

MINUTES  
**LICENSE COMMISSION MEETING**  
**6:00 p.m.**  
**Thursday, April 15, 2021**  
**Virtual ZOOM Meeting**  
**Brockton, Massachusetts**

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The License Commission held its regular monthly meeting on Thursday, April 15, 2021 VIA ZOOM. Present were Chairman Henry Tartaglia, Commissioners Jeffrey Charnel, Eugene Marrow, Paul Studenski, David Teixeira, and John McGarry. Also present were License Agent Paul Bonanca, Deputy Chief Edward Williams, and Executive Assistant Silvia Carvalho.

1. Approval of the Minutes of the License Commission Meeting of March 18, 2021.

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

2. Approval of the following police officers as license agents for the month of April 2021: Lieuts. Paul Bonanca and David Farrell; Sgts. George Khoury and Christopher McDermott; Dets. Patrick Donahue, Erin Cummings, Jackie Congdon, Eric Clark, Santiago Cirino, Thomas Hyland, Michael Bunker, Nazaire Paul, James Cronshaw and Timothy Stanton.

A motion was made by Commissioner Charnel to approve the license agents as listed for the month of April 2021. The motion was seconded by Chairman Tartaglia and made unanimous by vote of the members present.

3. Hearing on a request from Montello Auto, Inc. for a Class II Used Car Dealers license located at 706 Montello Street, Brockton, MA.

Present was Attorney Michael Magerer of 109 Highland Avenue, Needham, MA.

Acting Chair Marrow asked Lt. Bonanca if he reinspected the property and if they were compliant? Lt. Bonanca stated that he has been out to the property numerous times and it took 4-5 re-inspections, but at this time they are in full compliance.

A motion was made by Chairman Tartaglia to approve the license. The motion was seconded by Commissioner Charnel and made unanimous by vote of the members present.

**4-0**

4. Hearing on a request from B.A.R. Automotive dba Pires Brothers Auto, Inc., for a Transfer of a Class II Used Car Dealers license located at 693 North Montello Street, Brockton, MA.

Present was Mr. Manny Pires of 192 Braemoor Road, Brockton, MA.

Acting Chair Marrow asked Lt. Bonanca if he had a report on the premises? and he stated that he and Deputy Chief Williams did visit the address for a reinspection on the 13<sup>th</sup> and they did notice that the vehicles on the side lot were double parked, the outdoor raised signage needs to be fixed or replaced. There is an agreement to adjust the plot plan with the owners, and the rear access door was blocked. All these issues must be taken care of. They recommend approval to the commission pending the updated plot plan and the completed paving and striping of the property. They do not have an issue with the granting of the license if the updated work is completed.

Acting Chair Marrow asked if the Pires bothers were on the call? and Mr. Pires stated that he was, and he informed Mr. Pires that the board would take a vote to approve the license with restrictions. He would have to complete all the demands set forth by Lt. Bonanca. Mr. Pires stated to the board that he understands, however because of the weather he has been unable to have the lot repaved. He does have the proposal and he will have it completed ASAP. Commissioner Charnel asked Silvia if they turned in the notarized letter from the prior owner? Silvia stated that they turned in the Purchase and Sales Agreement. Mr. Pires informed the board that he did submit a letter of intent.

Commissioner Charnel asked Mr. Pires if the sale had already taken place? and he replied yes. Commissioner Studenski asked Mr. Pires if he would cease to operate the Meadowbrook location? Mr. Pires stated that he would continue to operate both locations. Commissioner Charnel asked Mr. Pires how many cars were on the previous license? Mr. Pires stated that he believes there were 25 cars, on the license, however he is not looking for that many cars on the lot. Commissioner Charnel asked Lt. Bonanca how many cars would fit on the lot?

Lt. Bonanca stated that they initially negotiated that 15 cars would fit on the lot and Mr. Pires stated that he would be ok with that number. Deputy Chief Williams asked to speak and stated that the parking plan they had showed them had 11 cars up front. Mr. Pires had stated that there would be display cars, customer and employee cars and he believes 11 cars are able to fit in the front where Mr. Pires wanted to put the display of cars. Acting Chair Marrow asked Mr. Pires if he understood? and he replied yes.

A motion was made by Commissioner Charnel to approve the Transfer with stipulations. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

## **5-0**

5. Hearing on a request for a Transfer of a Lodging House license located at 220 North Main Street from Home at Last, LLC dba Home at Last- to 220 North Main Street Realty Trust.

