experience serving alcohol at other establishments. Mr. Gautam and Mr. Sherpa replied that they had.

Board Member Kratman asked if the applicant's previous restaurant had any violations. Mr. Singh replied there had been zero violations.

Board Member Kratman asked if the applicant had a card reader. Mr. Singh replied he would look into getting one.

Chair Johnson asked if there were members of the public who had questions or comments. There were none.

**MOTION:** Board Member Kratman made a motion to close the public hearing. Board Member Holland seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

**MOTION:** Board Member Kratman made a motion to approve the request for a New Liquor License for the Taste of the Himalayas. Vice-Chair Mackey seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

## **RESIDENTS**

There were no comments from residents.

## **NEW BUSINESS**

Mr. Montuori commented that he had toured the Center Elementary School with the Moderator, Town Clerk, and the Superintendent of Schools to discuss the possibility of holding the Special Town Meeting in October at the new elementary school. He said the Moderator felt it was a good idea to try it out to let the residents see the new school and then in April go back to having the Town Meeting at the high school.

Board Member Holland commented that he felt the change would cause a lot of confusion but suggested that they could think about doing it the following fall.

Board Member Kratman said he agreed with Board Member Holland's comments.

Vice-Chair Mackey said he did not have a strong opinion one way or the other but would eventually like to see it happen.

## 1. Rescheduling Special Town Meeting

Mr. Montuori stated the Special Town Meeting would take place on Tuesday, October 3, 2023, at 7:00 p.m. at Tewksbury High School.

**MOTION:** Board Member Holland made a motion to approve changing the date of the Special Town Meeting to Tuesday, October 3, 2023, at 7:00 p.m. at Tewksbury High School. Vice-Chair Mackey seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

## 2. Discussion of Board/Committee Appointments

Chair Johnson noted that the Board had copies of the below documents:

- Vacant Term List – 2023 (Posted on the town's website & invited people to apply)
- Applicant's Vacant Terms – 2023
  - Conservation Committee Applicants:
    - George Ferdinand
    - Donna Maria Robitaille
    - Linda Darveau

**MOTION:** Board Member Holland made a motion to appoint Ms. Linda Darveau to the Conservation Commission for a term to expire on June 30, 2024. Vice-Chair Mackey seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

- Historic Commission Applicants:
  - Ryan Lloyd
  - Alex Pratt

**MOTION:** Board Member Holland made a motion to appoint Mr. Ryan Lloyd to the Historic Commission for a term to expire on June 30, 2025. Vice-Chair Mackey seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

- Local Historic District Study Committee Applicants:
  - Alex Pratt

**MOTION:** Board Member Holland made a motion to appoint Mr. Alex Pratt to the Local Historic District Study Committee for a term to expire on June 30, 2024. Board Member Kratman seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

Chair Johnson pointed out that the Massachusetts Cultural Council was made up of 22 members and there were 11 open seats.

- Tewksbury Beautification Committee Applicants:
  - Katlynn Bugda Gwilt
  - Boris Pejic

Chair Johnson noted that Board Member Wellman had indicated that she was in favor of appointing Mr. Boris Pejic to the Tewksbury Beautification Committee.

**MOTION:** Vice-Chair Mackey made a motion to appoint Mr. Boris Pejic to the Tewksbury Beautification Committee for a term to expire on June 30, 2024. Board Member Holland seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

- Tewksbury Diversity, Equity, & Inclusion Advisory Committee (TDEIAC)
  - Bryanna Makumbi
  - Rebecca Rose Matte
  - Christy Matte (Withdrew from consideration)
  - Gerald Gustus
  - Maureen Kelledy
  - Luis Rosado
  - Ryan Lloyd
  - Jeffrey Haslam

Chair Johnson noted that Board Member Wellman had indicated that she was in favor of appointing Ms. Maureen Kelledy, and Bryanna Makumbi to the Tewksbury Diversity, Equity, & Inclusion Advisory Committee (TDEIAC).

**MOTION:** Board Member Kratman made a motion to appoint Ms. Maureen Kelledy, and Ms. Bryanna Makumbi to the Tewksbury Diversity, Equity, & Inclusion Advisory Committee (TDEIAC) for a term to expire on June 30, 2024. Vice-Chair Mackey seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

Chair Johnson commented that the Town of Tewksbury had lost Mr. Arthur Costa, who was very active in serving on multiple committees over the years. He requested that Mr. Costa and his family be kept in the resident's thoughts.

