

TAPED

The License Commission held its regular monthly meeting at 6:00 p.m. on Thursday June 18, 2015, in the G.A.R. Room at City Hall. Present were Chairman Henry Tartaglia; Commissioners Paul D. Sullivan, Bruce Dansby, Scott McDuffy and Joao DeAndrade. Also present were Lieut. Ken LeGrice and Administrative Assistant Bonnie Tucker.

1. Approval of the Minutes of the License Commission meeting of May 21, 2015 and the Special Meeting of June 4, 2015.

A motion was made by Commissioner Sullivan to approve the minutes of the aforementioned meetings. The motion was seconded by Commissioner Dansby. With Commissioners Sullivan, Dansby, DeAndrade and Tartaglia voting in the affirmative, the motion carried.

Commissioner McDuffy abstained from voting as he was not present at the May 21st meeting.

2. Approval of the following police officers as license agents for the month of July, 2015: 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 McDuffy to approve the License Agents as listed for the month of July, 2015. The motion was seconded by Commissioner Sullivan. All members voting in the affirmative, the motion carried.

3. Requests for Special One-day Permits

There were no applications for Special One-day permits.

4. Hearing on the request from Campello Veteran Firemen's Association – James Badgio, Manager, 224 Clinton Street, to serve beer and wine on the grounds outside the Club during the Annual Chicken Bake to be held on Saturday, September 12, 2015 from 12:00 noon to 6:00 p.m. (Rain date: Sunday, September 13, 2015)

Present was James Badgio, 770 Whitman Street, Hanson, who stated this event has been held for many years. They will serve only beer and wine outside it will be poured into plastic cups. The entire parking lot is fenced in.

Lieut. LeGrice stated no police detail is required.

A motion was made by Commissioner Sullivan to approve the request. The motion was seconded by Commissioner McDuffy. All members voting in the affirmative, the motion carried.

5. Hearing on the request from Vicente's Supermarket Corp. – Alino Rodrigues, Manager, for a Common Victualer license to be located inside the new Supermarket at 160 Pleasant Street.

Present was Alino Rodrigues, 7 Anna Mae Circle, Bridgewater, who stated he is one of the owners of Vicente's Supermarket Corp. There will be a restaurant and grill inside the supermarket and a Common Victualer license is required. Mr. Rodrigues submitted all of the required department inspection approvals.

Ms. Tucker reviewed that all of the inspections are in and they are just waiting for the Occupancy Permit. Mr. Rodrigues stated he hopes to have that by Tuesday and they plan to open next Thursday.

A motion was made by Commissioner Dansby to approve the Common Victualer license. The motion was seconded by Commissioner McDuffy. All members voting in the affirmative, the motion carried.

6. Hearing on the request from Entertainment Management Complex, LLC dba Brockton Rox/The Shaws Center – N. Todd Marlin, Manager, 1 Feinberg Way, to amend the Entertainment license to include Concerts to be held at Campanelli Stadium on Sunday, June 28, 2015 from 2:00 p.m. to 11:00 p.m. and on Saturday, August 15, 2015, from 2:00 p.m. to 11:00 p.m.

Present was Todd Marlin, 8 Fallon Drive, Litchfield, NH.

Mr. Marlin stated the amendments to the Entertainment license are for two Brazilian Concerts which will be held at the Stadium. Jorge Mateus is a national act and this will be the first time he will be playing in the U.S. Security will be provided by the Promoter. From 2:00 p.m. to 6:00 p.m., there will be family oriented activities. There will be local artists and a DJ. Bouncy houses will be set up in the outfield for the children. At 6:00 p.m., the two main acts will start up and will run until approximately 11:00 p.m.

Commissioner McDuffy asked about Fire Department details and Mr. Marlin stated he has been in contact with Lieut. Williams who has given him specs based on a 3,000 person show. If the numbers exceed that, they will comply with what is required. As part of his deal with the promoter, they will have in house security checking tickets and bags as people enter but the promoter is aware that any details required by the police are his responsibility.

