

MINUTES
LICENSE COMMISSION MEETING
6:00 P.M.
Thursday, April 18, 2024
Via ZOOM

The License Commission held its regular monthly meeting on Thursday, April 18, 2024, via ZOOM. Present were, Commissioners Jeffrey Charnel, Robert P. Simpson, Scott D. Uhlman, and Janet Landerholm, Executive Assistant Silvia Carvalho, Lt. David Farrell, and Deputy Chief Williams.

1. Approval of the Minutes of the License Commission Meeting of March 21, 2024, and the Special Meetings of March 6, 2024, and March 27, 2024.

A motion was made by Commissioner Simpson to approve the previously mentioned meeting of March 21, 2024, and the Special Meetings of March 6, 2024, and March 27, 2024. The motion was seconded by Commissioner Landerholm and made unanimous by vote of the members present.

4-0

2. Approval of the following police officers as license agents for the month of April 2024; Lieuts. Paul Bonanca, David Farrell, and William Schlieman; Sgts. Christopher McDermott, Timothy Stanton, and Matthew Graham; Captain John Hallisey; Dets. Eric Clark, Thomas Hyland, Donald MacMillan, James Cronshaw, Ryan Quirk, Michael Micciche.

A motion was made by Commissioner Simpson to approve the license agents as listed for the month of April 2024. The motion was seconded by Commissioner Landerholm and made unanimous by vote of the members present.

4-0

3. Hearing on a request from Brockton Arts, Inc. for a Special One Day Permit to Sell Wine and Malt Beverages for a Mother's Day Celebration to be held on May 25, 2024, at Enso Gallery- 86 Centre Street, from 4:00 p.m. to 9:00 p.m.

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

Mr. Danielson informed the board that his clients are young mothers holding a celebration of motherhood in honor of mothers, and grandmothers. They are celebrating the magic and madness of motherhood. Chairman Charnel opened the meeting to the public and asked if there was anyone in favor or opposition, and if there were any elected officials that would like to be heard. He closed that portion of the meeting and opened it up to the Commissioners.

Commissioner Uhlman asked Mr. Danielson if he was providing alcohol as part of the package? He replied yes, and they are using Martin Yetti. Deputy Chief Williams had no objections, and would like a Crowd Manager present, and Mr. Danielson is certified. Lt. Farrell had no objections from the Police Department. Chairman Charnel asked Mr. Danielson how many people he expected? And he replied, no more than 40.

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

4-0

4. Hearing on a request from Brockton Arts, Inc. for a Special One Day Permit to Sell All Alcoholic Beverages for a Paint & Sip Party to be held on May 4, 2024, at Enso Gallery- 86 Centre Street, from 6:00 p.m. to 9:00 p.m.

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

The first communion that was scheduled for the same date was cancelled, so they decided to host a Brockton Arts, event. There will be an art instructor and the event will be limited to 50 guests. They are hoping to host a civilized and cultured party, where everyone will leave with a piece of artwork. Chairman Charnel opened the meeting to the public, and asked if there was anyone in favor or opposition, and if there were any elected officials that would like to be heard. He closed that portion of the meeting and opened it up to the Commissioners. There were no objections from Fire or Police, a crowd manager must be present.

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

4-0

5. Hearing on a request from Brockton Baseball Association (Downey Baseball) for a Special Event Permit for a parade to be held on April 20, 2024, from 10:00 a.m. to 11:00 a.m. from Boiling Catch to the Downey School.

Present was Ms. Rene Stewart of 48 Ames Street, Brockton, MA.

Ms. Stewart informed the board that it is their Opening Day Parade where they have the kids walk in the street, the police usually block it off for them. They have classic cars and the Brockton Bruisers roller derby will be part of the parade this year. Chairman Charnel opened the meeting to the public and asked if there was anyone in favor or opposition, and if there were any elected officials that would like to be heard. He closed that portion of the meeting and opened it up to the Commissioners. Deputy Chief Williams had no objections, it is a yearly event and the Fire Department usually has a truck in the parade. Lt. Farrell had no objections, Captain Porcaro will be sending a couple of guys. Chairman Charnel asked Ms. Stewart if they are expecting 200 people and plan on having a police detail? And she replied, yes.

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

4-0

6. Hearing on a request from Cardinal Spellman High School for a Special One Day Permit to Sell Wine and Malt Beverages for a Trivia Night to be held on May 4, 2024, at 738 Court Street, from 6:00 p.m. to 10:00 p.m.

