

MINUTES
LICENSE COMMISSION MEETING
6:00 p.m.
Thursday, May 13, 2021
Virtual ZOOM Meeting
Brockton, Massachusetts

The License Commission held its regular monthly meeting on Thursday, May 13, 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, Detective James Cronshaw and Executive Assistant Silvia Carvalho.

1. Approval of the Minutes of the License Commission Meeting of April 15, 2021.

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

2. Approval of the following police officers as license agents for the month of May 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 Studenski to approve the license agents as listed for the month of May 2021. The motion was seconded by Commissioner Teixeira and made unanimous by vote of the members present.

3. Hearing on a request from West Chestnut Liquors, Inc., dba Sweeney's Discount Spirits, Manager-Maura J. Carney to Transfer an All Alcoholic Beverages Package Store license located at 1145 West Chestnut Street, Brockton, MA to DOMAR, LLC, dba Sweeney's Discount Spirits, Manager-Maria S. Veiga.

Present was Attorney Jose Centeio of 183 State Street, Boston, MA, and Ms. Maura Carney of 122 Fairview Avenue, Brockton, MA.

Attorney Centeio informed the board that he never received the email to join the meeting and he is the one representing DOMAR, LLC, Manager Maria S. Veiga. Chairman Tartaglia asked Ms. Carney if the building and liquor license were all together? Ms. Carney replied that the building and the license, yes. Chairman Tartaglia asked if Maria was on the call and who was representing Maria? Ms. Carney stated that Jose is. Attorney Centeio stated that he is representing Mrs. Veiga and DOMAR, LLC.

Chairman Tartaglia asked Attorney Centeio if she was with him? he replied no she is not. Chairman Tartaglia asked Attorney Centeio to explain. Attorney Centeio stated that DOMAR, LLC has applied for the transfer of the liquor license from West Chestnut Liquors, Inc., dba Sweeney's Discount Spirits-

Manager Maura Carney who is present at the meeting. He stated that Mrs. Veiga is the sole manager of DOMAR, LLC, and the business is located at 1145 West Chestnut Street. Ms. Carney has been doing business at this location since 2004. The liquor store is on a portion of 1145, the first floor of a two-story building. It is 2,500 square feet it has an entrance in the front and another exit in the rear. It has receiving and deliveries in the rear and the retail sales area layout has a cooler in the rear.

The sale price is \$750,000 and the Veiga's are purchasing it cash. We have evidence of the funds from his bank account that has been presented. The approval of the transfer of the liquor license would serve the public need and protect the common good. Like he stated at the start Ms. Carney has operated the store since 2004 and the Veiga's are not planning on changing the structure, the size, or the style of operation. They are going to maintain and keep everything the same, there will be no changes in traffic, and no changes in the noise level in the community.

Mrs. Veiga is a person of good character and fitness, and the family has been operating liquor stores in Brockton since the year 2000. They started with Brockton Liquors on Main Street and have expanded their operations ever since. He informed the board that the money to purchase the liquor store came from the sale of Shanley's and Hayden's Liquors, which was completed a few months ago. They are purchasing not only the liquor store from Ms. Carney, but also the building from the family, which is supposed to be in June.

Mrs. Veiga has no criminal record and has been in the liquor business for more than 20 years, she is going to be the 100% owner. He stated that the family has invested the profits since they acquired their first liquor store in 2000, back into the City of Champions. They are now the owners of about 8 commercial properties, soon to be 9 with this sale. They own 385 North Main Street, 363-365 North Main Street, 426-430 Main Street, 444 Main Street, 531 Pleasant Street, 423 Belmont Street, 429 Belmont Street, 31 Pinkham Street and soon to be 1145 West Chestnut Street from the Carney family. Both the applicant and premises meet statutory prerequisites, and the transfer will serve the needs and interests of the community.

Every profit they have made has been returned to the City of Brockton. They started in 2004 with one liquor store, but they have broadened to 8 commercial buildings, soon to be 9 and solely in the City of Brockton. Monies that they have earned have been reinvested back into the City of Brockton. With their style of management and operating, which is "top notch" and their investment in sophisticated equipment to track ID's, whatever the latest technologies are they have them in their liquor stores. They are asking that the Commissioners approve the transfer of the liquor license. Chairman Tartaglia thanked Mr. Centeio and praised him on his presentation. He asked the Commissioners if they had any questions?

