

MINUTES
LICENSE COMMISSION MEETING
6:00 p.m.
Thursday, September 16, 2021
G.A.R. Room, City Hall, 45 School Street
Brockton, Massachusetts

The License Commission held its regular monthly meeting on Thursday, September 16, 2021, in the G.A.R. Room. Present were Commissioners Jeffrey Charnel, Paul Studenski, David Teixeira, and John McGarry. Also, present were License Agent Paul Bonanca and Executive Assistant Silvia Carvalho.

1. Approval of the Minutes of the License Commission Meeting of August 19, 2021.

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

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

3. Hearing on a request from Red Crab Brockton, Inc. dba Juicy Seafood, Manager-Yanchun Zhang makes application for an All Alcoholic Beverages Restaurant, Common Victualer and Entertainment license located at 683 Belmont Street, Unit 1, Brockton, MA.

Present was Ms. Yanchun Zhang of 30 Magnolia Lane, Marlborough, MA, and Attorney Chris Coleman of 248 Main Street, Unit 202, Reading, MA.

Attorney Coleman stated to the Board that for the benefit of the Commissioners that were not present at the previous hearing. The location is 686 Belmont Street, Suite # 1 and it is the old Stop & Shop. There was a request made at the last hearing for some plan detail regarding the site and how it was split up, as well as a floor plan. They did submit the documents and are happy to answer any questions regarding the plans.

The space is 6,000 sq. feet with 142 seats, 14 bar seats, 64 table seats and 64 booths, the cuisine is Cajun seafood dishes, and the menu was provided with the application. The hours of operation are Monday to Thursday from 11:00 a.m. to 11:00 p.m., Friday to Saturday from 11:00 a.m. to 1:00 a.m. and

Sunday 12:00 noon to 11:00 p.m. Attorney Coleman stated that Ms. Zhang is the proposed manager, and she has excellent experience, TIPS training and she is a U.S. Citizen. Ms. Zhang will be there 40 hours a week. She was the owner and manager of Japan #1 in Middleboro, where she held an All Alcoholic license from 2009-2020. The restaurant has since been sold.

The entertainment proposed will be television, roughly 8-10 tv's and background music on a conversational level, nothing loud and no live entertainment. The proposed opening if everything goes properly should be 8 months. Attorney Coleman asked the board if they had any questions? Commissioner McGarry thanked the attorney for the presentation and asked the attorney if they have started construction yet?

The attorney informed the board that he did not believe anyone would want to make any substantial investment in a location if they did not know they were going to get approvals and permits. He reiterated that yes, they have not done anything yet at the location. Commissioner McGarry stated that going through the paperwork he did not see a current plot plan for the structure. Commissioner Charnel located it in his application and showed it to Commissioner McGarry.

Commissioner McGarry stated that he understands the business portion of the process and would consider granting approval pending completion and getting signoffs from all the departments in the City. Attorney Coleman stated that he absolutely agrees with Commissioner McGarry. Commissioner McGarry stated that he does not want the building just sitting there floating forever. Commissioner Teixeira asked the attorney about the Sunday hours and noticed it was crossed off the application and he was not able to locate the correct information in his application.

The attorney stated the Sunday hours would be 12:00 noon to 11:00 p.m. and Commissioner Charnel was able to locate it on his application and shared it with the board. Commissioner Charnel stated that he had a few questions because the establishment will be selling alcohol and there is an adjacent High School in close proximity to the restaurant. He understands they are TIPS Certified and have staffing; however, things happen. He asked them what procedure would be in place to prevent teenagers from consuming alcohol?

Commissioner Charnel stated that he does not think the city has an establishment that sells alcohol that close to the high school. Attorney Coleman informed the board that it is all being served inside the premises and if they follow the procedures there probably will not be any difference because they will be checking ID's. If the procedures are followed rigidly, it will be a satisfactory process. Commissioner Charnel asked them if they have an ID machine on site? Ms. Zhang stated that they will look at the original ID.