Present was Mr. Jason Deramo of 738 Court Street, Brockton, MA.

Mr. Deramo stated that Trivia Night is an annual fundraiser held to raise funds for their trips to West Virginia, and Jamaica. Expected attendance is about 150 people. Chairman Charnel opened the meeting to the public and asked if there was anyone in favor or opposition, and if there were any elected officials that would like to be heard. He closed that portion of the hearing and opened it up to the Commissioners. Commissioner Uhlman asked Mr. Deramo where they were purchasing the alcohol? And he replied, they have a parent that owns a liquor store, so they usually purchase from him. Commissioner Uhlman informed him that he must purchase the alcohol from a certified wholesaler, and that he can find a list on the ABCC'S website.

Deputy Chief Williams had no objections, it is an annual event and a crowd manager must be present. Lt. Farrell had no objections from the Police Department. Chairman Charnel stated that they have held this event every year.

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

4-0

7. Hearing on a request from Montilio's On The Go for a Special One Day Permit to Sell Wine and Malt Beverages for a Networking Event to be held on May 2, 2024, at 239 North Cary Street, from 5:00 p.m. to 8:00 p.m.

Present was Ms. Debbie Donahue of 6 U Street, Hull, MA.

Ms. Donahue informed the board that they are hosting a Metro South Networking event at their new location, 239 North Cary Street. They are expecting 50 guests, and will be offering food and would like to serve beer and wine. Chairman Charnel opened the meeting to the public and asked if there was anyone in favor or opposition, and if there were any elected officials that would like to be heard. He closed that portion of the meeting and opened it up to the Commissioners. Commissioner Uhlman asked Ms. Donahue where she was getting the alcohol? She replied, MS Walker. Deputy Chief Williams had no objections, the event is being held in the bakery. Lt Farrell had no objections from the Police Department.

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

4-0

8. Hearing on a request from George's Northern Lights, Inc., dba George's for a Special One Day Permit to Sell Wine and Malt Beverages, and a Special Events Permit for Outdoor Day Parties to be held at 228 Belmont Street on the following dates;
May 4 & 25, rain dates May 5 & 26
June 2 & 29, rain dates June 3 & 30
July 6 & 27, rain dates July 7 & 28
August 10 & 31, rain dates August 11 & September 1
September 7 & 28, rain dates September 8 & 29

Present was Mr. Hamilton Rodrigues of 95 Rockland Street, Canton, MA.

Mr. Rodrigues stated that this event is similar to the one that was held last year and it was successful. He is bringing artists from Cape Verde and Portugal for the May 4, 2024 event, and submitted a proposal that describes the events. Many of the vendors will be selling food outdoors, and they will offer food indoors as well. He may keep the alcohol service strictly indoors, and he has spoken to Deputy Chief Williams and he has informed him on what is required. He will follow all of the guidelines relative to the jersey barriers and restrooms. He informed the board that he advertised the events prior to the meeting, because he had to secure visas for the artists. All of this had to be done in order to meet the deadlines for the May/June events.

Last year he had 13 security guards in addition to Brockton Police officers, and is hoping to do the same this year. They had no issues with the events last year, and he has already spent \$60,000 and hopes it was not in vain. Commissioner Simpson opened the meeting to the public and asked if there was anyone in favor or opposition, and if there were any elected officials that would like to be heard. He closed that portion of the meeting and opened it up to the Commissioners. Commissioner Uhlman informed Mr. Rodrigues that because he has an existing liquor license he can't bring liquor outdoors, for the events outside or vice-versa with a One Day license. He must purchase the alcohol for the events separately, and he has an issue approving six months of events.

Mr. Rodrigues stated that he understands Commissioner Uhlman's point of view and perhaps the board can approve the May and June events. Commissioner Simpson informed Mr. Rodrigues that he was present at the recent ABCC training, so he is aware of the rules and regulations. He also asked him how many people he expected at the events? Mr. Rodrigues replied, last year they had 500-600 people show up. He will have porta potties and has an appointment with George Depina tomorrow. Commissioner Uhlman asked Mr. Rodrigues to petition the ABCC, to add the outdoor area to his license. He replied, that he will do that in the future.

