

MINUTES
LICENSE COMMISSION MEETING
6:00 p.m.
Thursday, July 20, 2023
G.A.R. Room, City Hall, 45 School Street

The License Commission held its regular monthly meeting on Thursday, July 20, 2023, in the G.A.R. Room, City Hall, 45 School Street. Present were Commissioners, Jeffrey Charnel, Robert P. Simpson, Paul Studenski, Christina Derome, Scott D. Uhlman. Also, present were License Agent Paul Bonanca, Deputy Chief Eddie Williams.

1. Approval of the Minutes of the License Commission Meeting of June 15, 2023, and Special Meeting of June 5, 2023.

A motion was made by Commissioner Studenski to waive the reading of the minutes of June 15, 2023, and Special Meeting of June 5, 2023. The motion was seconded by Commissioner Simpson and made unanimous by vote of members present.

2. Approval of the following police officers as license agents for the month of July 2023: Lieuts. Paul Bonaca, David Farrell, and William Schlieman; Sgts, Christopher McDermott and Timothy Stanton; Captain John Hallisey; Dets. Erin Cummings, Jackie Congdon, Eric Clark, Thomas Hyland, Donald Macmillan, Nazaire Paul, James Cronshaw, Ryan Quirk, Michael Micciche.

A motion was made by Commissioner Uhlman to approve the license agents as listed for the month of July 2023. The Motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

Old Business

3. Hearing on a request from 65 Court Street, LLC, for a Transfer of a Class II Used Car Dealers license at 65 Court Street, Brockton, MA for a status update.

A motion was made by Commissioner Studenski to move the agenda item to the September meeting. The motion was seconded by Commissioner Derome and made unanimous by vote of the members present.

New Business

1. Hearing on a request from Brockton Arts; Inc., for a special One Day Permit to Sell Wine and Malt Beverages for Art Receptions to be held at Enso Galleries - 86 Centre Street, on the following dates:
July 15, 2023, from 5:00 p.m. to 10:00 p.m.
August 5, 2023, from 5:00 p.m. to 10:00 p.m.

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

Mr. Danielson stated they have a reception called Impact, including local artists and artists from Hartford Connecticut. This event was planned by curator Jamal Eversly. Arnie states that there will be a bit of music, a bit of spoken word, a bit of wine and beer, and a bit of fruit and cheese. Arnie expects 125 people to attend over the course of the 5 hour events. Chairman Charnel opened the meeting to the public and asked if anyone was in favor or opposition. He did not see any elected officials, so he closed that portion of the meeting and asked the Commissioners if they had any questions.

Commissioner Uhlman states a discrepancy between two applications and asks whether this event is or is not open to the public. Commissioner Uhlman clarifies that the application that states there will be a police detail is the newest application. Commissioner Uhlman asked Arnie where they will be getting the alcohol. Arnie replied, "...Martignetti Liquors" as they have formed a permanent relationship if the One Day Permit is granted. Commissioner Uhlman states Arnie will have to receive the beer and wine as a delivery as he does not have a transporter's license to transport the beer and wine back to the event gallery. No more commissioners wished to speak on the issue and Deputy Chief Williams was asked for his input.

Deputy Chief Williams states that Crowd Management must be present. This is a venue that Deputy Chief Williams states they have operated out of before and that Mr. Danielson does a very nice job.

Arnie stated that he was a crowd manager and Lieutenant Bonaca was then asked for his input.

Lieutenant Bonaca stated that his concerns were already covered and that he had already spoken with Arnie regarding a police detail for the event.

Jamal Eversly, curator of the event artwork, now present.

Commissioner Studenski made a motion to approve the One Day Permit and the motion was seconded by Commissioner Uhlman, and made unanimous by vote of the members present.

2. Hearing on a requests from Annunciation Greek Orthodox Church, for a Special One Day Permit to Sell All Alcoholic Beverages for a Greek Festival to be held at 457 Oak Street on the following dates;

September 14, 2023 from 11:00 a.m. to 9:00 p.m.

September 15, 2023 from 11:00 a.m. to 1:00 a.m.

September 16, 2023 from 11:00 a.m. to 1:00 a.m.

