

MINUTES
LICENSE COMMISSION MEETING
6:00 p.m.
Thursday, September 15, 2022
G.A.R. Room, City Hall, 45 School Street

The License Commission held its regular monthly meeting on Thursday, September 15, 2022, in the G.A.R. Room, City Hall, 45 School Street. Present were Commissioners, John McGarry, Robert P. Simpson, Paul Studenski, and Scott D. Uhlman. 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 August 18, 2022, and the Special Meeting of August 22, 2022.

A motion was made by Commissioner Studenski to waive the reading of the minutes of the meetings of August 18, 2022, and August 22, 2022. The motion was seconded by Commissioner Uhlman and made unanimous by vote of the members present.

A motion was made by Commissioner Simpson to approve the minutes of the previously mentioned meetings which motion was seconded by Commissioner Uhlman and made unanimous by vote of the members present.

2. Approval of the following police officers as license agents for the month of September 2022: Lieuts. Paul Bonanca and David Farrell; Sgts. George Khoury and Christopher McDermott; Dets. 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 Uhlman to approve the license agents as listed for the month of September 2022. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

3. Affirm the granting of the license to Montello Package, LLC for an All-Alcoholic Beverages Package Store license at 1115 North Montello Street, Brockton, MA.

Present was Mr. Ricky DaSilva of 30 Sprague Street, Randolph, MA and Attorney Jose Couto Centeio of 183 State Street, Boston, MA.

Commissioner McGarry informed the board members and those present that on August 22nd, 2022, the board voted to grant the license to Montello Package LLC. At the time of the granting of the license it was suggested that they consult with the Traffic Commission. Upon consultation with the Traffic Commission, the result was that they do not have any jurisdiction over that section of the road. The application was returned to the board for affirmation of the granting of the license without conditions.

A motion was made by Commissioner Simpson to Affirm the granting of the license to Montello Package, LLC. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

4. Hearing on a request from APCSM for a Special One Day Permit to Sell All Alcoholic Beverages for a Dogtoberfest to be held at 1300 West Elm Street, Extension on October 22, 2022, from 2:00 p.m. to 6:00 p.m.

Present was Mr. Chuck Givonetti of 12 Tarmac Road, West Dennis, MA.

Mr. Givonetti stated that they are looking for a One Day license for their annual Dogtoberfest. It is a local event, and they are expecting between 100 and 150 people. Food will be available as well as a sampling of Octoberfest festivities, such as local breweries including Brockton Beer Company, and five other local breweries. They will also have music and fun and games like a beer garden atmosphere. It is a fundraiser to raise funds for the local shelter.

Commissioner McGarry asked if there was anyone in favor? Ms. Letisha Silveira came forward in favor of the petitioner and stated that she was in favor of the Dogtoberfest. He then asked if there was anyone in opposition? He then asked if the Commissioners had any questions? Commissioner Uhlman asked them how they would ensure that people under twenty-one are not served alcohol? Mr. Givonetti stated that everyone will be carded, and the event is strictly twenty-one and over. The servers are all TIP Certified and all participants over twenty-one will have a wristband including servers. They will also provide a designated driver wristband and they will only be allowed to purchase soda, water etc.

He then asked him how many alcohol vendors will be at the event? and he replied six total, they are all microbrewers each brewer will be providing their own staff members to serve the guests. Deputy Chief Williams stated he would like a crowd manager present; it is a quick online course, and it deals with all the safety factors. Mr. Givonetti stated that he has taken the course and it may still be valid. Lt. Bonanca stated the event is open to the public, so he recommends one police detail during all hours of operation.

A motion was made by Commissioner Studenski to approve the license with the stipulations from Fire and Police, that they have a Crowd Manager present and a Police Detail during all hours of operation. The motion was seconded by Commissioner Uhlman and made unanimous by vote of the members present.

5. Hearing on a request from Murielle Compere for a Special One Day Permit to Sell Wine and Malt Beverages for a Birthday Party to be held at 21 Torrey Street, on September 30, 2022, from 6:00 p.m. to 12:00 a.m.

Present was Ms. Murielle Compere of 85 Decker Street, Milton, MA.

