

TAPED

The License Commission held its regular monthly meeting at 6:00 p.m. on Wednesday, December 9, 2009, in the G.A.R. Room, City Hall. Present were Chairman James E. Holmgren; Commissioners Edward F. Cotter, Joseph F. Kelley and Bruce G. Dansby. Also present were Lieut. John Crowley, Asst. City Solicitor Phil Nessralla and Adm. Asst. Bonnie Tucker.

1. Approval of the minutes of the meetings of September 30, 2009 and November 18, 2009 and the Special meetings of August 26, 2009 and October 16, 2009.

A motion was made by Commissioner Cotter to approve the minutes of the aforesaid meetings which motion was seconded by Commissioner Kelly. All members voting in the affirmative, the motion carried.

2. Approval of the following police officers as license agents for the month of January, 2010: Lieuts. John Crowley, Thomas LaFratta, John Flynn, William Barry and Brian Leary; 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.

Chairman Holmgren reviewed that the Chief has requested the removal of Lieut. John Flynn and Dets. Sanford Gurney and Dominic Persampieri as license agents.

A motion was made by Commissioner Kelley to approve the amended list of police officers as license agents for the month of January 2010. The motion was seconded by Commissioner Cotter. All members voting in the affirmative, the motion carried.

3. Requests for Special One-day Permits:

There were no requests for Special One day permits.

4. Hearing on the applications for renewal of the following Class III Motor Vehicle Junk Dealer licenses:
 - (a) Andrade, Inc. dba Everett's Auto Parts – 553 Thatcher Street
 - (b) Regal Auto Parts, Inc. dba Brockton Auto Parts – 511 Thatcher Street
 - (c) David J. Lynch dba Lynch's Cycle and Truck Center – 1200 Montello Street and 5 Terminal Place
 - (d) Jack's Used Auto Parts, Inc. – 212 North Cary Street

Present were the following representatives of each license:

David J. Lynch – 30 Quincy Street, Lynch's Cycle and Truck Center;

Mark Willis – 1662 Center Street, W. Roxbury, Jack’s Used Auto Parts,

Donald Galante – 19 Camden Way, So. Easton, Inc., Brockton Auto Parts

Tom Andrade, 166 Brook Street, Plympton and Mark Andrade, 9 Locust Street, Onset, Everett’s Auto Parts

There was no one present wishing to speak either for or against the renewal of the licenses.

A motion was made by Commissioner Kelley to approve the renewal of the four Class III licenses which motion was seconded by Commissioner Cotter. All members voting in the affirmative, the motion carried.

5. Hearing on the request from Magdalini Kosmidis dba Heidi’s Place for a Common Victualer license at 685 Warren Avenue.

Present were Magdalini Kosmides, 24 Madrid Square and Alexander Barbas.

Paperwork was reviewed and it was noted that none of the department inspection approvals have been submitted.

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

6. Hearing on the request from Johannie Perez Delarosa dba Rincon 809 Restaurant for a Common Victualer license at 74 West Elm Street. (Victor Solarzano dba Tacourt Authentic Mexican Food currently licensed at this location.)

Present was Johannie Perez Delarosa, 286 Arthur Paquan Way.

Chairman Holmgren reviewed that there is already a license at this location and the Adm. Asst. reviewed that the current holder, Mr. Solarzano had submitted a letter stating he will be leasing the property to Ms. Delarosa. There are taxes owed on the property and Ms. Delarosa stated the taxes were paid today. She was informed to bring in the receipt.

In response to questions, Ms. Delarosa stated she would like to operate a Spanish restaurant. Hours will be from 7:00 a.m. to 10:00 p.m. She understands that no alcoholic beverages can be served

The Chairman reviewed that any approval will be subject to acquisition of the previous license being turned in and receipt of the department inspection approvals.

A motion was made by Commissioner Cotter to approve the license pending the current license being turned in and receipt of the department inspection approvals. The motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried.

7. Hearing on the request from Cadillac/Nissan/Oldsmobile/Nissan Center, Inc. to transfer the portion of the Class I license on the properties at 1016 and 1020 Belmont Street and 59 and 71 Manley Street to E & J Auto Sales, Inc. dba Nissan 24.

Cadillac/Nissan/Oldsmobile/Nissan Center, Inc. requests to retain the Class I license at 97 Manley Street.