September 17, 2023 from 12:00 p.m. to 7:00 p.m.

Commissioner Studenski made a motion to take all dates collectively, seconded by Commissioner Derome and made unanimous by vote of all of the members present.

Present was Paula Tsitsopoulos of 15 Athens Drive, Brockton, MA.

Paula is a board member at the church and states that she is back in front of the board to get the permits to host the event that they have every year. Paula also adds that the event is getting bigger each year. Paula states the event is “Food, Drink, Dance... there are vendor booths”. Chairman Charnel opened the meeting to the public and asked if anyone was in favor. Several members from the public were in favor. No opposition to the public and Chairman Charnel noted that there were no elected officials so he will close that portion of the meeting. Chairmen Charnel opened the meeting up to the Commissioners.

Commissioner Uhlman made a motion to approve and on the motion, Chairman Charnel had a few questions. Chairman Charnel asked how many people they will be expecting at the event.

Paula stated that thousands of people pass through the event throughout the day. Chairman Charnel asked how long they have been doing this event and Paula stated that the event has been ongoing for about 40 years.

Lieutenant Bonaca clarifies that 2 police details will be needed for the event, one for the actual event and one of the traffic. Detail will also be needed in order to allow patrons the additional time to cross the street to avoid any hazards. Other than these stipulations, the Police Department has no issues per Lieutenant Bonaca.

Deputy Chief Williams states that the Fire Department has no issue with the event as well as long as a Crowd Manager is present. Paula states that there are a few board members who are Crowd Managers.

Commissioners Uhlman makes a motion to approve and seconded by Commissioner Studenski. Vote made unanimous by all members present.

3. 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, on the following dates;

July 22, 2023, from 6:00 p.m. to 10:00 p.m.

August 19, 2023, from 7:00 p.m. to 11:00 p.m.

September 22, 2023 from 7:00 p.m to 11:00 p.m.

Commissioner Uhlman made a motion to take all dates collectively. Seconded by Commissioner Derome and made unanimous by vote of all members present.

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

Yolanda stated that on July 22, 2023 they have a surprise 40th Birthday planned, on August 19, 2023 they have another surprise party and dinner planned and finally on September 22, 2023 is a 25th birthday celebration. Chairman Charnel opened the meeting to the public and asked if anyone was in favor or opposition. Chairman Charnel noted nobody from the public in favor or opposition as well as no elected officials so he closed that portion of the meeting and opened the meeting up to the Commissioners.

Commissioner Uhlman asked Yolanda if she is now catering the event as she stated she will not be selling alcoholic beverages but rather serving them. Yolanda stated that this is correct and the caterer is bringing their own alcohol. Commissioner Uhlman stated that the caterer must acquire the license and not Yolanda. Confusion regarding who will be serving the alcohol and who must acquire the license ensues. Chairmen Charnel and Commissioner Uhlman clarify that the caterer acquires her alcohol wholesale so they presume they have a caterers license and that they must present that to the commission and the Police Department ahead of the event. Yolanda will be using this caterer for all of the dates and they have just made Yolanda aware that they will need a copy of the caterer license.

Chairman Charnel makes Yolanda aware that if this does not end up being the case, that she will have to buy the liquor from a wholesaler and have it delivered to the location of the event. Commissioner Uhlman states that if the caterer does have a 12(C) caterer's license then they will not need the Special One Day Event Permit. Chairman Charnel suggests granting the three One Day Permits in the case the caterer does not have this license. Commissioner Uhlman notifies Yolanda that if the caterer does have this license that she will not need to come before the license commission in the future. The Caterer just needs to forward the 12(C) license to Silvia and Lieutenant Bonaca and notify them of the events and dates.

Chairman Charnel and Commissioner then make Yolanda aware of the new cut off dates to apply to be on upcoming License Commission Meetings.

The Fire Department has no objections. Lieutenant Bonaca cleared that this is a private event not open to the public so there will be no need for a Police Detail. Lieutenant Bonaca states the Police Department has no objections. Chairman Charnel states that Yolanda needs to get her Crowd Management Certificate and forward it to Silvia.