Ms. Compare stated that she is turning 60 years old, and her friends are coming, and she would like to celebrate. They would like to serve alcohol in addition to water. They will have photo booths and people will be singing and there will be dancing. Commissioner McGarry asked if anyone was in favor or opposed? He then opened it up to the Commissioners. Commissioner Simpson asked Ms. Compare if they will be selling the beer and how they will be distributing the alcohol? She replied that they are not selling the beer, they will be serving it to whoever wants beer, wine, soda, or water and she was told she needed a license. He then asked her if she would be hiring someone to serve the alcohol? She replied that she has a family member that can do that.

Commissioner Uhlman informed her that the alcohol must be purchased from a wholesaler and not from BJ's. Commissioner McGarry asked her if anyone had gone over the requirements of renting the

facility? She replied they were told they need a One Day license or someone that is a licensed bartender. He stated that they must adhere to all liquor laws and that the alcohol must be purchased through a wholesaler and that they are subject to an inspection at any time during the function. Deputy Chief Williams stated they must have a crowd manager present. Commissioner Uhlman stated that a crowd manager must be always present, but there is no crowd manager at 21 Torrey St. Deputy Chief Williams stated that she can complete the training and become one.

Lieutenant Bonanca stated that he spoke to her over the phone regarding security at the event and she told him that the event space was going to arrange for security and that she had paid in advance for two police officers. Lieutenant Bonanca stated it is not required because it is a private event, and they are not selling tickets. However, because they informed her that she had already paid in advance for security she should investigate it. He stated that he could also look into it. She informed the board that she was told that if they have over seventy-five people they must pay for security. Lieutenant Bonanca asked the Deputy what the occupancy was? and he stated that it is just a hair over one hundred. Ms. Compere stated she was told it was 130. Deputy Chief Williams said that he would check.

Lt. Bonanca stated that if she has paid for details, she should get them, and it would satisfy security concerns, but it is not required. If it has not been arranged, she should contact him. Commissioner McGarry asked if the Commissioners had any other questions? And informed her that she must have a TIP Certified bartender and show proof that the alcohol was bought from a wholesaler and must have a crowd control manager. Commissioner Studenski asked Lieutenant Bonanca how many complaints he has received from 21 Torrey Street? and he replied none.

A motion was made by Commissioner Uhlman to approve the license with stipulations that she have a crowd control manager, two police details if she has paid for them and alcohol must be purchased from a wholesaler and a TIP Certified bartender. The motion was seconded by Commissioner Simpson and made unanimous by vote of the members present.

6. Hearing on a request from St. Theresa Maronite Church for a Special One Day Permit to Sell All Alcoholic Beverages for a Lebanese Food Festival to be held at 343 North Main Street, on the following dates.
 - . **September 30, 2022, from 5:00 p.m. to 11:00 p.m.**
 - . **October 1, 2022, from 1:00 p.m. to 12:00 a.m.**
 - . **October 2, 2022, from 12:00 p.m. to 5:00 p.m.**

Present was Ms. Michelle Nessralla of 2 Margo Lane, East Bridgewater, MA, and Ms. Paula Samia of 24 Ann Avenue, Brockton, MA.

Ms. Nessralla informed the board that after a 2-year hiatus due to the pandemic they are back in full force. It is a Lebanese Festival that goes on for three days as they stated. There will be music and DJ's as well as food vendors selling really good food and pastries and hopes everyone will be able to attend. It is the 19th festival and they have it honed down. Commissioner McGarry asked if there was anyone in favor? Attorney Nessralla stated he was in favor of the petitioner, and he is a member of the parish. He stated that it is the only way churches can survive these days and make money. They have run this activity for several years and it has helped them stay afloat he asked for the board's favorable consideration.

Commissioner McGarry asked if there was anyone in opposition? and then opened it up to the Commissioners. Lt. Bonanca stated that they expect 500 to 1,000 people, so two police details are required, one on the inside and one conducting traffic. Deputy Chief Williams stated that they will need a crowd manager and he knows that Michelle was one in the past, and she may need to renew. He also stated that they should put something in the driveway, a barrel filled with water to prevent cars from accidentally driving into the crowd.

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

7. Hearing on a request from Brockton Beer Company for a Special One Day Permit to Sell All Alcoholic Beverages for an Oktoberfest Event to be held at 121 Main Street on the following dates:
 - . **September 30, 2022, from 4:00 p.m. to 9:00 p.m.**
 - . **October 1, 2022, from 12:00 p.m. to 9:00 p.m.**

Present was Latisha Silveira of 115 Cypress Drive, Brockton, MA.