In response to questions from Lieut. LeGrice, Mr. Marlin stated there will be nothing taking place in the parking lots. Lieut. LeGrice requested Mr. Marlin speak to either himself or

Lieut. Barry the week prior to the events in order to get an idea of the number of tickets sold. With regard to the application which indicates the promoter is responsible for details, Lieut. LeGrice stated his only issue is that promoters come and go and he would like to see the entity be responsible for Police and Fire in order to have some control over being paid. Mr. Marlin stated he has no problem and he has discussed this with Lieut. Williams. Mr. Marlin indicated he has asked for an estimate of the costs for the details and he will supply that to the promoter and they will have to give him a check or money order before things are started. As of right now, there are about 2,600 tickets sold. He anticipates the number to grow to 3,000 or more. His biggest concern is the parking lot due to the problems he has heard about in the parking areas at the Fairgrounds. He has no problem if the police want detail officers in the parking lots in order to prevent any problems. Most of the parking for the event is at the High School lot. There will be tickets sold at the door.

A motion was made by Commissioner Sullivan to approve the amendments to the Entertainment license as requested. The motion was seconded by Commissioner McDuffy. All members present voting in the affirmative the motion carried.

7. Hearing on the following requests from JaCruz, Inc. dba Sunset Café – Jose A. Cruz, Manager, holder of a Wine and Malt Restaurant license at 1110 Main Street:
 - (a) An All Alcohol Restaurant license to replace the Wine and Malt Restaurant license;
 - (b) An Entertainment license for Orchestra (2) pieces and Vocalists (2) pieces on Fridays, Saturdays and Sundays from 8:00 p.m. to 11:00 p.m.

Representing the applicant was Attorney Rick Lawton, 157 Belmont Street and his client, Jose Cruz.

Attorney Lawton presented the background information on Mr. Cruz who came to Brockton from Cape Verde at the age of 22. When he opened the business in March, 2006, it was primarily a breakfast restaurant which he and his family operated. Over the years, the restaurant became more and more popular and they began serving lunches and dinners. Over the last three years, Mr. Cruz has operated with a wine and malt license. Approximately a year ago, Mr. Cruz was granted the license for the former Lithuanian Club which is still undergoing renovations.

Attorney Lawton stated Mr. Cruz is asking for the full liquor license because without this, his current business dies out at 5:00 p.m. His business supports his family and friends and he is hoping to increase the business with the full liquor license and some entertainment. He originally thought the beer and wine would be sufficient but his patrons would like the opportunity to have a cocktail at the establishment. There are many people present this evening who are here in support of the license. Mr. Cruz has just signed a new lease and the landlord has gone up on his rent. With all of the insurances and taxes, the license will be a

make or break for him because it is a huge financial challenge to him when he has to close at 5:00 p.m.

Attorney Lawton indicated he is going to have Jose and some of his employees as well as members of the community who frequent the Sunset Café speak on this matter.

With regard to a question asked by Commissioner McDuffy, Attorney Lawton stated the location reminds him of a restaurant that would be found in the North End. It is only 900 square feet. There is no bar. He only serves bottle beer and wine. There will only be a small array of liquor but enough for the waitresses to make a drink and serve it at a table. There is no bar for people to sit down at and have a drink. It is a restaurant that is set up so the waitress has the access to get the beer and wine and serve it to the tables. The dynamics of the Sunset Café will not change with a full liquor license but they hope a full liquor license will significantly impact the business in a positive way.

Mr. Cruz thanked the Commission for the opportunity to serve beer and wine and stated that at this time he would appreciate being granted a full liquor license. He feels it will generate more business for his restaurant and help him to pay the bills involved with running his establishment.

Chairman Tartaglia asked if there was anyone present wishing to speak in opposition to this application and no one came forward. He then asked if there was anyone present who wished to speak in favor of the application. The following persons present spoke in favor of the request:

Melvin Lightford, stated he is a former Brockton Police Officer and he has known Jose for the past 4 years. He is in favor of the license.

Ashley Barros stated she is Mr. Cruz's stepdaughter and has worked at the restaurant since he first started the business. She stated the liquor license will be very helpful to the business.

Antonio Markey stated he has lived in Brockton for 23 years and he supports the Sunset Café. He helps Jose on Fridays, Saturdays and Sundays but right now he closes at 5 p.m. because it is so slow. This is a good opportunity for Sunset Café to get a liquor license.

Chairman Tartaglia stated a paper would be passed around for anyone wishing to sign their name and address who are in favor of the license being issued.