Present was Attorney John F. Creedon, 71 Legion Parkway. Also present were John Santilli, the current licensee, 14 Gary Lane, North Easton and Ed Cardon, 6 Norse Pines Dr., E. Sandwich.

Attorney Creedon submitted an aerial view photo of the properties and stated that Mr. Santilli will be keeping 97 Manley Street which is marked on the plan as "John's Lot." The transfer will consist of the large lot and a small lot at 1016 Belmont Street which is also known as 1020 Belmont Street. Mr. Cardon has been in the business for some time. The principals are Ed Cardon and Jonathan Stern. Their principal business is to sell new cars and the sale of used cars will be secondary.

Attorney Creedon then reviewed the second request which is for Mr. Santilli to retain a Class I license for the property designated as "John's Lot." He indicated that for now, there is a repair and body shop license and they expect there will be a dealership at the location. Chairman Holmgren stated that according to the law, a Class I license cannot be issued without a franchise agreement. The Adm. Asst. reviewed that the only notification has been that the Nissan franchise is gone. Chairman Holmgren stated that it is the law that if all of the franchises are currently gone, the Class I license cannot be issued. There are no Class II licenses available.

Attorney Creedon then requested to withdraw the portion of the request for a Class I license by the Cadillac/Oldsmobile/Nissan Center, Inc.

A motion was made by Commissioner Kelley to approve the transfer of the license as noted on the plan from the Cadillac/Oldsmobile/Nissan Center, Inc. to E & J Auto Sales, Inc. dba Nissan 24. The motion was seconded by Commissioner Dansby. All members present voting in the affirmative, the motion carried.

8. Hearing on the request from Brockton Cycle Center, Inc. for a Class I Motor Vehicle Dealer license at 2074 Main Street. (New Ownership)

Representing the company was Paul Sullivan of Bridgewater, who stated they are requesting to change all of their corporate information. The Adm. Asst. reviewed that all of the officers have changed since the license was originally filed and this has resulted in a complete change in the ownership of the company. This change had resulted in problems with the auctions and none of the required documents had been filed to amend the corporate information. Paperwork is now in order. Franchises are with Yamaha and Kawasaki.

A motion was made by Commissioner Kelley to approve the change in ownership which motion was seconded by Commissioner Dansby. All members voting in the affirmative, the motion carried.

9. Hearing on the charges brought by the local police against Faramarz Fathi dba Bay State Motors – 787 Main Street, of the following alleged violations reported on September 5, 2009:
 - (a). Violating the stipulation on the license which states, “NO MORE THAN 15 CARS FOR SALE ON LOT IN ACCORDANCE WITH AMENDED PLAN (11/19/02);
 - (b). Allegations that the license is being leased to Kency and Bill Dessaps;
 - (c). Failure to properly maintain a Used Car Record Book as required by M.G.L. Chapter 140, Section 62.

Present was Officer Scott D. Uhlman, Brockton Police Department and Fred Fathi, 8 Arbor Road, W. Roxbury.

Officer Uhlman and Mr. Fathi were sworn by Attorney Nessralla.

On direct examination by Attorney Nessralla, Officer Uhlman stated that on September 5, 2009, he inspected the property at 787 Main Street known as Bay State Motors and observed 27 motor vehicles on the property and three vehicles were on lifts inside the garage. Officer Uhlman stated he has a copy of Mr. Fathi’s used car book which is not in order as required. The book had about 12 cars entered into it. He had randomly checked on three of the vehicles on the lot to see if they were entered into the book and they were not. He was informed by a Mr. Kency Desaps that the vehicles were on consignment from customers. He then randomly picked out three vehicle entries from the book and could not find the vehicles on the lot. Officer Uhlman stated he was informed that the person who does the book is no longer employed and that the book has not been kept up to date.

Officer Uhlman continued and stated he seized the book and took it to the police station and made copies of the entries. Some of the entries are incomplete which included dates not being filled in, some are not at all correct and no cars were identified as being on consignment.

Officer Uhlman then stated that the vehicles on the lot appeared to be for sale. There were signs on some of the cars. He indicated that any motor vehicle on the lot would have to be for sale because Mr. Fathi’s motor vehicle repair license states that he cannot repair any vehicles that are not for sale. There were no customers there at the time.