Present was Mr. Michael Matta of 348 North Elm Street, West Bridgewater, MA.

Acting Chair Marrow asked Lt. Bonanca if he had a report on the premises? and he stated that there were no police issues and recommends its, approval pending city department inspections. Acting Chair Marrow asked Mr. Matta if he has completed all inspections? Mr. Matta stated that he had all the inspections done in December and he is under the impression that he must have the property reinspected again. Acting Chair Marrow posed the question to the board on whether he would in fact have to reinspect the property? Silvia stated that Deputy Chief Williams is on the call and the question should be posed to him.

Deputy Chief Williams stated that if they are changing ownership the property must be reinspected. Mr. Matta informed the board that they have always owned the property, they just did not have the license. He did not know if that would make a difference, or should they go ahead, and have it reinspected? Deputy Chief Williams informed Mr. Matta that things change over a period, so he recommends having the property reinspected. He also informed the board that they have granted licenses in the past subject to inspections.

Acting Chair Marrow asked if any of the commissioners had any further questions? and Commissioner Charnel stated that he only had a copy of the inspection report and wanted to know if Mr. Matta currently owns the building? and he stated yes. He informed the board that his family has owned the building since 1933 and leased it out to Home at Last in 2011. He recently reacquired the building 16 months ago and took over the business, however the bank is requesting that he put the license back in his name. Commissioner Charnel also asked Mr. Matta that prior to him turning it over, did he run the establishment? and he stated yes.

A motion was made by Commissioner Studenski to approve the Transfer with the stipulations that the property must be reinspected. The motion was seconded by Commissioner Charnel and made unanimous by vote of the members present.

**6-0**

6. Hearing on a request from Lynce Towers, Inc. dba Le Pyramide Restaurant- Manager John R. Lynce for an All Alcoholic Beverages Restaurant license located at 1040-1042 Main Street, Brockton, MA.

Present was Mr. John R. Lynce of 91 Narrows Road, Assonet, MA.

Acting Chair Marrow asked Lt. Bonanca if he had a report of the premises? and he stated that he has not seen any changes from his previous report. The interior is still in demolition phase and the exterior lot is dis-shoveled and there are no HP spaces. He also informed the board that the owner has no experience running clubs or restaurants in the area. The lot only fits 40 vehicles and there was no plan submitted with the application. The interior needs completion and they need two ADA approved spaces. He also stated that he would recommend a 1:00 a.m. closing.

Acting Chair Marrow asked if any of the commissioners had any questions? and Chairman Tartaglia stated that he would not be able to approve the license without a plan and the building is still in the demo phase. He suggested Mr. Lynce return when the place has been updated. Acting Chair Marrow asked Mr. Lynce when he proposed to complete the project? Mr. Lynce stated June 1<sup>st</sup> and informed the board that he submitted plans when he applied for the original application. He informed the board that because of COVID he was unable to renew his license and that he and his wife were sick. They also lost 2 people due to COVID.

Silvia informed the board that Mr. Lynce missed the renewal period and that he did submit plans in 2018 with the original application, however they may have taken them back after the meeting. She also informed the board that Mr. Lynce was in front of the board because he did not renew in November. Commissioner Charnel asked Silvia what happens if a licensee does not renew in November? Silvia stated that Boston requires that they resubmit a new application, which is treated as a new license. Boston will fast track the application; however, it must go before the board. Commissioner Charnel

stated that he understands and would rather not put businesses through the ringer if he does not have to. If Mr. Lynce turns in updated plans maybe the board can make a motion subject to him submitting the updated plans. Mr. Lynce did hold a license he just missed the renewal. Acting Chair Marrow stated that there is a lot of work that must be done. Mr. Lynce Lynce stated that they have come far since that inspection and they should be open by June.

Commissioner Charnel stated to the Chairman that this is a classic case of circumstance and with the current climate, he did have a license and it just lapsed. He is in the midst of renovations and he must have submitted plans and got a building permit from some city department, to do the work. He is not concerned with that and does not feel this should prohibit him from going to Boston to obtain a license in time for him to open. Chairman Tartaglia asked Mr. Lynce if he had the Fire inspection? Deputy Chief Williams informed the board that he does not have one because he is in the middle of construction and Boston will not approve the license until he has a certificate of inspection.

