

## **TAPED**

The License Commission held its regular monthly meeting at 6:00 p.m. on Thursday, January 19, 2017, in the basement level hallway at City Hall. (The location of the meeting was moved from the G.A.R. Room due to the elevator being out of order) Present were Commissioners Joao DeAndrade, Paul Merian and Jeffrey Thompson. Also present were License Agent Lieut. Ken LeGrice and Administrative Assistant Bonnie Tucker. Commissioner Merian presided in Chairman Tartaglia's absence.

1. Approval of the following police officers as license agents for the month of February, 2017: Lieuts. Kenneth LeGrice and Paul Bonanca; Sgts. George Khoury, Frank Vardaro and Michael Dennehy; Dets. Thomas Hyland, Nazaire Paul, Eric Clark, Santiago Cirino, Jackie Congdon, Chris McDermott, Michael Bunker, Michael Cesarini, Patrick Donahue and Erin Cummings.

A motion was made by Commissioner Thompson to approve the police officers as listed as license agents for the month of February, 2017 which motion was seconded by Commissioner DeAndrade and made unanimous by vote of Commissioner Merian.

2. Requests for Special One-day Permits:

There were no applications for Special One-day Permits.

3. Hearing on the request from Buffalo-Brockton Associates, LLC dba Residence Inn – 124 Liberty Street, to appoint Annabelle Colon as the manager.

Present was Annabelle Colon, 139 Farmington Avenue, Cranston, RI.

It was reviewed that the person listed as manager of record has not at the location for quite some time and the application to appoint Ms. Colon have been submitted to correct the information.

Ms. Colon stated she has been working at the Brockton location for approximately one year.

A motion was made by Commissioner Merian to approve the appointment of Annabelle Colon as the manager. The motion was seconded by Commissioner Thompson and made unanimous by vote of Commissioner DeAndrade.

4. Hearing on the request from Maria Chable dba Jhoselin Restaurant for a Common Victualer license at 207 Belmont Street.

Present was Maria Chable, 259 Pleasant Street, #1.

A family member was also present to interpret for Ms. Chable who stated they will be serving Spanish Ecuadorian food. Hours will be from 5:00 a.m. to 10:00 p.m., seven days. There is seating for approximately 45. There will also be takeout food and delivery. This is the first restaurant they have opened in Massachusetts. It will be Ms. Chable and her husband operating the restaurant. The previously had a restaurant in New York. Ms. Chable's cousin will also be helping out and all together there will be four employees to open the restaurant. It was reviewed that all of the inspection approvals have to be submitted. Commissioner Thompson advised the applicants that they cannot open until the inspections are submitted to the office and they indicated they understood.

A motion was made by Commissioner Thompson to approve the license on the condition that all of the required permits and licenses are obtained. The motion was seconded by Commissioner DeAndrade and made unanimous by vote of Commissioner Merian.

5. Hearing on the request from Gloria Marrero dba Gloria's Auto Imports to transfer the Class II Used Car Dealer license at 706 Montello Street to Willie Glover dba G & G Auto Sales at the same location.

Present were Gloria Marrero, 709 Plain Street and Willie Glover, 58 Pearl Way.

Lieut. LeGrice asked about the number of vehicles allowed and Ms. Tucker stated the stipulation states "No more than 15 vehicles for sale". It is her understanding there is an apartment upstairs. The plan submitted shows a total of 18 vehicles. In referring to the plan, Lieut. LeGrice stated that vehicles numbered 14 thru 18 do not meet the required 9' x 20' dimensions for parking spaces. They are each about 9' x 15'. There are two spots in the rear designated for the tenants. He stated that once there are 15 spaces, a handicapped spot must be provided.

Commissioner Merian reviewed with Mr. Glover that they have to make it compliant with what the code allows and asked him if it would interfere with his business plan. Mr. Glover stated he would be okay with no more than 15 for sale. Lieut. LeGrice indicated there is still an issue because there are 13 spots on the property in addition to the two for the tenants. It was suggested that the Commission approve the transfer of the license pending receipt of a plan signed off on by Lieut. LeGrice.

Mr. Glover was informed that the Commission and Lieut. LeGrice were basing their information on the plan he had submitted. Ms. Tucker suggested that he could put in a new plan drawn to scale and have Lieut. LeGrice review it without coming back to another meeting. Commissioner Merian indicated he would like to move forward but wants to be sure everything is in compliance.