Deputy Chief Williams stated that outdoor cooking must be permitted and inspected, proper permits for serving food outdoors must be secured. A crowd manager must be present, at least one for every 250 people. No special effects without a permit, last year a cornstarch material was used. He likes the idea of the ballards in the ground, and the stage must face north away from the residential neighborhoods. He did check and there were a few complaints last year. The egresses must be clearly marked with large EXIT signs. The area must be set up one week prior to the events for inspection. Lt Farrell does want vehicle protection around the area and police security must be secured. He noticed that the application says 1,500 people. Mr. Rodrigues stated that last year they used a clicker and they had between 500-1,000 people.

A motion was made by Commissioner Uhlman to approve the May 4, 2024 event, with a May 5, 2024 rain date, and the June 2, 2024 event, with a June 3, 2024, rain date, with the stipulations set forth by Fire and Police. The motion was seconded by Commissioner Landerholm and made unanimous by vote of the members present. Chairman Charnel recused himself.

3-0

9. Hearing on a request from New England Pro Baseball, LLC, for a Special One Day Permit to Sell All Alcoholic Beverages at 1 Feinberg Way, Brockton, MA, on the following dates;
May 10, 2024, from 4:00 p.m. to 11:00 p.m.
May 11, 2024, from 4:00 p.m. to 11:00 p.m.
May 12, 2024, from 12:00 p.m. to 6:00 p.m.

Present was No one.

A motion was made by Commissioner Simpson to move the agenda item to the end of the meeting. The motion was seconded by Commissioner Landerholm and made unanimous by vote of the members present.

4-0

10. Hearing on a request from Tom Tom Restaurant, LLC for a Common Victualer license at 21 Torrey Street, Brockton, MA.

Present was Mr. Raymond Labady of 13 Armor Lane, North Easton, MA.

Mr. Labady stated that he is opening a fast food style restaurant with a couple of seats at the end of May and is seeking to obtain a Common Victualer license for the seating. Chairman Charnel opened the meeting to the public, and asked if anyone was in favor or opposition, and if there were any elected officials that would like to be heard. He closed that portion of the meeting and opened it up to the Commissioners. Commissioner Uhlman asked Mr. Labady where he was located? He replied, Points West Plaza, 21 Torrey Street. He stated that they are an authentic Caribbean restaurant, serving rice and beans, chicken, beef and spicy food.

Commissioner Simpson asked Deputy Chief Williams for his input, and he stated that they are not there yet. A lot needs to be completed, they need sign-offs from the city departments, including Board of Health. Chairman Charnel asked Mr. Labady what he was looking for in terms of seating? He replied, that he has four tables, and two counters. Commissioner Simpson stated that the application shows 9 tables that seat 2 people. The hours of operation are 8:00 a.m. to 11:00 p.m. seven days a week.

A motion was made by Commissioner Uhlman to approve the Common Victualer license for 21 seats with the hours of operation being 8:00 a.m. to 11:00 p.m. seven days a week. The motion was seconded by Commissioner Landerholm and made unanimous by vote of the members present.

4-0

11. Hearing on a request from BMART, Inc., dba BMART, Manager Jagrutiben Barot makes application for a Change of Location and a Transfer of a Wine and Malt Package Store license at 563 Centre Street, Brockton, MA.

Present was Attorney Matthew Porter of 480 Turnpike Street, North Easton, MA, Ms. Jagrutiben Barot of 42 Temple Street, Whitman, MA.

Attorney Porter informed the board that this is a transfer of a Beer and Wine from Siyasmit. Jagrutiben is the sole shareholder of Siyasmit and owns BMART, Inc., and is moving locations. She understands the rules and responsibilities of operating in Brockton, and she is a very established owner. The beer and wine will be kept behind the counter. The hours of operation are 6:00 a.m. to 10:00 p.m., there will be no alcohol sales before 9:00 -10:00 a.m., on Sunday. Chairman Charnel opened the meeting to the public, and asked if there was anyone in favor or opposition, and if there were any elected officials that would like to be heard. He closed that portion of the meeting and opened it up to the Commissioners. Commissioner Uhlman asked Attorney Porter where are they moving from? it did not say on the application. He replied, 826 Crescent Street, and it is listed in the application under section 1 in the summary. Deputy Chief Williams asked him if they are operating the gas station? He replied, yes. Lt. Farrell had no objections from the Police Department. Chairman Charnel stated that the applicant knows the rules and we have never had an issue with them.

A motion was made by Commissioner Simpson to approve the Change of Location and Transfer of a Wine and Malt Package Store license. The motion was seconded by Commissioner Uhlman and made unanimous by vote of the members present.