A motion was made by Commissioner Marrow to approve the Transfer of the All Alcoholic Beverages Package Store license. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

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4. Hearing on a request from Club National Franco American of Brockton MA, Inc. to Sell Alcohol outdoors at 170 Court Street, Brockton, MA for an Outdoor Barbecue on June 19, 2021 from 2:00 p.m. to 10:00 p.m. with a rain date of June 20, 2021.

Present was Mr. Peter Bessette of 170 Court Street, Brockton, MA.

Mr. Bessette informed the board that they will be serving hotdogs, hamburgers and sausage and peppers. He spoke to Lt. Bonanca and they will block both sections of the parking lot at the rear of the building, so that everyone will be safe. Chairman Tartaglia asked him how many people he was expecting? and he replied 75-80 people. Lt. Bonanca had no issues or objections.

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

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5. Hearing on a request from MERJ Company, LLC dba Pizza Maria for a Transfer of a Common Victualer license at 180 Oak Street, Brockton, MA.

Present was Ms. May Chook of 27 Castle Drive, Sharon, MA.

Chairman Tartaglia asked Ms. Chook how many people they were planning to seat in the restaurant? she replied 10-14 people and that the restaurant will mainly be used for takeout. Lt. Bonanca inspected the property and had no issues. Chairman Tartaglia asked Ms. Chook who she was transferring the license from and she stated Jani Tacelli.

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

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6. Hearing on a request from Yelapa Grill for a Common Victualer license located at 1284 South Main Street, Brockton, MA.

Present was Mr. Jeanette Melgar of 47 Kingston Street, North Dartmouth, MA.

Mr. Melgar stated that the restaurant is looking for seating for 20 and will mostly be takeout. The restaurant was formerly a pizza shop. Everything will remain the same, they currently share a space with Supreme Coffee, and he has not started any work on the property yet. Lt. Bonanca stated that he was unable to gain access to the interior and it appears no work has been done yet and he is unsure of the seating, and feels 20 seats may be excessive, the exterior is fine.

The applicant must also have Fire, Building and Wiring inspections of the property. Chairman Tartaglia told Mr. Melgar that it did not make sense to give him a Common Victualer license without a proper inspection of the interior space. We do not know how many seats will go into the space and asked him to return when he is ready to have the place inspected by Lt. Bonanca and the other departments. Once that has been completed, he can be placed on the agenda to come in front of the board.

7. Hearing on a request from Blanchard Brockton, Inc. for a Change of Manager on an All Alcoholic Beverages Package Store license located at 102 Westgate, Drive, Brockton, MA.

Present was Attorney Jon Aieta of 28 State Street, Boston, MA, and Maryann Sullivan of 216 Washington Avenue, Needham, MA.

Attorney Aieta informed the board that Maryann Sullivan was the sole officer, director and shareholder of Blanchard Brockton, Inc., and the proposed liquor license manager. Ms. Sullivan has been at this location for the last 18 years and has experience. For the last several years she has been in a supervisory role, which makes her a perfect fit to be listed as the manager of record. She is TIP Certified and has experience and knowledge of ABCC rules and regulations, as well as state laws making her a qualified candidate.

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

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8. Hearing on a request from Fuhs, Enterprises, Inc. dba Dylan's Bar & Grill for a Change of Hours on an All Alcoholic Beverages Restaurant license located at 787 Centre Street, Brockton, MA.

Present was Attorney Jon Aieta of 28 State Street, Boston, MA.

Attorney Aieta informed the board that his client is requesting a continuance on his request due to a scheduling conflict. Chairman Tartaglia stated he did not have an issue with that and asked if the other Commissioners had a problem with it? Commissioner Charnel stated that he did have a problem with it and asked If the agenda item is being taken out of order? Attorney Aieta stated that he submitted a letter to the board requesting a continuance of his clients, application. They simply want to be placed on the June agenda. Commissioner Charnel agreed and suggested that the Commission grant his request for a continuance.

A motion was made by Commissioner Studenski to approve the continuance for the agenda in June. The motion was seconded by Commissioner Charnel and made unanimous by vote of the members present.

