

MINUTES
LICENSE COMMISSION MEETING
6:00 p.m.
Thursday, July 18, 2019
G.A.R. Room, City Hall, 45 School Street
Brockton, Massachusetts

TAPED

The License Commission held its regular monthly meeting on Thursday, July 18, 2019 in the G.A.R. Room of City Hall. Present were Chairman Henry Tartaglia, Commissioners, Paul Merian, David Teixeira, Jeffrey Charnel and Eugene Marrow. Also present were License Agent Kenneth Le Grice; and Executive Assistant Silvia Carvalho.

1. Approval of the Minutes of the License Commission Meeting of June 20, 2019.

A motion was made by Commissioner Marrow to approve the minutes of the aforesaid meeting which motion was seconded by Commissioner Merian and made unanimous by vote of the members present.

2. Approval of the following police officers as license agents for the month of July 2019: Lieuts. Kenneth Le Grice and Paul Bonanca; Sgts. George Khoury, and Michael Dennehy; Dets. Thomas Hyland, Nazaire Paul, Eric Clark, Santiago Cirino, Jackie Congdon, Michael Bunker, Michael Cesarini, Patrick Donahue and Erin Cummings.

A motion was made by Commissioner Marrow to approve the license agents as listed for the month of July 2019. The motion was seconded by Commissioner Teixeira and made unanimous by vote of the members present.

3. Hearing on a request from Entertainment Management Complex LLC, dba Brockton Rox The Shaws Center for a Change of Manager on an All Alcoholic Restaurant license located at 1 Feinberg Way, Brockton, MA.

Present was Mr. Thomas Tracey of 880 High Street, Hanson, MA.

Chairman Tartaglia asked the board to take this item out of order so that Councilor Eaniri could address the board and Mr. Tracey. Chairman Tartaglia asked Mr. Tracy what his request from the board was and he replied he was requesting a Change of Manager. Councilor Eaniri introduced himself to Mr. Tracey and thanked the board for allowing him to speak. Councilor Eaniri proceeded to inform the board that as everyone knows the stadium and conference center is being used for different events. He stated to Mr. Tracey that he attended the meeting to introduce himself and to voice some of his concerns. He stated to Mr. Tracey that he heard that Todd was no longer the General Manager. He stated to Mr. Tracey that he did not know when he left and perhaps it was before the Brazilian concert. Mr. Tracey stated that he left the day after the concert. Councilor Eaniri stated that he received 18 phone calls from constituents

regarding the noise. He stated to Mr. Tracey that he was not there to give him a hard time, but his job is to protect the people. He questioned Mr. Trace about the upcoming Food Truck Festival and if there would be any music. Mr. Tracey replied yes, but they will be placing the speakers in center field, which should block the sound. Mr. Tracey stated that it is a house band and he will make sure the sound is being blocked by the stadium. He apologized that on the day of the concert the speakers were not set up properly. Councilor Eaniri stated that neighbors on Breer Circle and surrounding areas were catching the noise, including himself and he lives on West Chestnut Street. He asked Mr. Tracey to please keep the noise to a minimum because it caused a lot of disruption. Mr. Tracey assured the Councilor that he would take care of it. Chairman Tartaglia asked Mr. Tracey if he had experience in being a manager and he stated that he has been the Assistant General Manager for the last year and a half. He also has experience as a school principal, and he was the team coach for 5 years. He stated to the board that he is familiar with the operations of a ball field.

motion was made by Commissioner Marrow to approve the change. The motion was seconded by Commissioner Charnel and made unanimous by vote of the members present.

4. Hearing on a request from Champion Auto Group for a Class II Used Car Dealer's license located at 772 North Main Street, Brockton, MA.

Present was Mr. Phong Tat of 19 Pheasant Lane, North Easton, MA.

Lt Le Grice stated to the board that he had a couple of questions for M. Tat relative to the operations of the dealership should he be granted a Class II license. He asked Mr. Tat if he would be selling vehicles out of the location and if he would be the sole person performing repairs. Mr. Tat replied that he and his partner would be the only persons selling and repairing vehicles at the said property. Lt. Le Grice also informed Mr. Tat that there is to be no sub-letting of property to anyone else. Lt. Le Grice also informed the board that he did go out to the location and everything was clean and in order.