Chairman Holmgren then asked Mr. Fathi if he had any questions for Officer Uhlman.

At this time, Mr. Fathi asked the Commission to consider postponing the matter until next month. He would like for Attorney Creedon to represent him. Chairman Holmgren reminded Mr. Fathi that this was originally scheduled for October 14th and that he had been granted an

extension at that time and that he has had sixty days to obtain counsel. He informed Mr. Fathi that they would go forward with the hearing. Mr. Fathi stated he could come to the second meeting in December.

Attorney Nessralla stated that the hearing has already been started and the police officer is present because he was subpoenaed. He indicated that there has been no letter from counsel requesting such a postponement. He stated he does not feel the board should grant a postponement at this time but that it is up to the Chairman.

Chairman Holmgren indicated he does not disagree with this and there is a history with this licensee. This matter has been ongoing since September and it is his opinion that it should be heard this evening. As an alternative, Chairman Holmgren stated he would consider postponing the matter if Mr. Fathi were to voluntarily close until the next meeting.

Officer Uhlman then stated that as of November 8th, some part of Mr. Fathi's business was involved with a situation in East Bridgewater so this has been ongoing and continuing and for the betterment of the City, this shop needs to be stopped. Attorney Nessralla stated that what is extremely disturbing to him is the lack of record keeping. Officer Uhlman stated that as of 10:30 a.m. that morning there were 22 cars on the property.

In response to questions, Mr. Fathi stated he was in Attorney Creedon's office the previous afternoon. He indicated he has had some complications which have required that he travel overseas four times since last year. Chairman Holmgren indicated that he can go forward with the hearing this evening or voluntarily turn the license in until the hearing can be held. Mr. Fathi stated he will voluntarily surrender the license. Chairman Holmgren warned Mr. Fathi that if the business is found open, the license will be revoked.

Officer Uhlman then informed Mr. Fathi that he has 72 hours to remove every car from the property under City Ordinance because he is no longer a licensed dealer and according to City Ordinance unregistered cars cannot be kept on the property. Chairman Holmgren advised Mr. Fathi that the license must be turned into the office the following morning. The Chairman also stated that the license will not be renewed until the hearing is held.

Officer Uhlman reminded Mr. Fathi of the restriction on his repair license and stated there are not to be any repairs done on the premises.

A motion was made by Commissioner Cotter to postpone the hearing pending the return of the license and that the establishment will be closed until such time as the hearing is held. If it is found that any cars are being sold, a revocation hearing will be held.

Officer Uhlman asked what the ramifications will be if the license is not turned in and he was advised that the license would be revoked.

The motion was then seconded by Commissioner Dansby. All members voting in the affirmative, the motion carried.

10. Hearing on the charges brought by the local police against Gloria E. Marrero dba Gloria's Auto Imports – 706 Montello Street, of the following alleged violations reported on September 13, 2009:
 - (a). Violating the stipulation on the license which states, “NO MORE THAN 15 VEHICLES FOR SALE PLACED IN ACCORDANCE WITH AMENDED PLAN.” On September 13, 2009, Officer Uhlman reported a total of 26 vehicles on the property.
 - (b). Offering/displaying vehicles for sale from a location (20 Livingston Street) other than the specified premises occupied by the licensee for the purpose of carrying on the licensed business, in violation of M.G.L. Chapter 140, Section 59.

Commissioner Dansby recused himself from this hearing.

Present were Officer Scott Uhlman, Brockton Police Department

Also present was Attorney Paul Clancy, 71 Legion Parkway and his client, Gloria Marrero, 709 Plain Street.

Officer Uhlman and Ms. Marrero were both sworn by Attorney Nessralla. Attorney Nessralla indicated that this swearing in of Officer Uhlman will apply for any future hearings this evening.

On direct examination by Attorney Nessralla, Officer Uhlman stated that on September 13, 2009, during a routine inspection he observed 26 vehicles on the lot. It is licensed for a maximum of 15 vehicles on the property. Based on his observations, Ms. Marrero is also doing auto body and repair work on the premises. There is no garage to do the repairs. The repairs are done in the parking lot. The licensed premises is 706 Montello Street, however, there are vehicles being displayed at 20 Livingston Street which is a single family residence owned by Gloria Marrero. This has been ongoing for years and is not only a violation of the license but is also a violation of the Zoning laws.