Commissioner Uhlman makes a motion to approve all three dates. Commissioner Studenski seconds this motion and motion is made unanimous by vote of all members present.

4. Hearing on a request from Club National Franco American for a Special Event Permit for a Barbecue and to serve alcohol in the rear parking lot at 170 Court Street, on August 5, 2023, from 12:00 p.m. to 9:00 p.m.

Present was applicant Peter Bessette of 21 Bell Drive, Whitman, MA.

Peter states that they have an outside patio and they host this event every year with no problems. They block off both entrances with vehicles to avoid safety issues. Chairman Charnel opens the conversation to any members of the public in favor or opposition. Hearing no elected officials or members of the public in favor or opposition, Chairman Charnel closes this portion of the meeting and opens it up to the Commissioners for discussion.

Commissioner Uhlman states that they had received an email from City Solicitor Bridges regarding their existing Liquor License. Commissioner Uhlman states that Solicitor Bridges stated that they must reach out to the ABCC regarding a patio license in order to serve their liquor outside. The license commission is unable to extend the premises of their license without previous approval from the ABCC. Solicitor Bridges states in her email anyone with an existing liquor license is unable to acquire a One Day Special Event Permit without previous approval from ABCC. The applicant must file an application for a modification of their license in order to sell liquor outside of the establishment on the patio.

Deputy Chief Williams sent Attorney Bridges regarding this matter when the ABCC opinion originally came out and suggested that they grant the license pending and speak with Solicitor Bridges in the morning regarding a final decision. The Fire Department has no other objections.

Lieutenant Bonaca states that there is no objection from the Police Department, he concurs with the Deputy Chief regarding ABCC's decision and that he has no issue with the event going on as long as they get a quick response from ABCC.

Chairman Charnel clarifies that there will be 80-100 people and no outside people will be permitted inside. Chairman Charnel asked how long they have been doing this event which Peter

responded, “5 or 6 years”. Chairman Charnel asked if there would be any music and asked how loud it would be. Peter stated that the music will not be loud.

Commissioner Uhlman made a motion for approval pending Solicitor Bridges approval. Motion was seconded by Commissioner Derome and made unanimous by a vote of all members present.

5. Hearing on a request from Brockton VFW Post 1046 for a Special Event Permit for a Car Show/ BurnOut 4 Vets, and to serve alcohol in the front parking lot at 283 N. Quincy Street, on July 29, 2023, from 12:00 p.m. to 4:00 p.m.

Present is Robert Graham of 6 Alfonse Road, Brockton, MA.

Robert states that they do this car show/ burnout show annually, this being his 5th year helping coordinate the event. Robert states that he knows this event has been taking place for many years before he was a part of the event. Robert Graham also states that there is a police detail scheduled, they plan for there to be a lot of attendees and that they already have a patio license although they want to make the License Commission aware of the event ahead of time. Chairman Charnel opens the meeting to anybody in favor or opposition of the event. No elected officials are present and Chairman Charnel opens the meeting to the commissioners.

Commissioner Uhlman states that Robert is already licensed to host this event if they already have a patio license and Robert states he is aware but just wanted to be “up front” and make the license commission aware of their plans. Commissioner Uhlman recommended the approval of the license pending the confirmation of the patio license.

Deputy Chief Williams states as long as they start at 12:00 p.m. and not early like the Thanksgiving burnout show, they have no objections.

Lieutenant Bonaca also has no objections as long as there is a police detail and concrete barriers for the event.

Commissioner Uhlman makes a motion to approve pending verification of the patio license, if there is no patio license he defers to Solicitor Bridges previous decision regarding approval from ABCC. Commissioner Derome seconds the motion and made unanimous by vote of all members present.

6. Hearing on a request from Green World, LLC, for a Change of Ownership on a Retail Marijuana license located at 897 N. Montello Street, Brockton, MA.

Present was Attorney Scott Rubin of 71 Legion Parkway, Brockton, MA, on behalf of the applicant.

This is the second step in the process of the change of ownership. This has previously been approved by the CCC. There are two owners of this business according to attorney Rubin and one owner is looking to transfer full ownership to the other. Commissioner Uhlman motioned to take both this and the next item on the agenda collectively due to the similarity in issue.