Commissioner Sullivan indicated he would like to see everyone who handles liquor at the restaurant be required to be certified by an alcohol training course.

Attorney Lawton stated he has spoken with Mr. Cruz about this. There are only two or three servers. Ms. Barros stated she has Tips training.

Commissioner Dansby then asked about the floor plan which states there is seating for 44. Attorney Lawton indicated their certificate of inspection allows for 49. Commissioner Dansby then pointed out that the plan has 52 seats and he is looking for some clarification. Attorney Lawton stated they rearrange the tables for different functions. When he was there he took some pictures and compared it to the license file. Mr. Cruz stated his Certificate of Inspection allows for a capacity of 49.

Commissioner Dansby then stated that he wanted to make sure that Mr. Cruz understands the importance of the employees identifying individuals who are of age. He indicated that in these kind of family settings, many times there are slip ups. He warned him to be very careful of identifying underaged drinkers.

Commissioner DeAndrade stated he has been to Sunshine Café and indicated it is a quiet place. He is very supportive of this establishment but also has the same concern with any underaged patrons being served. He congratulated Mr. Cruz on his businesses in the City.

Commissioner McDuffy commented on Mr. Cruz's great reputation. He stated he is concern with the possibility of overcrowding when there is a four piece band playing and the amount of room that would take up. Attorney Lawton took responsibility for the plan which he submitted. By having the alcoholic beverages and adding entertainment, it will draw a lot of people. He stated that there have been problems in some of the smaller places with overcrowding. He reminded him that anything over 49 people would be a violation.

Mel Lightford stated he will be there to make sure Mr. Cruz stays within the limits allowed.

With no further information presented, a motion was made by Commissioner Dansby to approve the All Alcohol license which motion was seconded by Commissioner DeAndrade. All members voting in the affirmative, the motion carried.

A second motion was made by Commissioner Dansby to approve the Entertainment license. The motion was seconded by Commissioner McDuffy. All members voting in the affirmative, the motion carried.

8. (a) Hearing on the request from Super Value Liquors, Inc. – Michael Coffin, Manager, to transfer the All Alcohol Package Store license at 597 Centre Street to AMBE Liquors, Inc. dba Super Value Liquors.
- (b) Hearing on the following requests from AMBE Liquors, Inc. dba Super Value Liquors:
 1. To appoint Kinjal Patel as the manager;
 2. To pledge the license and the inventory.

Representing the current licensee was Attorney Kim Bakeberg, 730 Hancock Street, Quincy and her clients, Michael Coffin and Scott Bartlett, 57 Tamarack Drive, Stoughton. Representing the buyers was Attorney Scott Rubin, 71 Legion Parkway and his clients, Anil and Kinjal Patel, 120 Bergeron Way, Stoughton.

Attorney Rubin stated they are seeking approval for the transfer of the Super Value Liquors, Inc. Package Store license at 597 Centre Street to AMBE Liquors, Inc. All of the applications have been submitted along with the financial documents. There will be no changes to the operation. There will be a new lease. His clients have operated Rose's Liquors on Oak Street for the past two years. They have also operated convenience stores and Subways. They have had no violations with either liquor or tobacco.

Paperwork is in order.

A motion was made by Commissioner McDuffy to approve the transfer of the license from Super Value Liquors to AMBE Liquors, Inc. The motion was seconded by Commissioner Sullivan. All members voting in the affirmative, the motion carried.

With regard to the manager, Attorney Rubin asked that the agenda be amended to indicate the manager as being Anil Patel and not Kinjal.

A motion was made by Commissioner McDuffy to approve the appointment of Anil Patel as the manager which motion was seconded by Commissioner Sullivan. All members voting in the affirmative, the motion carried.

A third motion was made by Commissioner McDuffy to approve the pledge of the license which motion was seconded by Commissioner Sullivan. All members voting in the affirmative, the motion carried.

9. Communications

There were no communications to review or discuss.

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

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

Respectfully submitted,

Henry Tartaglia
Chairman

APPROVED:

Paul D. Sullivan, Commissioner

Bruce G. Dansby, Commissioner

Scott H. McDuffy, Commissioner

Joao DeAndrade, Commissioner

Paul Merian
Alternate Commissioner