The Adm. Asst. stated they could approve the transfer pending receipt of a new plan and approval of it by the license agent. It would be up to Mr. Glover as to when he gets the new plan submitted.

In response to questions, Mr. Glover stated he can get the plan in to the office.

A motion was made by Commissioner Thompson to approve the transfer of the license pending a revised plan being submitted within a month and approved by the license agent. The motion was seconded by Commissioner DeAndrade. All members voting in the affirmative, the motion carried.

## 6. Communications

Complaints from Councillor Beauregard concerning Spiegel's Auto Salvage and Malu's Lounge were reviewed.

Lieut. LeGrice stated that the agents would be checking on Malu's tonight. He stated the reason they are getting complaints now is because there are residents in the area at the new apartments.

With regard to Spiegel's, Councillor Beauregard stated she was awakened at 3:30 a.m. last Friday morning. She drove to Spiegel's and there were two large trucks. One was running. It was a huge scrapper truck. The lights in the office were on. She stated she called the police and spoke with "Keane" on the business number. She also left a message on Bonnie's phone. She observed the truck was parked at the gates. Lieut. LeGrice stated it might not be Spiegel's employees but someone waiting from them to open. Lieut. LeGrice stated he would find out if a cruiser went down there and speak with the owner about it. Councillor Beauregard stated she can recall a couple of times last summer hearing the motors from the trucks very early on a Saturday morning.

With regard to Malu's, Councillor Beauregard stated she received a call from one of the nearby residents regarding the noise in the parking lot at closing. Their patrons use the City lot between Franklin St. and Petronelli Way. In response to questions from Commissioner Thompson, Lieut. LeGrice stated there are rules for any 2 a.m. licensee. It is the licensee's job to make sure their patrons leave without being unruly. Lieut. LeGrice stated they will continue to check it over the weekend.

In response to questions from Councillor Bearegard regarding repair garages on Freight Street, Lieut. LeGrice stated there are two legitimate businesses there. He indicated they had towed a number of cars off of one of the side streets because they were keeping cars for repair on the street.

Commissioner Merian then brought up the list of licenses which were either not renewed or not in compliance to be issued in 2017. The Adm. Asst. reviewed that the list was sent over to Lieut. LeGrice on December 31<sup>st</sup>. The list has been updated as each licensee complies. Ms. Tucker stated it was more of a concern with the liquor licensees which had not provided Certificates of Inspection or Certificates of Liquor Liability insurance as required by law. She indicated most have come in but there are still a couple outstanding.

Commissioner Thompson asked whether they should be called before the board. Ms. Tucker indicated that if they are selling alcohol without a license, it would be a criminal offense. She stated the licensees are well aware of the requirements due to notices that are sent out as well as phone calls at the end of November and again at the end of December. If they are operating without a license, they should be closed down. As far as the Common Victualer licenses, there should be no seating if they don't have their license.

In response to Commissioner Thompson, Lieut. LeGrice stated he has agents coming in tomorrow and they can take a look at the places and write them up. The fine is \$325 per day. It then goes to Court and if they get their licenses in the meantime, the Court dismisses it. The Administrative Assistant stated the liquor establishments should be closed if they are operating without a license and Lieut. LeGrice indicated the City never gave them the authority to shut them down. If there is no license, they can be arrested but they cannot close the establishment down.

It was agreed that Lieut. LeGrice and his officers would go to the unlicensed locations and follow up with citations if the locations do not comply. In addition, the Administrative Assistant was instructed to follow up with the City Solicitor as far as the authority of the police to close a liquor establishment for operating without a license.

7. Any other business to properly come before the Commission.

Commissioner Merian then reviewed that it has been posted on facebook that a Paint Night is being advertised on January 27<sup>th</sup> at Elvera's Café and a complementary glass of wine is being offered. There has been no license applied for. He reviewed that a one-day license is required if she is to do this. Commissioner Merian indicated they would be willing to hold a special meeting if needed, however, it must all be done by next week. Councillor Beauregard said she would visit the owner tomorrow.

With no further business to come before the Commission, a motion was made by Commissioner Merian to adjourn the meeting which motion was seconded by Commissioner Thompson. All members voting in the affirmative, the motion carried.

Respectfully submitted,

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Henry Tartaglia  
Chairman

APPROVED:

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Paul D. Sullivan, Commissioner

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Joao DeAndrade, Commissioner

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Harold C. Marrow, Jr., Commissioner

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Paul Merian, Commissioner

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Jeffrey A. Thompson, Alternate Commissioner