A motion was made by Commissioner Merian to approve the license. The motion was seconded by Commissioner Marrow and made unanimous by vote of the members present.

5. Hearing on a request from the Annunciation Greek Orthodox Church for a Food Festival to be held at 457 Oak Street, Brockton, MA on the following dates;
September 19, 2019 from 11:00 a.m. to 9:00 p.m.
September 20, 2019 from 11:00 a.m. to 12:00 midnight
September 21, 2019 from 11:00 a.m. to 12:00 midnight
September 22, 2019 from 11:00 a.m. to 6:00 p.m.

Present was Mr. John Papadopoulos of 444 West Elm Street, Brockton, MA.

Chairman Tartaglia asked Mr. Papadopoulos if this was the Food Festival they normally have in September. Mr. Papadopoulos replied yes. The Chairman informed the board that they have the event yearly and they have never had any issues. Lt. Le Grice informed him that he would have to arrange for police detail through the Police Department Detail office.

A motion was made by Commissioner Merian to approve the permits. The motion was seconded by Commissioner Marrow and made unanimous by vote of the members present.

6. Hearing on a request to Sell Wine and Malt Beverages from the Fruth Center for a Wedding to be held on August 3, 2019 from 7:00 p.m. to 12:00 Midnight at 891 Montello Street, Brockton, MA.

Present was Ms. Nina Sousa of 60 Old Park Drive, West Bridgewater and Ms. Natasha Clerger of 580 South Main Street, Randolph, MA.

Ms. Sousa and Ms. Clerger stated to the board that the event will host 100 adults and 30 kids. Lt. Le Grice informed both parties that at some point this must stop. You have been informed by the Fire Department that it is unsafe for you to run these events out of the location as a function hall. Ms. Sousa stated that this will be the last event, and Fire approved only because it had already been booked. However, all future events will not be accepted until they meet the requirements required by the state. They will have a D.J. no live band and they do not require detail per Lt. Le Grice.

A motion was made by Commissioner Merian to approve the permit. The motion was seconded by Commissioner Marrow and made unanimous by vote of the members present.

7. Hearing on a request from Fritz Restaurant Group LLC dba Brack's Grill & Tap for a Change of Hours on an all Alcoholic Restaurant license located at 1280 Belmont Street, Brockton, MA.

Present was Mr. Frank Brack of 575 Forest Street and Mr. Chris Mather of Turnpike Street.

Chairman Tartaglia asked them if they have addressed the issue they were having with the cameras at the restaurant. Both parties replied that they have and are all set. Commissioner Merian stated that they have done a great job with the place, as well as, Commissioner Charnel. The commissioners informed them that with a 2:00 a.m. license it requires diligence on their part. No one is to enter the establishment after 1:00 a.m. and it their responsibility to ensure that patrons get in their vehicles and exit the property.

A motion was made by Commissioner Charnel to approve the Change of Hours. The motion was seconded by Commissioner Marrow and made unanimous by vote of the members present.

8. Hearing on a request from the Brockton VFW Post 1046 to Sell All Alcoholic Beverages outdoors at 283 N. Quincy Street, Brockton, MA on the following dates;
July 27, 2019 from 11:00 a.m. to 5:00 p.m. for a Car Show
August 24, 2019 from 11:00 a.m. to 5:00 p.m. for an Annual Family Fun Day
September 21, 2019 from 11:00 a.m. to 4:00 p.m. for an Annual Golf Tournament

Present was Mr. Robert Graham of 6 Alfonse Road, Brockton, MA.

1. Car Show- Mr. Graham stated that this is their 6th annual Car Show with a general attendance of 500 people. They employ a shuttle bus to take people from the lot behind the Tiki Gardens to the V.F.W. Post to control parking on the street. They have made arrangements with the Brockton Police Detail office for 1 police officer.

A motion was made by Commissioner Charnel to approve the request. The motion was seconded by Commissioner Marrow and made unanimous by vote of the members present.

2. Annual Family Fun Day- This is a day that is open to the community, they serve hotdogs and hamburgers. It geared towards families with plenty of activities like reptile and pony shows, a magician, and games. The expected attendance for the day is 150-200 people. No police detail required per Lt. Le Grice.