Chairman Charnel states that they could not second that as they are separate businesses.

Chairman Charnel opened the meeting to the public of anyone in favor or opposition. Councilor Shirley Asack is here in support of this item as the Councilor of ward 7. Councilor Asack states that they have overseen similar items in the past regarding transfer of ownership and she wants to see the business succeed. Chairman Charnel closed the meeting to the public and opened it to the Commissioners.

Chairman Charnel clarified that this item still needs to go before the City Council for approval and Attorney Rubin confirmed that that is true.

Deputy Chief Williams has no objections.

Lieutenant Bonaca brings up the traffic issues in regards to the entrance and exit for the location on N. Montello Street at the Howard Street Bridge. Attorney Rubin and Lieutenant Bonaca discussed the need for a right turn only sign. Commissioner Uhlman stated the possibility of blocking this entrance entirely and only allowing entrance and exit at the N. Montello Street entrance.

Councilor Asack adds that recommendations were given to the business owners by the Traffic Commission previously. Attorney Rubin stated that he will follow up with the owners regarding the entrance/exit issue. Attorney Rubin stated that they don't believe they could block one exit although he believes a right turn only sign will help alleviate some of the issues. Lieutenant Bonaca stated this would relieve the Police Department of any issues with this item.

Commissioner Uhlman made a motion to approve and Commissioner Derome seconded the motion, made unanimous by vote of all members present.

7. Hearing on a request from Hyecorp, LLC, for a Change of Ownership on a Retail Marijuana license located at 327 N. Pearl Street, Brockton, MA.

Present is Attorney Scott Rubin of 71 Legion Parkway, Brockton, MA, on behalf of the applicants.

Attorney Rubin states that this item is similar to the last in that it is a transfer of ownership. One owner would like to transfer her ownership to the other. There would be no new owner and rather a transfer to the other. This was approved by the CCC on 7/13. Chairman Charnel opened this meeting to the public to anyone in favor or opposition. There were no members present and no elected officials. Chairman Charnel opened the meeting to the commissioners.

Commissioner Uhlman asked if this was the same Retail Marijuana Store that they met previously regarding a new door at the facility. Attorney Scott Rubin stated that this is the same store and they were allowed to make these changes although they are still pending inspection by the CCC to complete the project.

Chairman Charnel asked what the change of ownership is. Attorney Rubin stated that there is no change of individual but rather turning her share of the store into an LLC in her name.

Deputy Chief Williams and Lieutenant Bonaca both have no objections.

Commissioner Uhlman makes a motion to approve the matter. This motion is seconded by Commissioner Derome and the vote is made unanimous by vote of all members present.

8. Hearing on a request from Psychic Readings by Michelle for a Fortune Teller license located at 476 Pleasant Street, Brockton, MA.

Present is applicant Michelle Merrow of 476 Pleasant Street, Brockton, MA.

Chairman Charnel asks Michelle what she has going on at her business and gives her a moment to explain her establishment. Michelle states that she does Psychic readings, palm readings, energy readings, tarot card readings and energy stone readings. Chairman Charnel then opens the meeting up to the public for any in favor or opposition. There is no one to speak in favor or opposition as well as no elected officials present. Chairman Charnel then opens the meeting up to the commissioners.

Deputy Chief Williams states he has communicated with Building Commissioner and Zoning Board Officer, James Plouffe. He states that James Plouffe has stated that this establishment is in an R-1 zone and would require a zoning variance for this business to operate at this address. Deputy Chief Williams states he does not believe that the License Commission could grant this license unless this is done properly.

Chairman Charnel clarifies with Michelle to assure she understands she would need a zoning variance and Attorney Scott Rubin clarifies that she would need this variance. Chairman Charnel

states that he does not believe this will be quick. Attorney Rubin states that this would take roughly 2-3 months to get through to the ZBA regarding the zoning variance.

Chairman Charnel wants to clarify with Michelle hours of operation and how many customers she would be seeing. She stated she plans to be open 12-7 and have 2 clients per day.

Commissioner Uhlman made a motion to approve pending ZBA approval. Motion seconded by Commissioner Simpson and made unanimous by a vote of all members present.