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9. Hearing on a request from Five-O-Eight, LLC dba Lounge Five-O-Eight for a Change of DBA on an All Alcoholic Beverages Restaurant license located at 128 Ames Street, Brockton, MA.

Present was Mr. Jefry Lopes of 22 Barry Street, Brockton, MA.

Mr. Lopes informed the board that he is changing the name of the DBA only. There will be no changes to the structure. He stated that he is working on his trademark and from a business perspective wanted to make the changes at the same time. He informed the board that the structure of the LLC will remain the same and showed the board the new logo from his cell phone.

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

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10. Hearing on a request from Brockton Country Club for an Automatic Amusement Device license located at 265 Samuel Avenue, Brockton, MA.

Present was Mr. Brian Ritucci of 265 Samuel Avenue, Brockton, MA.

Chairman Tartaglia asked Mr. Ritucci what he was looking for? Mr. Rittuci informed the board that they are looking to get approval for one video game. Chairman Tartaglia asked him what the name of the video game was? He stated the Golden Tee-Golf video game. Chairman Tartaglia stated that he believes they had that game at George's, and it was a good game.

A motion was made by Commissioner Charnel to approve the Automatic Amusement Device license. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

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11. Hearing on a charge brought by the Brockton Police against RJA Corporation dba Joe Angelos Café located at 216 Main Street, for an alleged violation of the ABCC Rule 2.05(2), to wit: "No license for the sale of alcoholic beverages shall permit any disorder, disturbance or illegality of any kind to take place in or on the licensed premises. The licensee shall be responsible whether present or not." Reported on March 06, 2021 at approximately 2:00 a.m.

Present was Mr. Joseph Angelo of 10 Arbor View Terrace, West Bridgewater, MA, and Detective James Cronshaw of 7 Commercial Street, Brockton, MA.

Chairman Tartaglia asked if there was a representative from the Police Department? Detective Cronshaw replied that he and Lt. Bonanca are both on the call. Chairman Tartaglia asked if there was anyone else from the Police Department on the call and he replied, no. Lt. Bonanca stated that Detective Cronshaw would give an overview of the situation. He stated that part of obtaining a license and this was established years ago, is that businesses must have a proper working video system. It is part of the requirement of having a license.

The video system was not in good working order and especially during a time when the police department was in need, of that video, and that is a violation. He asked Detective Cronshaw to describe the particulars and he believes this was not the first violation at this establishment. He stated that maybe Silvia can attest to that? This has happened to this establishment where they did not have a good working video system. Chairman Tartaglia had Commissioner Marrow read the letter that was mailed to the licensee.

Detective Cronshaw stated that on the night in question Detective Paul was parked down the street from Joe Angelos and they were monitoring the patrons as they left. Right after 2:00 a.m. they saw a disturbance there were people fighting in the street, he and detective Paul went over there and broke up the fight. As they were heading back to their vehicle, they heard more screaming and went around the corner. They heard people saying that a white male just pointed a gun at them and directed them to a blue car, they ended up finding a handgun under the seat and the rest of the meal.

When Detective Paul went to speak to the manager of Joe's he was told that he did not know how to work the system. Detective Paul stated to him that as they know video is good in helping them solve crimes and they really needed that. The manager informed him that he would give Detective Paul John Creamers phone number to get the video. Detective Paul called him a couple of days later and he was notified that the surveillance and outdoor cameras were down, he then informed him that they needed that because the incident took place in the back parking lot of Joe's.

He informed him that if they had the video, it would have helped with the investigation, luckily the Police Department was able to obtain video from the Brockton School Department across the street. The violation is not having working cameras when you are supposed to have them. Chairman Tartaglia thanked Detective Cronshaw for his report. Chairman Tartaglia asked Mr. Angelo if he had anything to say? He stated that the letter he received did not say anything about the cameras and he would have had Mr. Green provide an explanation on what happened.

He informed the board that he did not realize that the cameras were not working. The phone system was being changed and it was a network issue, it was working soon afterwards and is working today. He apologizes for that, and it has been working ever since. He stated that he has given the License Commission video on numerous occasions, because he has quite an extensive camera system. He did not realize that was the violation because it did not state that in the letter.