A motion was made by Commissioner Charnel to approve the request. The motion was seconded by Commissioner Teixeira and made unanimous by vote of the members present.

3. Annual Golf tournament- The tournament is held yearly in Lakeville. The members return to the V.F.W. Post for dinner. The dinner is expected to end at 4:00 p.m. Based on ticket sales the attendance is at 100.

A motion was made by Commissioner Charnel to approve the request. The motion was seconded by Commissioner Marrow and made unanimous by vote of the members present.

9. Hearing on a request from AR Westgate Lanes, LLC dba Harry's Westgate Pub & Grill for a Change of Manager, Change of LLC Manager and Change of LLC Membership on an All Alcoholic Beverages license at 59-65 Westgate Drive, Brockton, MA.

Present was Attorney John Mooradian of 56 Central Avenue, Lynn, MA and Timothy Major of 40 Winter Street, Bridgewater, MA.

Attorney Mooradian stated to the board that they were seeking approval on 3 items. **First** item is the Change of Manger on record to Timothy Major. **Second** item is Change of LLC Manager to Roopal Patel and **Third** is the Change of LLC Membership to include Roopal Patel and her daughter Shivani Patel. The establishment has been in business for a long time and Mr. Major has been working at Westgate for 30 years and he is familiar with the community and the operations of the bar. There will be no changes to the day to day operations. Francine Kaiser who was the previous manager on record has resigned, hence the request for a Change of manager. Ms. Kaiser also owned 2% interest, which is being transferred to Shivani Patel.

A motion was made by Commissioner Marrow to approve the changes. The motion was seconded by Commissioner Merian and made unanimous by vote of the members present.

10. Hearing on a request from Mr. Robert May, Director of Planning and Economic Development to propose a new "One- Day" Downtown Pop-Up Wine and Malt license to facilitate downtown activities. The objective is to support existing businesses and to bring more people downtown for special events and activities.

Present was Mr. Robert May, Director of Planning and Economic Development, 45 School Street, Brockton, MA.

A letter was read into the record by Commissioner Merian from the Downtown Business Association in support of the request for a new Pop-Up license to be utilized in the downtown area. Mr. May stated to the board that he has been working with several of the small businesses to create interesting activities in the Downtown area. He brought up Elvera's Café for instance, she would like to sell wine at a paint night, however the cost of a license is \$200. With the cost being so high it makes it impossible for her to recoup the cost from the sales of the alcohol, which would be ancillary to the activity. Mr. May stated to the board that it would be a pilot program, limited to a strict geographical area **Court and Pleasant on**

the North, Salisbury Brook on the South, Commercial Street on the East and Warren Avenue on the West. The Commissioners and Lt. Le Grice questioned why Commercial Street and Mr. May stated that it is the edge of the Downtown Planning District and there may be businesses that are interested in the Permit. Councilor Beauregard mentioned that there is a new apartment complex that is going in at 75 Commercial Street and they could benefit from the use of a pop-up permit at their ribbon cutting. The permits will be subject to events that host 75 people or less. The applicant is allowed one (1) permit per month and no more than six (6) per year. The commissioners asked if there would be instances where there would be requests for permits on the same day. Mr. May stated that it may happen, however it is highly unlikely. Mr. May is proposing that the fee be set at \$25 per permit and the applicant must be TIP certified and must come before the License Commission for approval. Commissioner Charnel asked if the board is allowed to offer a new pop-up permit process without council approval. Chairman Tartaglia replied that the board may do so. Mr. May stated that the board has the right to create new licenses. Commissioner Teixeira asked the board members to try the program for a period of one year and revisit it in a year.

A motion was made by Commissioner Merian to try it as a Pilot program for a period of 1 year from August 2019 to July 31, 2020. The motion was seconded by Commissioner Teixeira and made unanimous by vote of the members present.

With no further business to come before the commission a motion was made by Commissioner Merian to adjourn the meeting. The motion was seconded by Commissioner Marrow and made unanimous by vote of the members present.

Respectfully Submitted,

Henry Tartaglia, Chairman

APPROVED

Paul Merian, Commissioner

David Teixeira, Commissioner

Jeffrey Charnel, Commissioner

Eugene Marrow, Alt. Commissioner