Ms. Silveira informed the board that weather permitting they are looking to have an Oktoberfest Celebration. This would be the first, with many more to come and they are simply looking to extend the restaurant tap space outdoors, into the parking lot that abuts the property. Like the Holiday Parade, they would have a few tables and something for kids to enjoy in a festive atmosphere. They will not be setting up any food outdoors, they can order inside and carry out portions so that they can enjoy it outdoors. They will section off the area, so no cars can get in and they have also requested to be placed on the Parking Authority agenda for permission.

They have insurance riders that have already been prepared for them and they have also notified their business neighbors, that park in the lot as well. Their hours on the weekday are 4:00 PM to 10:00 PM. They expect the event to run from 4:00 PM to 6:30 PM and 12:00 PM to 6:30 PM, on Saturday weather permitting. Commissioner McGarry asked if there was anyone in favor? Mr. Givonetti came forward in favor of the petitioner. He stated that they are a great organization and they have supported the APCSM, in the past. It is nice to have folks like them in town doing business. As someone who has lived in the city for 30 years, it is nice to see activity like this in the area.

Commissioner McGarry asked if there was anyone opposed? he then opened it up to the Commissioners. Commissioner Studenski asked Lieutenant Bonanca if they need police detail officers? Lt. Bonanca stated if it is open to the public, they need police detail. All alcohol must be always under the control of staff. Commissioner Uhlman asked her if they would be selling all alcoholic beverages outside? Ms. Silveira stated that they have ready to serve drink cocktails that can be taken outside. Deputy Chief Williams stated that they would need a crowd control manager, especially if the other agenda item passes tonight. They should place something in the parking lot to prevent cars from driving in, so that they can protect the public.

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

8. Hearing on a request from Cardinal Spellman High School for a Special One Day Permit to Sell Wine and Malt Beverages for an Alumni Event to be held at 738 Court Street, on October 1, 2022, from 5:00 p.m. to 8:00 p.m.

Present was Jane Westerlund of 738 Court Street, Brockton, MA.

Ms. Westerlund informed the board that they will have an event on the practice field from 5:00 PM to 8:00 PM, it is a private event by invitation only. They are looking to get a beer and wine license and will have two TIP Certified bartenders. They expect 150 to 200 people. Commissioner McGarry asked if there was any one in favor? Ms. Silveira stepped up in favor of the petitioner and stated that she was an alumni and class of ninety-five, and she thinks it will be an awesome event always was. Commissioner McGarry asked if there was anyone opposed? and then opened it up to the commissioners.

Deputy Chief Williams stated that someone from Spellman should become a crowd manager and Lt. Bonanca stated that he has spoken to the applicant regarding his concerns they have already been addressed and it is a private event, so no detail officer is required the Police Department is satisfied.

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

9. Hearing on a request from Brockton Beer Company for an Entertainment license located at 121 Main Street, Brockton, MA.

Present was Ms. Latisha Silveira of 115 Cypress Drive, Brockton, MA.

Ms. Silveira stated that this is a request for an entertainment license, so that they can carry on musical bingo, trivia night or any type of small-scale entertainment options, so that they can host it in the tap room. They want to provide things to do for residents and people visiting the city. Commissioner McGarry opened it up to the public and asked if there was anyone in favor? Mr. Givonetti again stated that for many of the reasons previously stated it is a well-run organization and a great shot in the arm for downtown. Commissioner McGarry asked if there was anyone opposed? and then opened it up to the Commissioners.

Commissioner McGarry stated he noticed they asked for dancing by performers and Ms. Silveira stated that she checked all the boxes, and they did not foresee any dancing by performers. He asked if that could be removed? and she replied yes. Deputy Chief Williams stated that with an occupancy of over one hundred people, they should have a crowd manager on a permanent basis. Lieutenant Bonanca stated that the Police Department has no objections.

A motion was made by Commissioner Simpson to approve the license removing the dancers by performers. The motion was seconded by Commissioner Uhlman and made unanimous by vote of the members present.

10. Hearing on a request from Atlantic Medical Partners, Inc. for a renewal of a retail marijuana license located at 4 Main Street, Brockton, MA.

Present was Mr. Steven Perkins of 49 Timbercreek Road, Billerica, MA.