9. Hearing on a request from AAP Motors, LLC, for a Change of Name on a Class II Used Car Dealers license located at 1100 N. Montello Street, Brockton, MA.

Present is Attorney Scott Rubin of 71 Legion Parkway, Brockton, MA on behalf of the applicant.

Attorney Rubin states that the owners of the establishment would like to remove Champion City motors from their title due to the reputation of this name. They would like to drop the Champion City motors and take on the name as AAP Motors, LLC. Chairman Charnel then opens the meeting up to the public for anyone in favor or opposition of the matter. There is no one from the public present in favor or opposition. Ward 7 Councilor Shirley Asack is present and expresses her stance in favor of the establishment changing their name. Chairman Charnel then closes the public portion of the meeting and opens it up to the Commissioners.

Commissioner Scott Uhlman wants to clarify whether this is a transfer of license or application for a new one. He is not sure if they renewed their license for this year and would like to clarify. Attorney Rubin clarifies that they are only changing the name for the used car license and no request to change any ownership. They would just like to remove the “dba Champion City Motors” and remain AAP Motors, LLC because of the vacant Champion dealership up the street from this address.

Commissioner Uhlman and Deputy Chief Williams are trying to clarify the exact location of the dealership so they are sure of the business requesting a name change. Attorney Rubin clarifies again that this is not a transfer and rather a name change.

There are no objections from Deputy Chief Williams in regards to a name change on behalf of the Fire Department. Lieutenant Bonaca of the Police Department also has no objections.

Commissioner Derome makes a motion to approve the Name Change. This motion is seconded by Commissioner Simpson and is made unanimous by a vote of all members present.

10. Hearing on a request from Sodade Restaurant, Inc., dba Sodade Restaurant for a Change of Hours on an All Alcoholic Beverages Restaurant license and an entertainment license located at 1145 Main Street, Brockton, MA.

Present is no one on behalf of Sodade Restaurant, Inc., dba Sodade Restaurant.

Councilor Texiera asks to table the item next month due to the applicant having to leave the country for an emergency.

A motion is made by Commissioner Uhlman to table this item to the next meeting. Motion seconded by Commissioner Simpson and made unanimous by vote of all members present.

11. Hearing on a request from Salo Afonseca, LLC, dba Salo Bar & Grill, Manage- Salomao Afonseca makes application for a Transfer of an All Alcoholic Beverages Restaurant, Common Victualer, and Entertainment license at 810 North Montello Street, Brockton, MA.

Present is Attorney Kyle Viera, counsel for the applicant, of 480 Turnpike Street, Easton MA and Salomao Afonseca of 9 Grandeville Place, Malden, MA.

Attorney Viera states this is just a transfer of an existing on premise license. Salomao is the sole member of the LLC that the license is being transferred to. He has extensive food service industry experience and is a part time owner of another restaurant in New Bedford. Attorney Viera states that Mr. Afonseca is TIP certified and ServeSafe certified. This restaurant never opened due to the pandemic and they would like to transfer the license to Salomao in order to open. There are no employees currently but Attorney Viera states they will all be TIP certified if they are serving alcohol. Chairmen Charnel asks Salomao if he has anything to add. Chairman Charnel opens the meeting up to any members of the public in favor or opposition. There is no one present from the public in favor or opposition. Ward 7 Councilor Shirley Asack states that this opening is long awaited, she has seen the plans, and thinks it looks great. Chairman Charnel closes the meeting to the public and opens it up to the Commissioners.

Commissioner Uhlman asks if they had just approved the previous manager of the property. Attorney Viera stated they did it backwards and are here to fix that by applying for the transfer of

all licenses. Commissioners Uhlman clarifies with Chairman Charnel whether they will have to come before the board again to appoint a manager although Chairman Charnel clarifies that if Salomao is operating the business he will not have to appoint a manager. Attorney Viera states that Salomao will be on premises all day so there is no need to appoint a manager.

Deputy Chief Williams states there will need a current certificate of inspection in order to get the license. The Deputy Chief states that the Fire Department will sign off once they receive these documents.

Lieutenant Bonaca clarifies closing hours as 1:00 a.m. and has no objections.