Commissioner Charnel asked Ms. Zhang what makes her card someone? What is the age? She stated that they may look like they are 30 years old, they still get carded. No ID no alcohol, that is what she has told her employees. Commissioner Charnel informed them that it is very important in that corridor of the city because there are a lot of children and adolescents that try and play the game. He is weary of establishments around there, someone tried to put an alcohol establishment at the old Friendly's location, and he was highly against that. It was way to close to the high school.

Commissioner Charnel stated that he would be in favor of it knowing that there would be protocols in place. Attorney Coleman stated that it is a high-quality establishment, and he does not think high school

students will go to it. It is more of a family atmosphere or adult dining, more than it would be for high schoolers. Commissioner Charnel asked the attorney if the tenants that are on the plans such as Big Lots, Family Dollar will be going into the spaces or are they people who have shown interest? Attorney Coleman stated that he could not speak on behalf of the landlord, all he can speak on is his client's space. They were informed that the transactions were shaky.

Lt. Bonanca stated that the updated materials that were requested at the last meeting were submitted, they materials at the last meeting were vague. As far as the Police Department is concerned and he knows the Commission is concerned with it being across the street from the high school. He and his agents will keep a close eye on the establishment if the license is granted and the work and inspections have been completed. He informed them that they will have to contend with the police and city departments for inspections.

He reiterated that they will, keep a close eye on the establishment because of the proximity to the high school and he asked the attorney if his clients understands that? Attorney Coleman replied that would be welcome. Lt. Bonanca stated that if they do not deviate from the hours of operation the Police Department does not have an issue with the business pending final inspections. Commissioner Studenski asked them if there would be live bands and they replied, no.

Commissioner Charnel asked them to confirm the hours which were Monday to Thursday 11:00 a.m. to 11:00 p.m., Friday to Saturday 11:00 a.m. to 1:00 a.m. and Sunday 12:00 noon to 11:00 p.m.

Commissioner Charnel asked them if they would be open past 2:00 a.m.? in which they replied, no and when was last call for them? They stated 12:30 a.m. or within 30 minutes of that.

A motion was made by Commissioner McGarry to approve the licenses pending all certifications and inspections. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

4. Hearing on a request from St. Theresa Maronite Church for a Special license to Sell All Alcoholic Beverages with entertainment to be held at 343 North Main Street, Brockton, MA for a Lebanese Dance and Fundraiser on September 25, 2021, from 8:00 p.m. to 12:00 midnight.

Present was Ms. Michelle Nessralla of 2 Margot Lane, East Bridgewater, MA.

Ms. Nessralla stated that in lieu of their three-day festival they are hosting a one-day event from 8:00 p.m. to 12:00 midnight on September 25th. They do not envision a lot of people due to COVID. The event is a Lebanese Dance with a DJ and last call around 11:30 p.m. and they do not see the event going till 12:00 midnight. Commissioner Charnel asked Ms. Nessralla if they had a current liquor license? and she replied that they only apply for one for special events.

Commissioner Charnel inquired whether they were able to apply for an All Alcoholic Beverages permit? Silvia stated that they have always done so in the past. Commissioner asked her if they in fact expected 150 people and she replied that hopefully by the Grace of God. Lt. Bonanca stated that because the event is open to the public a detail officer is required. Ms. Nessralla stated that she called the detail office.

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

5. Hearing on a request from Animal Protection Center of Southeastern Massachusetts (APCSM) for a Special Permit to Sell All Alcoholic Beverages for an Annual Dogtoberfest event to be held outdoors at 1300 West Elm Street, Ext., Brockton, MA on October 16, 2021, from 2:00 p.m. to 6:00 p.m.

Present was Ms. Patricia Suess of 27 Harris Avenue, Warren, RI.

Ms. Suess informed the board that she is the project and development coordinator, and this is their 4th annual Dogtoberfest event. The purpose is to raise money for the shelter and promote local businesses. They have confirmed six breweries including The Brockton Beer Company. The event is open to the public and they need to purchase a ticket for the event. The event is outdoors at 1300 West Elm Street, Extension.

They have 7 staff members and 8-10 volunteers for the event, she called the detail office and has scheduled an officer. There will be 50 parking spaces available, and they are estimating an attendance of 100 people or less. There are two facilities in the building and the public will be asked to wear a mask in the building. Commissioner McGarry asked her who would be handling the alcohol and she stated the breweries have their own staff.