Mr. Perkins informed the board that they are eagerly waiting to finally open the 4 Main Street location. Construction is complete and they are waiting for their ready to open inspection by the Cannabis

Control Commission. They send an agent out to do a mock transaction to make sure that their point of sale is ready to receive the exchange of currency for product and that they are excited to finally be open in the city. Commissioner McGarry opened it up to the public and asked if there was anyone in favor or against? He then opened it up to the Commissioners. Commissioner McGarry asked Silvia if all their paperwork was complete? She replied that they need their final inspection. Silvia then asked Deputy Chief Williams if they had gone through, and he stated that they did an inspection at the end of construction.

Lieutenant Bonanca did an inspection a little less than two months ago the cameras and everything seems to be in order, other than the final inspection by the CCC, the Police Department has no objection.

A motion was made by Commissioner Simpson to approve the renewal. The motion was seconded by Commissioner Studenki and made unanimous by vote of the members present.

11. Hearing on a request from The Cajun Kitchen, LLC dba The Cajun Kitchen makes application for a Wine and Malt Beverage Restaurant license at 708, Belmont Street, Brockton, MA.

A motion was made by Commissioner Uhlman to move the agenda item to the next scheduled License Commission Meeting. The motion was seconded by Commissioner Simpson and made unanimous by vote of the members present.

12. Hearing on a request from CV Auto Care, Inc. for a transfer of a Class II Used Car Dealer license at 803 Crescent Street, Brockton, MA.

A motion was made by Commissioner Simpson to move the agenda item to the next scheduled License Commission Meeting. The motion was seconded by Commissioner Uhlman and made unanimous by vote of the members present.

13. Hearing on a request from Brockton Firefighters Union Local 144, to serve alcohol in the parking lot at 80 Perkins Avenue, Brockton, MA for a charity event to be held on September 24, 2022, during their normal business hours.

Present was Mr. William Bessette of 17 Belmont Court, Brockton, MA.

Mr. Bessette informed the board that this is a cookout style event on the property at 80 Perkins Ave. They have run this style of event many times in the past, it is a ticket event and people are not walking in off the street. They are looking to serve alcohol in the parking lot area, and it will be held during their normal business hours. There will be live entertainment and the hours of operation are 10:00 AM to 5:00 PM. The music will be shut down at 5:00 PM. He then presented the board with a site plan and stated that they will rope off the entire Perkins Avenue side, the access road behind the hall is blocked off, so there is no access.

They will block off the area with barrels and fire line tape and the access between the Enterprise Club and the lot will be blocked off, so no vehicles can access that area. There will be two walkthrough entrances and they will have tents set up for ticketing and merchandise. Everyone who enters the event will be carded and stamped with a wristband, so you will know that they are part of the event. They wanted to add a potential rain date of September 25th. The event is a charity event, and they will be serving hamburgers, hot dogs, and draft beer. Commissioner McGarry opened it up to the public and asked if there was anyone in favor or opposition? he then opened it up to the Commissioners. Commissioner Studenski asked him what the charity was for? He stated that it was for Matt Flaherty the firefighter that got killed back in March. They are doing a memorial motorcycle ride and the ride will end at Perkins Avenue. It is a run a fundraiser for believe.org and they are hosting it for them.

Deputy Chief Williams stated that they have done this in the past and they have it down packed. He will be there and will make sure everything runs smoothly on his end. Lt. Bonanca stated that it is not open to the public so therefore it does not require a police detail. He has spoken to the applicant and has addressed the concerns about the area being blocked off from motor vehicle traffic etc., and the Police Department has no objection.

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

A motion was made by Commissioner Simpson to add the 25th as a rain date to their request. The motion was seconded by Commissioner Uhlman and made unanimous by vote of the members present.

14. A hearing on a request from DDO- New England, LLC dba Taco Bell #40863 for a Transfer of a Common Victualer license and a Late-Night Business Permit at 675 Belmont Street, Brockton, MA.

Present was No one.

A motion was made by Commissioner Uhlman to move the agenda item to the next scheduled License Commission meeting. The motion was seconded by Commissioner Simpson and made unanimous by vote of the members present.

15. Hearing on a request from La Loft Venue- Yolanda Medina, for a Special One Day Permit to Sell Wine and Malt Beverages at 1340 Belmont Street, Brockton, MA on the following dates:
 - . September 25, 2022, from 7:00 p.m. to 11:00 p.m.
 - . October 9, 2022, from 7:00 p.m. to 11:00 p.m.
 - . October 15, 2022, from 7:00 p.m. to 11:00 p.m.
 - . October 22, 2022, from 7:00 p.m. to 11:00 p.m.