Silvia asked Mr. Angelo does not the police department give you a violation? he replied, no. Chairman Tartaglia stated the violation was not having the camera working and again he stated that it was not in the letter. Silvia informed the board and Mr. Angelo that the letter stated there was a disturbance that was witnessed and that incidentally the cameras were not working. Chairman Tartaglia asked Mr. Angelo if the cameras inside were working? he replied that he gave them all the footage from inside.

Chairman Tartaglia asked Detective Cronshaw if the people were arrested? and he replied that the person that was caught with the handgun was arrested. Chairman Tartaglia thanked him and stated it was good that they were able to get a gun off the street. The Chairman asked the Commissioners if they had any questions? Commissioner Charnel stated that he agreed with the detective that working cameras are critical to the safety of the residents. He asked Silvia about the question that Lt. Bonanca had posed about this establishment having prior camera issues?

Silvia stated that she has not seen anything, and it might have been prior to her working for the Commission. Chairman Tartaglia stated that he may be able to answer his question because in the 7-8 years that he has been on the Commission he has not seen anything from Joey Angelo's, that came before the board. This was the first one and it would be an oversight of not having the camera outside.

He informed the Commissioners that Councilor Monahan called him to inform him that he has not received any calls about the place and that the place was running well, and he is the Ward 2 Councilor. The Chairman stated that he understands that everyone should have film in the cameras and there are repeat offenders, and, we would have to take dramatic action, but in this circumstance, he would request that a letter be placed in his file. Commissioner Marrow asked Mr. Angelo if he in fact had changed the phone system?

Mr. Angelo stated that it was a network issue according to Mr. Green and they were changing the phones over and he did not realize that entailed the cameras and that is why the outside cameras were not working. The inside cameras were on, but the outside cameras were not. He stated that he would have loved to give them that film to do what they needed to and thank God they were there to break the things up or something bad could have happened and commended them for being there.

He agreed that they should have been on and the last time he had camera issues they were not required, and since it has been required, he updated the system three times, and the cameras are state of the art. He stated that it is his fault they were not working, and he agrees the responsibility falls on

him whether he knew about it or not and it will not happen again. Commissioner Charnel said he would make a motion to put a letter in his file, since he has not been before the board and he has not heard anything about this establishment.

He stated that a point must be made to these owners that they must test their equipment regularly, so the Commission can make it point to have these issues resolved in a timely manner. Commissioner Teixeira stated that he understands what Mr. Angelo is going through because it has happened at his place during the transition of changing phone lines, he stated that the inside cameras were working, but the outside cameras were not. He thought everything was all set, but it was not. He understands the issue with the internet especially if you are changing over companies from Verizon to Comcast or whomever. Sometimes you come across these issues, it was his responsibility to make sure the cameras were working, but it was also his too and he had no idea.

Commissioner Charnel stated that perhaps the licensees need to be asked to test their equipment on a quarterly basis? But again, if he missed that date, he probably would not know if it was working and feels a letter placed in his file is adequate. Chairman Tartaglia thanked the detectives for breaking up whatever was happening out there and getting a gun off the street, this shows that the License Commission agents are doing their jobs.

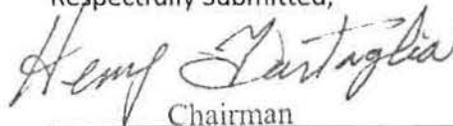
A motion was made by Commissioner Charnel to place a letter in his file. The motion was seconded by Commissioner Marrow and made unanimous by vote of the members present.

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A motion was made by Commissioner Marrow to adjourn the meeting at 6:49 p.m. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

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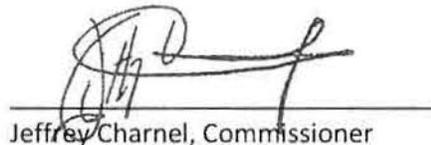
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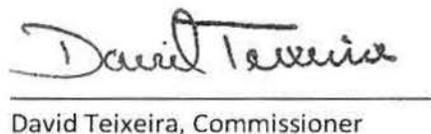
Chairman

Henry Tartaglia, Chairman

APPROVED



Jeffrey Charnel, Commissioner



David Teixeira, Commissioner

Eugene J. Marrow

Eugene Marrow, Commissioner

Paul F. Studenski

Paul Studenski, Commissioner