

AGENDA FOR LICENSE COMMISSION MEETING

6:00 p.m.

Thursday, January 21, 2016

**G.A.R. Room, City Hall, 45 School Street
Brockton, Massachusetts**

1. Approval of the Minutes of the License Commission meeting of December 10, 2015 and the Special Meeting of December 29, 2015.
2. Approval of the following police officers as license agents for the month of February 2016: Lieuts. Kenneth LeGrice and Paul Bonanca; Sgts. George Khoury, Frank Vardaro and Michael Dennehy; Dets. Thomas Hyland, Nazaire Paul, Eric Clark, Santiago Cirino, Jackie Congdon, Chris McDermott, Michael Bunker, Michael Cesarini, Patrick Donahue and Erin Cummings.
3. Requests for Special One-day Permits:
 - (a) **All Alcoholic Beverages** – Brockton Firefighters Local 144 – William E. Hill, Manager, for a Memorial Celebration to be held at 80 Perkins Avenue, on Thursday, March 10, 2016, from 12:00 noon to 12:00 midnight.
 - (b) **Wine and Malt Beverages** – Manuel B. Mizhirumbay, for a Valentine’s Day Party to be held at The Fruth Center – 891 Montello Street, on Saturday, February 6, 2016, from 7:00 p.m. to 10:00 p.m.
4. Hearing (postponed from meeting of December 10, 2015) on the request from Dian Zheng dba Express Panda to transfer the Common Victualer license at 43 Legion Parkway to Express Panda, Inc. – Yijuan Zheng.
5. Hearing on the request from PR Restaurant, Inc. dba Panera Bread for a Common Victualer license at 1301 Belmont Street. (Common Victualer license at this location currently issued to Panera, LLC.)
6. Hearing on the request from David Butler dba David’s Auto Sales, holder of a Class II Used Car Dealer license at 1114 Montello Street, to transfer the location of the license to 189B Clinton Street.
7. Hearing on the request from DTR Corp. – Daniel and Mary Rosman, Owners, for a Lodging House license at 58 Huntington Street.

8. Hearing on the request from Gislene Registre dba Gygy's Breakfast, Lunch and Catering for a Common Victualer license at 207 Belmont Street.
9. Hearing on the following requests from Brockton Country Club – 265 Samuel Avenue:
 - (a) To appoint Kelly Bucherri as the manager; and
 - (b) To change officers and directors of the corporation.
10. Hearing (postponed from meeting of December 10, 2015) on the charges against Fuhs Enterprises, Inc. dba Dylan's Bar & Grill – Paul J. Fuhs, Manager, 789 Centre Street, of the following alleged violations reported on October 24, 2015, at approximately 2:01 a.m.:
 - (a) **ABCC Rule 204 CMR 2.05(2)**, to wit: "No licensee for the sale of alcoholic beverages shall permit any disorder, disturbance or illegality of any kind to take place in or on the licensed premises. The licensee shall be responsible therefor, whether present or not."; and
 - (b) **M.G.L. Chapter 138, Section 63A**, to wit: "Any person who hinders or delays any authorized investigator...or who refuses to give to such investigator, inspector or agent such information as may be required for proper enforcement of this chapter."
11. Hearing on the charges against Tamboo, Inc. – Chrismin Charlot, Manager, 252-260 Main Street, of the following alleged violations reported on November 28, 2015 at approximately 12:37 a.m.:
 - (a) **ABCC Rule 2.05(2)** – Permitting a disorder, disturbance and/or illegality, on the licensed premises, to wit: "exceeding the total occupancy of 448 allowed by the Certificate of Inspection.
 - (b) **M.G.L. Chapter 138, Section 63A**, to wit: "Any person who hinders or delays any authorized investigator...or who refuses to give to such investigator, inspector or agent such information as may be required for proper enforcement of this chapter."

12. Hearing on the charges brought against Cardoso Café, Inc. – Carlos Cardoso, Manager, 146-148 Montello Street, of the following alleged violations:

October 18, 2015 at approximately 1:53 a.m.

ABCC Rule 204 CMR 2.05(2), to wit: “No licensee for the sale of alcoholic beverages shall permit any disorder, disturbance or illegality of any kind to take place in or on the licensed premises. The licensee shall be responsible therefor, whether present or not.”

November 29, 2015 at approximately 12:45 a.m.

- (a) **ABCC Rule 204 CMR 2.05(2)**, to wit: “No licensee for the sale of alcoholic beverages shall permit any disorder, disturbance or illegality of any kind to take place in or on the licensed premises. The licensee shall be responsible therefor, whether present or not.” – Assault and Battery w/Dangerous Weapon 265/13A Pepper Spray”; and
- (b) **M.G.L. Chapter 138, Section 63A**, to wit: “Any person who hinders or delays any authorized investigator...or who refuses to give to such investigator, inspector or agent such information as may be required for proper enforcement of this chapter”
13. Hearing on the charges brought against Brockton Phalanx, Inc. dba Pisces Lounge – Alexander Strangis, Manager, 816-818-820 Main Street, of the following alleged violations observed by police on January 29, 2015, May 7, 21, 2015, June 18, 2015, July 16, 2015, August 19, 2015, September 2, 2015, October 8, 2015, December 9, 2015 and many other dates not documented:
- (a) **Brockton License Commission Rule #1**, to wit: “Any licensee intending to close his place of business for a period of more than forty-eight (48) hours must notify the Brockton License Commission in writing before such closing and he shall state in his letter the reason and length of such closing.” ; and

(b) **Brockton License Commission Rule #25, VIDEO SURVEILLANCE
REQUIREMENT**

- (a) Any holder of an “All Alcoholic Restaurant” license, a “Wine and Malt Restaurant” license, an “All Alcoholic Hotel” license, an “All Alcoholic General On-Premise” license, or an “All Alcoholic Club” license, which permits the sale of alcoholic beverages after 12:00AM (midnight) (“Affected Licensees”) shall install and maintain security cameras which shall monitor and record the interior entrances and exits of the licensed establishment used by the general public, to include 50 feet from all exterior entrances and exits of the licensed establishment used by the general public” (Refer to Regulations for entire Rule #25)

14. Communications

15. Any other business to properly come before the Commission