4-0

12. Hearing on a request from Westgate AP Investment, LLC for 65 Automatic Amusement Device licenses, 2 Automatic Dart Boards, and 2 Golf Simulators at 65 Westgate Drive, Brockton, MA.

Present was Ms. Francine Kaiser of 235 Field Street, Brockton, MA.

Ms. Kaiser informed the board that the golf simulators were not on the last agenda when they came before the board for the Axe throwing. Silvia had them add them to the application for 65 Automatic Amusement Devices. They are going to add them to the pub portion of the restaurant, and stated that she sent the drawings to Silvia the other day. They are currently licensed for 40 games, and they want to extend that license. The new games would go in the laser tag arena that is no longer being used. She is aware of the issues that occurred, where work was done without the proper permits. She was in the hospital, and is working with Deputy Chief Williams to correct it.

She believes she has taken care of what Deputy Chief Williams required and a new contractor has applied for a new permit for the pub today. Chairman Charnel opened the meeting to the public and asked if there was anyone in favor or opposition, and if there were any elected officials that would like to be heard. He informed the board that Councilor Shirley Asack reached out to him in favor of the application. He closed that portion of the meeting and opened it up to the Commissioners. Commissioner Uhlman stated that he read the investigators report and the board was not privy to the meeting, he is aware that he had concerns, and asked Ms. Kaiser if they were satisfied?

She replied, yes. His concerns were similar to the License Commission and the City Council. The Axe throwing must be completely caged in, they must provide a certain amount of security and police detail. They do have an extensive security system with many cameras being installed. The investigator had all the same concerns the city did, and he told them they must follow what the License Commission told

them to do, and if there were any issues they must shut down until the next meeting. Deputy Chief Williams asked Ms. Kaiser if the 65 games were in addition to the ones they already have? She replied, no. It is in addition to the current games they have, she does not want to be under or over licensed. Deputy Chief Williams stated he had no issues as long as they work through the building permit process, and suggested the License Commission remove the laser tag from the license. Ms. Kaiser stated that it brought too many safety concerns, so they decided to leave it open and add arcade games.

Lt. Farrell had no objections, they have plenty of room and have put a lot of money into the place. Chairman Charnel asked her how many games total? And she replied, 100. They are under right now, but if they want to add in the future they have the room. He also asked her if the Axe throwing was still moving forward? She replied, yes. Southeast Iron Works is building the cages, which are 6x12 and will be completely closed in. She can call Deputy Chief Williams and Lt. Farrell to make sure it is the way it should be. The specs are the same and have not changed.

Chairman Charnel asked her where the golf simulators, and darts would be located? She replied, in the pub area. Commissioner Uhlman stated that she should come back to the board for licenses in the future, instead of spending \$100 per game now. She said they attended a trade show recently, and there are new games that they want to purchase, so it makes sense to get the licenses now. They are looking to purchase 10 more games, and will be at 100 by August/September. Chairman Charnel stated that he does have an issue with the Axe throwing and the darts. Will there be a wall dividing the axe throwing and the darts?

She stated that there is no wall there, it is the sides of the Axe throwing cages. There will be a gap between the cages. Chairman Charnel asked Deputy Chief Williams if he was concerned with everything being on one side? Deputy Chief stated that it is his understanding that it will be protected by cages separating them. Commissioner Simpson stated that the darts will be encased by the backs of the golf simulators, and netting. Ms. Kaiser stated the darts have a side wall to them that that is about 3 feet, so nothing bounces out. Chairman Charnel asked her why Axe throwing is first? She replied, for safety reasons.

Deputy Chief Williams informed the board that they may be limited in the number of games due to a city ordinance. It may be 60 games total. He suggested the board get an opinion from the Law Department, they can always amend it at a later date. Commissioner Uhlman stated that there was a controversy some years ago with regard to an arcade, which is why they enacted the ordinance. Chairman Charnel asked Commissioner Uhlman if that came from the City Council, and he replied, yes. Ms. Kaiser stated that at this time it would put them at 86 games total. Commissioner Uhlman told Ms. Kaiser to reach out to her City Councilor to have it amended.

Chairman Charnel stated he had no problem approving pending what the Law Department says about the city ordinance. The board should remove the laser tag if they are not using it. The same stipulations will apply to the dart throwing as with the Axe throwing, in the event of an accident. They are to close down until the next meeting. No crowds gathered around the areas, and sufficient staff should be on hand to monitor, with proper staff running the Axe throwing and the Darts. They should be mindful of people partaking in the activities and drinking alcohol, they are one of the largest facilities in the city.