Acting Chair Marrow suggested they postpone until Fire and Building can reinspect and they will have a better perspective a month from now. Commissioner Studenski stated that he has received several calls regarding this application and wanted to know what licenses he was looking for? Is he looking for entertainment at this location? Silvia stated that Mr. Lynce already has all his licenses and the only one that lapsed was the one for alcohol, because he did not renew in November. The city did not take away the other licenses that he holds. Commissioner Studenski stated that even though the area is zoned for business the neighbors are concerned about the noise, music, dancing, etc.

He asked Silvia if he has an entertainment license? and she said yes. Commissioner Charnel stated to the board that this was an existing restaurant that the petitioner had acquired and is renovating it to suit his clientele. He believes it was an Asian restaurant with entertainment and a 2:00 a.m. license. He wanted to make that clear for the record. This is not something new that has not been in that neighborhood. Acting Chair Marrow stated that he understands from the Building and Fire departments that he will not be given a license until they inspect the premise.

Commissioner Charnel stated that that regardless of the decision the board makes tonight, Mr. Lynce would have to wait, and it would be in the boards best interest to wait until the place is inspected by the proper authorities in the city. Then the board will be able to render a decision.

A motion was made by Commissioner Charnel to postpone the meeting until they are inspected by the city departments. The motion was seconded by Chairman Tartaglia and made unanimous by vote of the members present.

**6-0**

7. Hearing on a request from George's Northern Lights, Inc., dba George's to add Karaoke to his existing Entertainment license located at 220-228 ½ Rear Belmont Street, Brockton, MA.

Present was Mr. Hamilton Rodrigues of 514 Washington Street, Canton, MA.

Acting Chair Marrow asked Lt. Bonanca if he had a report of the premises? He stated that he did inspect the premises and Chairman Tartaglia is familiar with the business. He stated that the room where they plan on having Karaoke is next to the bar in the middle room. The only limitations that he had discussed with them is that the occupancy would be limited, due to the set up of the tables. There would be a fire

hazard if you have people standing and blocking the front of the karaoke set-up. The occupancy of the room is limited because of the existing tables other than that he has no objections. Acting Chair Marrow asked Lt. Bonanca what the occupancy was for the premise? He stated that he had not gathered that information and went solely on what he observed with the set-up of the tables. He believes with just the tables set-up and no one standing it should be adequate and safe.

Commissioner Charnel asked Lt. Bonanca how many tables he was talking about? and he stated 8-10. He believes the tables have been up against the wall for decades. Acting Chair Marrow asked Mr. Rodrigues how many tables he has? Mr. Rodrigues informed the board that his occupancy for the building is 375. He stated that due to COVID his capacity has shrunk, and the room has limited tables due to the 6 feet distancing required by the state, that is the only reason Lt. Bonanca saw 8-10 tables.

Once COVID is over they will be able to accommodate more people in the room comfortably. He also informed the board that he is applying for the license now but will not use it until singing is allowed by the state. The building is 10,000 square feet, as far as karaoke is concerned, they can accommodate that type of entertainment and they also have a function room that seats 80 people comfortably. Commissioner Charnel asked Deputy Chief Williams if they would be limited to where they can have karaoke in the building?

Deputy Chief Williams stated that the building has an occupancy of 375 people if that is what Mr. Rodrigues says. That is determined by the number of square feet, and the number of exits and things of that nature. If they do not block any exits, and they have 375 people in the building he feels comfortable with the process. Acting Chair Marrow asked Mr. Rodrigues if this in fact is going to take place after the pandemic is over? Mr. Rodrigues stated that right now they can fit 100 people comfortably max in the building, if they allow 6-foot distancing, 150 inside and 150 outside.

If he uses the room with 8-10 tables, he can fit 35-40 people comfortably in the venetian room. He must wait until it is ok to sing, which may not be for another month ½. He is applying ahead of time in preparation for when it is allowed by the state.

A motion was made by Commissioner Charnel to approve the request. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present. Chairman Tartaglia recused himself from the vote.

**5-0**

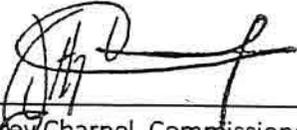
A motion was made by Commissioner Charnel to adjourn the meeting at 6:41 p.m. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

Respectfully Submitted,

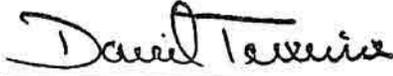
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Chairman  
Henry Tartaglia, Chairman

APPROVED



Jeffrey Charnel, Commissioner



David Teixeira, Commissioner



Eugene Marrow, Commissioner



Paul Studenski, Commissioner