Officer Uhlman stated that as of this morning at 10:30 a.m., there were 21 snow covered vehicles on the lot. He indicated he has sent 7 citations to Ms. Marrero for various infractions. On 10/30/09, he counted 24 cars on the lot. A citation was issued and has not been paid. On 10/29/09, there were 24 cars on the lot. A citation was issued and has not been paid. On 09/14/09, a citation for \$300 was issued for engaging in a business not licensed, that being auto repair. This citation has been paid. On 09/19/09, a citation for \$300 was issued for violating City Ordinance 11-1 which is engaging in a business not licensed which, that being auto sales at a private residence at 20 Livingston Road.

Officer Uhlman submitted pictures of his findings and stated there is a complete tool room. There are fenders, radiators, a tire machine and tire balancer machine. Officer Uhlman then stated that he does not believe Ms. Marrero knows the laws regarding the sale of cars and does not believe she should have a license. He asked the Commission to revoke the license.

Attorney Clancy requested the Commission not suspend the license. He stated she has been in business for four to five years and has had no prior violations. This is her livelihood. Ms. Marrero's brother, Wayne, lives at 20 Livingston Street. He was displaying the vehicles. He assured the board that this will not happen again.

With regard to the number of vehicle in excess of the number allowed, Attorney Clancy stated that Ms. Marrero's elderly mother lives with her and she has two full time employees on duty around the clock who take care of her mother. This accounts for two of the cars. The vehicles also belong to other family members.

Attorney Nessralla stated that Officer Uhlman had counted up to 11 vehicles over the limit allowed on the license and is a concern that a citation was given. Officer Uhlman has now testified that up until recently, they are still over the limit which indicates there has been no aggressive action by the licensee to remedy this matter before coming in this evening. He stated that he can see no credence in the fact that it was the brother who was displaying the vehicle on the residential property which she owns and she was aware that it was being used as a car lot and she should have taken action against him.

Chairman Holmgren indicated it disturbs him that the vehicles in excess of the number allowed are still there. Commissioner Kelley stated it seems there is a clear pattern and that Ms. Marrero has been in violation on so many occasions and has made no attempt to rectify the situation. He is concerned that they have demonstrated no level of cooperation.

A motion was made by Commissioner Cotter to find the licensee guilty as charged. The motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried.

Commissioner Kelley then stated that although this is the first time the licensee has been before the Commission, there is a clear history of infractions and that a suspension of the license is warranted.

A motion was made by Commissioner Kelly to suspend the license for thirty (30) days. The motion was seconded by Commissioner Cotter. All members voting in the affirmative, the motion carried.

During a discussion, Attorney Nessralla suggested that in order to avoid any misinterpretations, the wording of the restriction on the license be changed to read "No more than 15 vehicles placed in accordance with the plan."

Commissioner Kelley then made a motion to approve a total of 15 vehicles on the property. He then amended his motion to 19 total vehicles on the lot. The motion was seconded by Commissioner Cotter. All members voting in the affirmative, the motion carried.

Officer Uhlman then advised the licensee that upon suspension of the license, they have 72 hours to remove all unregistered cars from the property.

It was agreed that the suspension will take place beginning on January 1, 2010.

11. Hearing on the charges brought by the local police against Arcangela Lima dba M & T Auto Body, Sales & Rental – 691-701 Montello Street, of the following alleged violations:
 1. Violating the stipulation on the license which states, “NO MORE THAN 34 VEHICLES ON THE LOT IN ACCORDANCE WITH THE PLAN SUBMITTED.” On October 23, 2009, Officer Uhlman reported a total of 37 vehicles the property.
 2. Failure to properly maintain a Used Car Record Book as required by M.G.L. Chapter 140, Section 62;
 3. M.G.L. Chapter 140, Section 67 – Obstruction of entrance or examination by officers; refusal to exhibit items demanded.

Present were Arcangela Lima, 200 Bishop Street, who was sworn by Attorney Nessralla.

Also present was Officer Scott Uhlman, Brockton Police Department who had been sworn in previously.