Present was Ms. Yolanda Medina of 80 Thayer Circle, Randolph, MA.

Ms. Medina informed the board that she is a venue space at 1340 Belmont Street, and she is before the board, to pull permits for events being held at her space. She has someone certified to serve the liquor and will be bringing the liquor for the client as well. Her capacity is forty-nine. Commissioner McGarry opened up the meeting to the public and asked if anyone was in favor or opposed? He then opened it up to the Commissioners. Commissioner Simpson asked her if it was an indoor event? She replied yes.

Deputy Chief Williams stated that this venue is like the Gorgeous Events venue on 21 Torrey Street. She has an occupancy of forty-nine people, and she cannot go over that it includes employees and workers. He has been working with her since day one when they found out about it. The place is safe and if she maintains by the rules the events will be fine. Commissioner McGarry stated that the way she is doing it is a little different from the other facilities in the city. Because everything is going through her his concerns long term is that she should get some form of a license, so she can have her functions without having to come before the Commission before every event. She replied that they are working on that. He also informed her that they must have someone that is TIP Certified, and that the alcohol must come from a wholesaler. He also stated that he noticed on the application that it says all alcohol and she stated she would like to serve alcohol, but Silvia replied that she can only sell beer and wine because she is not a nonprofit.

He stated that normally the petitioners that are requesting the space come before the board to get the One Day permit, and from the looks of it she is getting the permits for her customers, and she replied yes. In the long run it must be beneficial to her to get a license. Commissioner Simpson stated that there is a set number that she can have per year and Silvia stated thirty per year. Deputy Williams stated that Ms. Medina has kind of put herself between a rock and a hard place, she has these events before the board and will probably come back in October. If she applies for a liquor license, she cannot apply for a One Day license, so she must find a gap of time where she is not having any events, so she can apply for a license. Silvia stated that it is a process that takes a couple of months.

Commissioner McGarry stated that if she is having four this month and four the next month, she will burn through the thirty very quickly. Commissioner Uhlman stated that Ms. Medina would be the one responsible if anything happens, and she replied yes, she knows that. Lt. Bonanca stated that he assumes the four events are similar and no admission will be charged. And she stated that the events are not open to the public and no admission would be charged. Lt. Bonanca stated that no detail will be required, and he stated that she must have a TIP Certified bartender and alcohol must be under the control of staff and away from patrons. All alcohol must be purchased from a wholesaler, and she stated yes, she understands. Commissioner McGarry stated that the board wants to help her, and the comments were meant so that she could get off on the right foot.

A motion was made by Commissioner Uhlman to approve the licenses. The motion was seconded by Commissioner Studenki and made unanimous by vote of the members present.

16. Hearing on a request from Brockton Arts, Inc. for a Special One Day Permit to Sell Wine and Malt Beverages at Gallery-33, 33 Dover Street, Brockton, MA on October 15, 2022, from 7:00 p.m. to 1:00 a.m.

Present was Mr. Arnie Danielson of 603 Summer Street, Brockton, MA.

Mr. Danielson informed the board that they are having a small fashion show with eighty-five guests including fifteen staff which includes models and designers. The entertainment will be provided through a DJ with light appetizers that will be served, and they wish to serve a little bit of prosecco, pinot grigio and sweet blush wine as a convenience to their clients and their guests. He informed the board that

they are not selling the alcohol that they are giving it away. Commissioner McGarry asked if there was anyone in favor or opposition? he then opened it up to the Commissioners.

Deputy Chief Williams stated that they need a crowd manager, and he believes Arnie is a crowd manager, if not please renew it. They have had events at that location for years and they have never had any problems. Lt. Bonanca stated that he spoke to the applicant today, and it is not open to the public, so no police detail is required. They have held events at the space before and he is aware of what is needed and there are no objections from the Police Department.

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

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

Respectfully Submitted,

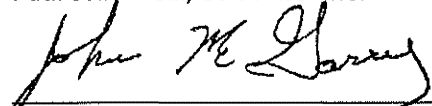


Jeffrey Charnel, Acting Chairman

APPROVED



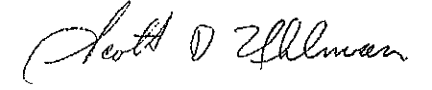
Paul Studenski, Commissioner



John McGarry, Commissioner



Robert P. Simpson



Scott D. Uhlman