### **3. Election Staff Appointments and Election Police Officer Assignments**

Ms. Denise Graffeo, Town Clerk, presented a list of members of the public who were requesting appointment/reappointment of the election staff for 2023 – 2024.

**MOTION:** Vice-Chair Mackey made a motion to accept the election staff for 2023 - 2024, as presented. Board Member Holland seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

#### **4. Acceptance of Election Staff Conflict of Interest Disclosure Forms**

Chair Johnson read aloud the following disclosures of (per Massachusetts General Law 268A) individuals who were part of the election staff but were also employed by the Town of Tewksbury:

- Dustin Weir, Town Moderator/Election Worker
- Alexandra Lowder, Community & Economic Development Planner/Election Worker
- Jacqueline Powers, Admin. Asst., Community Development Dept./Election Worker
- Dina Callahan, Permit Technician, Building Department/Election Worker
- Meredith Fahey, Classroom Instructional Aide/Election Worker
- Barbara Flanagan, Member Board of Assessors/Election Worker

Ms. Graffeo stated that the law had changed the previous year regarding the appointment of police details. She said her recommendation was for the Select Board to consider transferring that appointment to the Police Chief as it had been in the past. She added that they usually had one police officer at each precinct.

**MOTION:** Board Member Kratman made a motion to designate the Police Chief as the responsible party for the placement of police details. Vice-Chair Mackey seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

#### **5. Scheduling Liquor License Violation Hearings**

The Select Board collectively decided to schedule the Liquor License Violation Hearings at the September 12, 2023, meeting beginning at 7:00 p.m.

#### **6. Acceptance of Donation to the Tewksbury Senior Center in Memory of Marjorie Moulaison**

**MOTION:** Board Member Holland made a motion to accept a \$50.00 donation for the Senior Center in memory of Marjorie Moulaison. Board Member Kratman seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

#### **TOWN MANAGER**

##### **1. Town Council Invoice: July 1, 2023 – July 15, 2023 (\$2,847.50)**

**MOTION:** Board Member Kratman made a motion to approve the Town Council's invoice for July 1, 2023 – July 15, 2023, in the amount of \$2,847.50. Vice-Chair Mackey seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

#### **MINUTES**

- June 13, 2023

**MOTION:** Board Member Holland made a motion to approve the minutes from June 13, 2023, as presented. Board Member Kratman seconded the motion.



**MOTION CARRIED: 3 – 0 – 1. (Abstained – Vice-Chair Mackey)**

- June 20, 2023

**MOTION:** Board Member Holland made a motion to approve the minutes from June 20, 2023, as presented. Board Member Kratman seconded the motion.

**MOTION CARRIED: 3 – 0 – 1. (Abstained – Vice-Chair Mackey)**

- June 27, 2023

**MOTION:** Board Member Holland made a motion to approve the minutes from June 27, 2023, as presented. Vice-Chair Mackey seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

**BOARD MEMBER REPORTS**

Vice-Chair Mackey

- Thanked Mr. Montuori & his staff as the Massachusetts Army National Guard was conducting a cyber assessment of the town. He added the assessment went very well.

Board Member Kratman

- There were no reports to share.

Board Member Holland

- There were no reports to share.

Chair Johnson

- There were no reports to share.

**ADJOURNMENT**

**MOTION:** At approximately 7:58 p.m. Board Member Kratman made a motion to adjourn. Board Member Holland seconded the motion.

**MOTION CARRIED: 4 – 0 – 0.**

**Approved by the Select Board on September 12, 2023**

### **Documents Presented/Discussed**

- Los Tres Compadres LLC d/b/a 3 Amigos Bar and Grill – Common Victualler License and Transfer of Liquor License (Public Hearing)
- Brothers Sports Bar & Grille – Entertainment License, Transfer of Liquor License, and Continued Common Victualler License (Public Hearing)
- Taste of Himalayas – (Continued) New Liquor License (Public Hearing)
- Rescheduling Special Town Meeting
- Discussion of Board/Committee Appointments
- Election Staff Appointments & Election Police Officer Assignments
- Scheduling Liquor License Violation Hearings
- Acceptance of Donation to the Tewksbury Senior Center in Memory of Marjorie Moulaison
- Town Counsel Invoice: July 1, 2023 – July 15, 2023
- Minutes – June 13, 2023, June 20, 2023, & June 27, 2023
- Board Member Reports

Next Select Board Meeting: September 12, 2023

Respectfully submitted,

Trish Gedziun  
Recording Secretary