On direct examination by Attorney Nessralla, Officer Uhlman stated that on October 23, 2009, he went to M & T Auto Body for the purpose of conducting a routine inspection. He found the shop in direct violation of City of Brockton Ordinances and has found as many as 40 cars overnight. Over the past six months, he has written citations in an attempt to bring them into compliance which has been to no avail. On October 25, 2009, he responded to complaint reported by a neighbor that they were working on a Sunday which is in direct violation of the stipulations associated with licenses for that property. Officer Uhlman stated he was verbally threatened and told to leave the property. There were parts all over the lot as well as 35 cars on the property and at least one car inside the shop.

Officer Uhlman continued and said he has been told by Leonildo Dossantos who has stated to him that he is the owner of the property. Mr. Dossantos told him to get off of the property, that he is not showing him any licenses and that he has no right to go there everyday and ask for his licenses. From June 21st to November 25, Officer Uhlman stated he has been to the location eight times as a result of complaints. He submitted some photos of the property and stated he has issued six citations and, to date, none have been paid. He stated that he has just recently learned that Arcangela Lima is the owner of the property and that she has appealed the citations to the Court.

Officer Uhlman then referred to the photos and stated there does not appear to be any vehicles for sale on the property. When he asked for the Used Car Dealer Record Book, he was told to leave the property and was never shown the book. He stated he feels they have no need and no right to have a used car dealer license at this location. Officer Uhlman indicated when going to the location he tries to bring a supervisor because he has had nothing but problems with Mr. Dossantos.

In response to questions, Ms. Lima stated the license is in her name. Chairman Holmgren informed her that although she was not there when Officer Uhlman went to inspect, it is her responsibility as the license holder to make sure the business is operated correctly and they cannot throw the police officer off of the property. She indicated she did not know what was going on. It was noted that she has appealed the citations so she should have known something was going on. Officer Uhlman stated he had never seen Ms. Lima until she walked into District Court the previous day. He had assumed Mr. Dossantos was the owner based on his statements and his actions. He has been sending the citations to Ms. Lima's home address at 200 Bishop Street. He now has Mr. Dossantos as living at 200 Bishop Street but he originally had a New Bedford address.

Attorney Nessralla indicated that he finds it surprising that Mr. Dossantos is not before the board with what Officer Uhlman has presented to explain his behavior on behalf of the licensee. He stated that not only are the violations troubling to the City but also the manner in which the investigator was treated by a person acting on behalf of the licensee.

Officer Uhlman stated it appears that there are no car sales and that every car on the lot is broken, dented and banged up. He indicated he has never seen any cars for sale on the lot. As a result of Mr. Dossantos actions of throwing him off the property when asked for the book, it would seem there is either no book or that the book is not in order. In his opinion, it is clear to see that they are in the auto body business and they have no business having a Class II license. Officer Uhlman asked that the license be revoked.

Chairman Holmgren also expressed concern with the behavior of Ms. Lima's associate. Commissioner Kelley stated it is illegal for them to refuse to show the book to an investigator and that it seems this is not a used car sales lot. Officer Uhlman stated he is dealing with the City Council on the Auto Body license.

With no further information to be presented, a motion was made by Commissioner Kelley to find the licensee guilty as charged. The motion was seconded by Commissioner Cotter. All members voting in the affirmative, the motion carried.

A second motion was made by Commissioner Kelley to revoke the license.

Chairman Holmgren stated he would like to clarify this and suspend the license for 30 days beginning January 1 and schedule a hearing on the revocation at the February meeting. He indicated he would like for Officer Uhlman to have access to the property to determine whether or not they are selling cars. Chairman Holmgren stated this will give Ms. Lima a chance to clean up the lot but if there are any issues, they will go right to revocation hearing.

Officer Uhlman stated he will be at Ms. Lima's lot at 8:30 a.m. the following day. Officer Uhlman stated he will report back to the Commission on the outcome of his findings.

Chairman Holmgren then suggested the total number of vehicles be reduced to 30 and Commissioner Kelley made the motion for 30 vehicles.

Officer Uhlman then stated that if there are 30 vehicles for sale and the auto body license allows them another 30 then there will be 60 cars on the property. Chairman Holmgren clarified this and it was agreed that there can be no more than 30 vehicles total on the property. He asked for Officer Uhlman to include in his report back to the commission, the number of cars there for repair, for sale, the condition of the lot and the number of cars they have sold.

