

## TAPED

The License Commission held its regular monthly meeting at 6:00 p.m. on Wednesday, September 30, 2009, in the G.A.R. Room at City Hall. Present were Chairman James E. Holmgren; Commissioners Edward F. Cotter, Joseph P. Kelley and Paul F. Sullivan;

1. Approval of the following police officers as license agents for the month of October 2009: Lieuts. John Crowley, Thomas LaFratta, John Flynn and William Barry; Sgt. Paul Bonanca; Dets. Michael Schaaf, Erik Hilliard, John Lonergan, Sanford Gurney, James Smith, Dominic Persampieri and Ernie Bell; and Officers Scott Uhlman, and William Healy.

A motion was made by Commissioner Sullivan to approve the police officers as listed as license agents for the month of October, 2009. The motion was seconded by Commissioner Cotter. All members voting in the affirmative, the motion carried.

2. Requests for Special One-day Permits:

- (a) All Alcoholic Beverages - Brockton Firefighters Local 144 – Archie Gormley, Manager, 80 Perkins Avenue, on Saturday, October 17, 2009, from 11:00 a.m. to 6:00 p.m.

Chairman Holmgren recused himself from participating in this request. In his absence, Commissioner Cotter presided.

Present was Archie Gormley, 53 Rockland Drive who reviewed the request. He stated that the Wilmington Firefighters will be visiting memorials throughout the State and will be at City Hall on October 17<sup>th</sup> and will then be invited to the Firemen's Hall for pizza and drinks.

Paperwork being in order, a motion was made by Commissioner Sullivan to approve the request which motion was seconded by Commissioner Cotter. All members voting in the affirmative, the motion carried.

3. Hearing on the request from Brockton Fair Caterers, Inc. – Maura Carney, Manager, to amend the Entertainment license to include the following:

**Mudboggling Event** on Sunday, October 11, 2009, from 9:00 a.m. to 6:00 p.m.

This matter was called at the end of the meeting.

There was no one present from the Brockton Fair Caterers, Inc. Chairman Holmgren stated that since no one was present they would not go forward with the hearing. Councillor Brophy stated there were some of the residents present and requested they be heard from.

Mary Lanza, 28 Avon Street, stated there have been noise problems coming from the events at the fair and this has had a negative impact on the neighborhood. She wanted some assurance that they will not be allowed to hold events, especially with loud music, until midnight on Saturday and 11 on Sunday like the recent event. Chairman Holmgren stated for the record that the license went until 8 p.m. on Sunday and that the music had to be off by 11 on Saturday. Chairman Holmgren stated they had received quite a few complaints and they are aware of the problems.

Mrs. Lanza stated she believes they were in excess of the decibels which should have stopped the event and Chairman Holmgren stated this would be a police issue. Chairman Holmgren stated that once they issue a license it is up to the police to enforce it. He guaranteed that the last two events will not be allowed back. He stated the Commission is aware of the problems and will do everything in their power to control the events in the future.

Al Leitner, 214 Thurber Avenue, stated he feels the noise level at the recent events was above what the law allows. He stated the events were way out of hand and the Chairman indicated they do not disagree with any of the complaints and that the problem is they have to learn how to enforce it. They have to find out from the police why nothing was done.

Allen Gilman, 150 Thurber Avenue, stated that the music at the last rodeo was so loud that their house on Thurber Avenue was vibrating. On Sunday, the volume of the sound system was turned up as loud as possible and he stated this is a residential neighborhood and they cannot enjoy their own homes. He stated the residents should not have to put up with this.

Councillor-at-Large Thomas Brophy stated it is discouraging as a councillor that there is a noise ordinance which is difficult to enforce and there is not much that can be done when the ordinance is not being enforced. He stated they must bring in the Chief of Police and the Director of the Board of Health to find out who is suppose to be enforcing the ordinance so that when the neighbors have complaints like this there is a way to follow up to shut down the event.

Chairman Holmgren stated that letters from Councillors Balzotti and Cruise had been received and Councillor Brady had telephoned.

The Chairman asked if there was anyone else wishing to speak on this matter and no one came forward.

A motion was made by Commissioner Cotter to deny the mudbogging event on October 11, 2009. The motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried.

4. Hearing on the request from Michael Matta for a Lodging House license at 220 North Main Street.

Present were Herb and Diane Matta, 9 Leo's Lane, Avon.

The Adm. Asst. reviewed that the 2009 license was not issued due to inspection problems and tax issues. The inspections have now been submitted and a tax arrangement has been entered into with the Tax Collector. It was reviewed that the Certificate of Inspection has expired and Mr. Matta was requested to furnish a current certificate.

A motion was made by Commissioner Kelley to approve the license pending receipt of the updated certificate. The motion was seconded by Commissioner Cotter. All members voting in the affirmative, the motion carried.

5. Hearing on the request from Anastasios and Nicoletta Papantoniadis dba Toy Karz to transfer the Class II Used Car Dealer license at 369 Court Street to PEVA, LLC dba Auto Motion.

Present were Attorney John Creedon, 71 Legion Parkway, representing Beverly Souaiden, 102 Lenox Street. Also present was Anastasios Papantoniadis, 20 Longmeadow Drive, Canton, the current license holder.

Attorney Creedon reviewed the locations which are at the corner of Court and Cary Street. The current licensee has been unable to keep up with the display of vehicles due to the poor business in general. Mr. and Mrs. Souaiden plan to operate the business in addition to the current gasoline and repair station which Mr. Souaiden's family operates on Belmont Street. He requested the Commission approve the transfer of the license.

The current stipulations were reviewed and at 369 Court Street there is a limit of 27 vehicles and no more than 13 at 366 Court Street.

It was reviewed that no repairs may be done on site and that all repairs must be done at the Souaiden's Westside garage.

A motion was made by Commissioner Sullivan to approve the transfer of the license which motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried.

6. Communications

It was agreed that a hearing will be scheduled on the violations brought by Officer Uhlman against Bay State Motors.

7. Any other business to properly come before the Commission.

With no further business to come before the Commission, a motion was made by Commissioner Cotter to adjourn the meeting. The motion was seconded by Commissioner Kelley and made unanimous by vote of Chairman Holmgren.

Respectfully submitted,

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James E. Holmgren  
Chairman

APPROVED:

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Edward F. Cotter, Commissioner

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Joseph P. Kelley, Commissioner

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Paul D. Sullivan, Commissioner

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Bruce G. Dansby, Commissioner