Commissioner Simpson makes a motion to approve pending all sign offs from the Fire Department from Inspection. Motion seconded by Commissioner Studenski and made unanimous by vote of all members present.

Commissioner Uhlman looks to clarify the closing hours due to the Liquor License stating 2:00 a.m. while the entertainment license stating 1:00 a.m. Chairman Charnel clarifies that everyone gets a 2:00 a.m close with this license until they prove they cannot handle it.

12. Hearing on a request from Westgate AP Investment, LLC, dba Westgate Entertainment, Manager- Christopher R. Dec, makes application for a Transfer of an All Alcoholic Beverages Restaurant, Common Victualer, Entertainment and Automatic Amusement Device license at 65 Westgate Drive, Brockton, MA.

Present is Chris Dec of 6 Homestead Road, Pelham, NH, future owner of the property, and Francine Kaiser of 235 Field Street, Brockton, MA, current manager of the property.

Francine states that she is the current manager of the property and that the current owners are not seeing eye to eye so they have decided to sell to Chris and his partners. Francine states that she believes Chris and his partners will be able to financially assist this business in a way that the current owners are unable to do at the moment. Francine also states that Chris and his partners plan to add on to this establishment in advantageous ways for the community and that she plans to stay on with them for a year before returning to New York. Chairmen Charnel opens the meeting to any member of the public in favor or opposition. Ward 7 Councilor Shirley Asack is in favor of this transfer, she states this is an important business in ward 7 and that she wants to see the business flourish. Councilor Asack states that she is more than happy to see new people investing in business here, she thinks the kids need a place to go and that we should help these businesses thrive. Chairman Charnel closes the public portion of the meeting and opens it up to the Commissioners.

Commissioner Uhlman asks if the axe throwing will roll over to the new owners. Chairman Charnel believes this coincides with the previous property owners and that they will have to ask City Solicitor Bridges if this needs to come before the License Commission again or if they are allowed to continue. Chris states that the management and operational portion of the business is staying the same and he believes this is what the License Commission originally granted approval on. Chairman Charnel clarifies that because this is a new corporation taking charge the license is issued to the previous business owners and believes this will have to come before the commission again although they will have to check with Solicitor Bridges.

Chris stated that he is looking for clarification on this matter as his purchase of the business is contingent on the ability to expand.

Commissioner Uhlman looks to clarify whether the Liquor License is only good for the lounge or the whole establishment. Commissioner Derome clarifies that it is for the whole property. Chairman Charnel states that the license is for the address not a specific area at the establishment.

The Deputy Chief has no objections from the Fire Department.

Lieutenant Bonaca has no objections from the Police Department.

Chairman Charnel asks Chris if they are purchasing the real estate as well as the operation of the business. Chris clarifies that they are buying both as separate entities. They will both be owned by the same person although they operate separately.

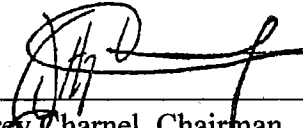
Chairman Charnel states again that they will have to check with Solicitor Bridges if they need to reapply for axe throwing.

Chairman Charnel adds that this is a “gem” inside the city and he wishes to continue to support this business.

Commissioner Uhlman makes a motion to approve and the motion is seconded by Commissioner Simpson. This vote is made unanimous by vote of all members present.

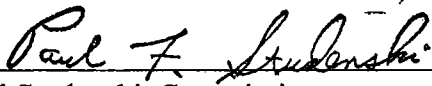
Motion to adjourn is made by Commissioner Simpson and seconded by Commissioner Uhlman. This vote is made unanimous by all members present.

Respectfully Submitted,

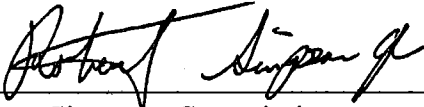


Jeffrey Charnel, Chairman

APPROVED



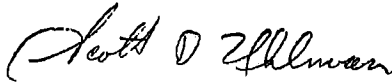
Paul Studenski, Commissioner



Robert Simpson, Commissioner



Christina DeFome, Commissioner



Scott D. Uhlman, Commissioner