

## **TAPED**

The License Commission held a special meeting at 6:00 p.m. on Tuesday, December 29, 2009, in the G.A.R. Room at City Hall. Present were Chairman James E. Holmgren; Commissioners Edward F. Cotter, Paul D. Sullivan, Joseph P. Kelley and Bruce Dansby. Also present was Administrative Assistant Bonnie Tucker.

### 1. Requests for Special One-day Permits:

The Adm. Asst. stated there are no requests for special one day permits.

### 2. Hearing on the request P.F.J. Enterprises, Inc. dba Terra, Terra Bar & Grill – Felipe Miranda, Manager, 28-30 Intervale Street, to extend the closing hour to 1:00 a.m. on New Year's Eve.

The Adm. Asst. reviewed that she had left a message for Mr. Miranda, however, he had not returned the call. In addition, there are tax issues and he has not submitted a current Certificate of Inspection for the license renewal.

A motion was made by Commissioner Cotter to deny the request. The motion was seconded by Commissioner Kelley. All members present voting in the affirmative, the motion carried.

### 3. Hearing on the request from C E & G, LLC dba Piezoni's to transfer the Common Victualer license AT 1284 Main Street to Peperonis of Brockton, LLC dba Piezonis.

No action was taken as there was no one present.

### 4. Hearing on the request from Bugaboo Creek Holdings, Inc. – 400 Westgate Drive, to appoint Caryn Bennett as the manager.

Representing the licensee was Attorney Patricia Lang Farnsworth from the Law Firm of Lawson and Weitzen, 88 Black Falcon Ave., Boston. Also present was Caryn Bennett, 2 Karena Drive, Taunton.

The prior manager, Joseph Madirira was transferred to a Rhode Island Bugaboo Creek. Ms. Bennett has managed other Bugaboo Creek locations and she is ServSafe certified.

Paperwork being in order, a motion was made by Commissioner Sullivan to approve the appointment of Caryn Bennett as the manager. The motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried.

### 5. Hearing on the request from Abdul Nabi Baryali and Maggie Rahimi dba Crown Fried Chicken for a Common Victualer license at 404 North Main Street.

Present was Maggie Rahimi, 248 Forest Avenue, who stated they would like to get a Common Victualer license at 404 North Main Street. The Adm. Asst. reviewed that they have been before

the ZBA and were approved for seating. The only paperwork missing are the department inspection approvals.

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

6. Hearing on the request from Sidelines Sports Bar. Inc. – Laura Kelley, Manager, to amend the description of the licensed premises at 225 East Ashland Street by eliminating the function hall, one kitchen and one storage area from the license.

No action was taken as no one was present.

7. Communications

Copies of a lawsuit filed by the owner of Progressions Lounge had been sent to the members.

8. Any other business to properly come before the Commission.
  - (a) Hearing on the request from Emysafari Dance Club Corp. Christian Ekechukwu, Manager, 22-26 Perkins Avenue, to extend the closing hour to 2:00 a.m. on New Years' Eve.

The Adm. Asst. stated that this request had come in after the agenda was mailed and she had told Mr. Ekechukwu to come in to the meeting to make his request and that it was up to the Commission if they would hear it. At this time, Mr. Ekechukwu has not submitted the required Certificate of Inspection for the renewal of the license.

The licensee was not present when this matter was called.

A motion was made by Commissioner Cotter to deny the request which motion was seconded by Commissioner Kelley. All members voting in the affirmative, the motion carried.

Mr. Ekechukwu arrived later in the meeting, and stated he would like to be able to open until 2:00 a.m. on December 31<sup>st</sup>. The closing hour is currently 1:00 a.m. There have been no recent problems that the Commission is aware of.

Commissioner Kelley made a motion to approve the extension to 2:00 a.m. on New Years Eve provided the Certificate of Inspection is submitted. The motion was seconded by Commissioner Sullivan. All members voting in the affirmative, the motion carried. The Adm. Asst. suggested to the Chairman that he mention the Entertainment hours in order to avoid any confusion. Chairman Holmgren reminded Mr. Ekechukwu that he must stop the Entertainment at 12:30 and that the last drink may be served at 1:30 and everyone out by 2 a.m.

- (b) C.V. Auto, Inc. – This matter was not on the agenda, however, Ms. Gilda Andrade came forward and said that she had met with Ms. Tucker and Mr. Tartaglia who said to come to this

evening's meeting. Ms. Tucker stated she was unaware of this. She then stated that it was not Mr. Tartaglia and that it was Mr. Martelli. Ms. Tucker stated they had met with she and Mr. Martelli quite some time ago but they had never come back to pay the taxes and apply for the renewal of the license.

Chairman Holmgren stated it is not on the agenda and there is nothing that can be done and that they have to fill out the renewal application and have an agreement with Mr. Martelli. Ms. Andrade stated that Mr. Martelli had said he would have an agreement after they met with the Chairman. Chairman Holmgren stated that is just the opposite of the procedure and the Commission will not do anything until there is an agreement with Mr. Martelli. Ms. Andrade stated they were misinformed and asked for the application and was told by the Adm. Asst. that they could come in during regular business hours.

The Adm. Asst. asked if the meeting scheduled for January 13<sup>th</sup> could be changed to January 20<sup>th</sup> and all agreed to this change.

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 Dansby. All members voting in the affirmative, the motion carried.

APPROVED:

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Joseph P. Kelley, Commissioner

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Paul D. Sullivan, Commissioner

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Bruce G. Dansby, Commissioner

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Fred Fontaine, Alternate Commissioner