In reply to questions from Ms. Lima, Chairman Holmgren explained to her that she can sell cars up until December 31st and then the license is suspended for 30 days. She was informed that this will be scheduled for a revocation hearing at the License Commission's February meeting and that outcome will be pending Officer Uhlman's report. Ms. Lima asked if she can repair cars and she was told that until the City Council tells her anything different, she can repair cars.

Commissioner Cotter also asked that Officer Uhlman make a recommendation as to the number of cars that should be allowed on the property.

Commissioner Dansby then seconded the motion. All members present voting in the affirmative, the motion carried.

12. Renewal of Licenses for 2010

Lists of all license renewals had been prepared and were in the commissioners files.

A. Licenses to Sell Alcoholic Beverages

1. All Alcoholic Restaurants

A motion was made by Commissioner Cotter to approve the renewal of the All Alcoholic Restaurant licenses as listed. The motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried.

2. Wine and Malt Restaurants

A motion was made by Commissioner Cotter to approve the renewal of the Wine and Malt Restaurant licenses as listed. The motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried.

3. All Alcoholic Hotels

A motion was made by Commissioner Cotter to approve the renewal of the All Alcoholic Hotel licenses as listed. The motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried.

4. All Alcoholic General On-Premise

A motion was made by Commissioner Cotter to approve the renewal of the All Alcoholic General On-Premise licenses as listed. The motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried.

5. All Alcoholic Package Stores

A motion was made by Commissioner Dansby to approve the renewal of the All Alcoholic Package Store licenses as listed. The motion was seconded by Commissioner Cotter. All members voting in the affirmative, the motion carried.

6. Wine and Malt Package Stores

A motion was made by Commissioner Dansby to approve the renewal of the Wine and Malt Package Store licenses as listed. The motion was seconded by Commissioner Cotter. All members voting in the affirmative, the motion carried.

7. All Alcoholic Clubs

A motion was made by Commissioner Cotter to approve the renewal of the All Alcoholic Restaurant licenses as listed. The motion was seconded by Commissioner Cotter. All members voting in the affirmative, the motion carried.

The Administrative Assistant reviewed that the only existing alcoholic beverage license holder that didn't file for renewal was Bickfords although they did apply to renew their common victualer license.

B. Common Victualer Licenses

A motion was made by Commissioner Dansby to approve the renewal of the Common Victualer licenses as listed. The motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried.

C. Innholder Licenses

A motion was made by Commissioner Dansby to approve the renewal of the Innholder licenses as listed. The motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried.

D. Licenses to Sell Second-Hand Motor Vehicles (Class I and II)

A motion was made by Commissioner Cotter to approve the renewal of the Class I and II Licenses to Sell Second-hand Motor Vehicles as listed. The motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried.

E. Lodging House Licenses

A motion was made by Commissioner Cotter to approve the renewal of the Lodging House licenses as listed. The motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried. It was agreed that the approvals are pending receipt of all the required department inspection approvals.

F. Entertainment Licenses

A motion was made by Commissioner Dansby to approve the renewal of the Entertainment licenses as listed. The motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried.

G. Automatic Amusement Device Licenses

A motion was made by Commissioner Cotter to approve the renewal of the Automatic Amusement Device licenses as listed. The motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried.

E. Fortune Teller Licenses

A motion was made by Commissioner Cotter to approve the renewal of the All Alcoholic Restaurant licenses as listed. The motion was seconded by Commissioner Dansby. All members voting in the affirmative, the motion carried.

13. Communications

Reports concerning alleged violations at Tamboo Restaurant and Cardoso Café were submitted.

A copy of an Ethics Commission memorandum from the City Clerk's office was given to all of the members to sign.

14. Any other business to come before the Commission.

In addition to the already scheduled meeting of December 29, 2009, it was agreed that the Commission will meet on January 13, 2010. (The date of this meeting was subsequently changed to January 20, 2010)

A motion was made by Commissioner Cotter to adjourn the meeting. The motion was seconded by Commissioner Dansby. All members voting in the affirmative, the meeting was adjourned.

APPROVED:

Joseph P. Kelley, Commissioner

Paul D. Sullivan, Commissioner

Bruce G. Dansby, Commissioner

Fred Fontaine, Alternate Commissioner