Commissioner McGarry asked Ms. Suess if she was in fact looking for an All Alcoholic Beverages permit because they will be serving beer and she stated that they will be serving seltzer and she was unsure and wanted to be safe. Silvia informed the board that they were a non-profit organization, and they could apply for either or. Ms. Suess informed the board that she will keep the All Alcoholic Beverages just to be on the safe side.

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

6. Hearing on a request from My Three Sons Diner, Inc. for a Transfer of a Common Victualer license located at 1050 Pearl Street, Brockton, MA.

Present was Mr. David Morley of 80 Laurel Lane, Raynham, MA.

Mr. Morley stated that he is purchasing Jo's Best Diner in Brockton located at 1050 Pearl Street, Brockton. In order to complete the sale, he must transfer the license and put it in his name. He will keep the same hours, seating, and menu. They will continue to operate the drive thru. Commissioner McGarry asked him if he is currently a cook at the restaurant? He replied that he has been training with him for the past month.

Commissioner Teixeira asked Mr. Morley if the current owner was present and he replied, no. Commissioner Charnel asked him if the name of the restaurant would remain the same and he replied that for now it is. Commissioner Charnel asked Mr. Morley what his experience was? He informed the board that he worked at Chipotle for five years, Papa Gino's for 15 years and, He was in the Marine Corps for eight years. He has also been a Sioux chef for several restaurants in the past including the Boy

Scouts. Lt. Bonanca conducted an inspection and did not find any issues and he had no objection to the transfer.

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

7. Hearing on a request from Ambe Liquors, Inc. dba Super Value Liquors, Manager- Anil Patel, makes application for a Transfer of an Alcoholic Beverages Package Store license and a Pledge of License and Inventory at 597 Centre Street, Brockton, MA to SVL Liquors, Inc., dba Super Value Liquors, Manager- ABU HASNAT MN HUDA.

Present was Mr. ABU HASNAT MN HUDA of 972 Pleasant Street, Brockton, MA, Deep Patel of 35 Goldfinch Drive, Brockton, MA, and Attorney Wayne Matthews of 529 Pearl Street, Brockton, MA.

Attorney Matthews informed the board that his clients are transferring the liquor license at 597 Centre Street, which is located near Brockton Hospital. They will keep the operation almost the same with very little change. Both men have experience in the business. Deep Patel's family have run a bunch of liquor stores including Cheer's where he has worked and has an interest in. Abu has worked at many stores which includes Tedeschi's.

The men are requesting a pledge of the license and inventory to Rockland Trust which is financing the venture. Commissioner Teixeira asked them if the hours of operation would remain the same? They stated that the hours were Monday to Thursday 9:00 a.m. to 10:00 p.m., Friday to Saturday 9:00 a.m. to 11:00 p.m. and Sunday 12:00 noon to 8:00 p.m. Commissioner Charnel stated that he understands the plaza is leased and the pledge is for the assets in the entity? And they replied yes. Lt. Bonanca stated that the police department has not had any issues with the establishment and has no objection.

A motion was made by Commissioner Studenski to approve the Transfer and the Pledge of Inventory and Stock. The motion was seconded by Commissioner McGarry and made unanimous by vote of the members present.

8. Hearing on a request from the Brockton License Commission to Cardoso Café, Inc., located at 146-148 Montello Street to address disturbance issues within the neighborhood.

A motion was made by Commissioner McGarry to postpone the agenda item to September 30, 2021, at 6:00 p.m. in the G.A.R. Room. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

A motion was made by Commissioner McGarry to adjourn the meeting. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

Respectfully Submitted,



Jeffrey Charnel, Acting Chairman

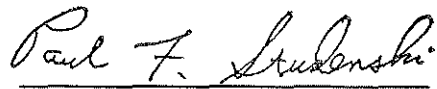
APPROVED



David Teixeira, Commission



Eugene Marrow, Commissioner



Paul Studenski, Commissioner



John McGarry, Commissioner