A motion was made by Commissioner Simpson to approve 100 Automatic Amusement games, or the allotment that is allowed per city ordinance, whichever is less, and golf simulators. Dart throwing stipulations to remain the same as the Axe throwing, in the event of an accident they are to shut down until the next meeting. Laser Tag to be removed from the license, and all inspections have been submitted. The motion was seconded by Commissioner Uhlman and made unanimous by vote of the members present.

4-0

13. Hearing on a request from Conte Memorial Club, Inc., for a Change of Manager on an All Alcoholic Beverages Club license at 88 West Ashland Street, Brockton, MA.

Present was Mr. William Coward, Jr., of 117 Forest Street, West Bridgewater, MA.

Mr. Coward informed the board that they are a private club and the current manager retired and he was voted to become manager, and he would like to update the license. Chairman Charnel opened the meeting to the public, and asked if there was anyone was in favor or opposition, and if there were any elected officials that would like to be heard. He closed that portion of the meeting and opened it up to the Commissioner. Chairman Charnel asked him if he has worked there before? He stated that he has been a member for 5 years and is TIPS Certified, with 5-7 years of bar experience. He plans on being on-site 30-40 hours a week, before and after work.

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

4-0

14. Hearing on a request from New England Pro Baseball, LLC, for a Special One Day Permit to Sell All Alcoholic Beverages at 1 Feinberg Way, Brockton, MA, on the following dates;
May 10, 2024, from 4:00 p.m. to 11:00 p.m.
May 11, 2024, from 4:00 p.m. to 11:00 p.m.
May 12, 2024, from 12:00 p.m. to 6:00 p.m.

Present Ms. Kathleen McMahan of 9 Day Street, Norfolk, MA, and Mr. John Wilson of 1046 Lisbon Street, Morris, IL.

Mr. Wilson gave the board the dates they are requesting One Day Special Permits, which are May 10, 11, 12, 14, 15, 16, 21, 22, 23, 24, 25, 26- June 4, 5, 6, 7, 8, 9. Chairman Charnel asked them if the hours are consistent? Mr. Wilson stated that every game starts at 6:30 p.m. except May 12, 26, and June 9, in which it would start at 1:00 p.m., and a noon game on May 22, 2024. Chairman Charnel stated that the application says 4:00 p.m. to 11:00 p.m., Ms. McMahan replied that the gates open 2 ½ hours before the games start. The Chairman informed them that they would need a license between those hours. Mr. Wilson stated it would most likely be 5:30 p.m. to 9:00 p.m.

Mr. Wilson informed the board that they are going to provide affordable family baseball entertainment, and do it the right way. They have 50 years of experience in minor/major league baseball to help get the team doing the right thing. Chairman Charnel opened the meeting to the public and asked if there was anyone in favor or opposition, and if there were any elected officials that would like to be heard. He

closed that portion of the meeting and opened it up to the Commissioners. Deputy Chief Williams had no objections. Lt. Farrell had no objections, other than 1 police detail for now, they can address it at a later date, does not want to over burden them in the beginning. Chairman Charnel stated that he has seen them change hands many times, and is happy that someone who cares is now in charge.

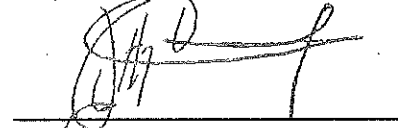
A motion was made by Commissioner Uhlman to approve the permits with the dates provided to the License Commission, hours of operation 4:00 p.m. to 11:00 p.m., 12:00 p.m. to 6:00 p.m. Sundays. The motion was seconded by Commissioner Landerholm and made unanimous by vote of the members present.

4-0

A motion was made by Commissioner Simpson to adjourn the meeting at 7:41 p.m. The motion was seconded by Commissioner Uhlman and made unanimous by vote of the members present.

4-0

Respectfully Submitted,

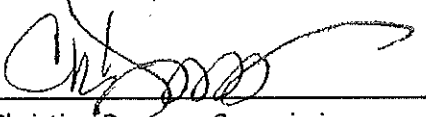


Jeffrey Charnel, Chairman

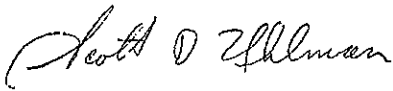
APPROVED



Robert P. Simpson, Commissioner



Christina Derome, Commissioner



Scott D. Uhlman, Commissioner



Janet Landerholm, Commissioner