

**TAPED**

The License Commission held its regular monthly meeting on Thursday, June 16, 2011 at 6:00 p.m. in the G.A.R. Room at City Hall. Present were Chairman Joseph P. Kelley; Commissioners Scott H. McDuffy, Paul D. Sullivan and Alternate Commissioner Kathy Kenney. Also present were License Agent Capt. Emanuel Gomes, Asst. City Solicitor Kate Feodoroff and Adm. Asst. Bonnie Tucker.

1. Approval of the Minutes of the License Commission Meeting of May 19, 2011.

A motion was made by Commissioner McDuffy to approve the minutes of the License Commission meeting of May 19, 2011 which motion was seconded by Commissioner Sullivan. All members present voting in the affirmative, the motion carried.

2. Approval of the following police officers as license agents for the month of July 2011: Capt. Emanuel Gomes; Lieuts. Thomas LaFratta and Paul Bonanca; Sgt. Frank Vardaro; Dets. Michael Schaaf, John Lonergan, James Smith, Ernest Bell and Nazaire Paul; and Officer Scott Uhlman.

A motion was made by Commissioner Kenney to approve the police officers as listed motion was seconded by Commissioner McDuffy. All members voting in the affirmative, the motion carried.

3. Requests for Special One-day Permits:

- (a) Wine and Malt Beverages – Brockton Firefighters Local 144 – Daniel J. Foye, Manager, for a fundraiser to be held at 80 Perkins Avenue, on Saturday, September 24, 2011, from 11:00 a.m. to 11:00 p.m.

No action was taken as no one appeared on this request.

- (b) Wine and Malt Beverages – Brockton Firefighters Local 144 – James W. DuBeau, Jr., Manager, for a fundraiser to be held at 80 Perkins Avenue on Sunday, June 26, 2011, from 12:00 noon to 5:00 p.m.

Present was James DeBeau, 181 Falconer Avenue, who stated this event is the annual road race. They expect approximately 100 people to attend. No police detail will be required.

A motion was made by Commissioner Kenney to approve the one-day permit which motion was seconded by Commissioner Sullivan. All members voting in the affirmative, the motion carried.

4. Hearing on the request from PEVA, LLC dba Auto Motion to transfer the Class II license to Sell Second-Hand Motor Vehicles at 369 and 366 Court Street to Rached Enterprises, Inc. dba Brockton's Finest Auto Sales.

Present were Attorney John Creedon, 71 Legion Parkway, Joe Rached and Nidal Rached, both of 46 Chapel Street, Norwood.

Attorney Creedon stated the sellers, Mr. and Mrs. Souaiden, would not be present. There was some confusion as to the total number of vehicles and it was requested that a new plan be submitted for no more than 27 vehicles at the 369 Court Street address. Commissioner McDuffy then pointed out that the application stated the location to be 369 Crescent Street and Attorney Creedon indicated this was a typographical error and the location should be 369 Court Street.

In reply to questions Mr. Rached stated he does not have a repair license for the premises. It was requested that a revised Motor Vehicle Certification form be submitted. In addition, it was requested that the application be amended to show the correct address and new plans be submitted.

A motion was made by Commissioner McDuffy to approve the transfer of the license pending receipt of the documents requested. The motion was seconded by Commissioner Sullivan. All members voting in the affirmative, the motion carried.

5. Hearing on the request from Vega Social Club, Incorporated – Donald Burroughs, Manager, 895 Warren Avenue, to add one coin-operated pool table and two (2) coin-operated video games to the Automatic Amusement Device license. (Currently licensed for one pool table.

Present was Donald Burroughs, 65 Elm Street, North Easton, who stated they would like to add a pool table and 2 coin operated video games to their license. The Fire Department has sent their inspection approval.

Commissioner McDuffy asked if the occupancy would change as a result of the games and Mr. Burroughs stated it would not. The Adm. Asst. indicated that in addition to the Fire Department inspection approval, they would also need the Building Department to inspect the location as well as the Board of Health.

A motion was made by Commissioner McDuffy to approve the additional coin-operated games pending inspection approvals from the required departments. The motion was seconded by Commissioner Sullivan. All members voting in the affirmative, the motion carried.

6. Hearing on the request from High Tek Automotive Specialists, Inc. to transfer the Class II license to Sell Second-Hand Motor Vehicles at 135 Oak Hill Way to Insurance Collision Center, Inc.

Present were Norman and Elizabeth Berkowitz, 152 Dean Street, South Easton who are also the current owners of High Tek Automotive. Mr. Berkowitz stated he is retiring and his wife has formed a new corporation and will operate the business.

Paperwork being in order, a motion was made by Commissioner Sullivan to approve the transfer of the license which motion was seconded by Commissioner Kenney. All members voting in the affirmative, the motion carried.

7. Hearing on the request from Berlangue Jean dba Jeano's Restaurant to transfer the All Alcohol Restaurant license at 769 Main Street to Jeano's Restaurant Corp. – Dieulifaite Jean, Manager.

Present were Attorney John F. Creedon, 71 Legion Parkway and Dieulifaite Jean, 30 Kennedy Circle, South Easton.

Attorney Creedon reviewed the request and indicated that the license is currently in the name of Mr. Jean's wife, Berlangue, however, at renewal time last year the question of the corporation holding the license came up due to the Liquor Liability Insurance being in the corporate name. They have now completed all of the required documents for the transfer of the license and Mr. Jean will be named as the manager.

It was requested that the manager information form be completed because it was missing some information.

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

8. Hearing on the request from SDS Hospitality, LLC dba Quality Inn Brockton – Vikram Sharma, Manager, 1005 Belmont Street, to transfer ownership interest in the LLC.

Present was Gautam Sharma, 6 Shelley Road, Wellesley, who reviewed the request and stated there has been a change in the officers and interest held. Shikha Talwar now has 30 percent ownership interest in the LLC previously held by Pragati Sharma who is no longer involved in the corporation.

Paperwork being in order, a motion was made by Commissioner Kenney to approve the change in officers and ownership as requested which motion was seconded by Commissioner Sullivan. All members voting in the affirmative, the motion carried.

9. 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 on February 26, 2011 at approximately 1:00 a.m.:

- (a) **ABCC Rule 2.05 (2)** - Permitting an illegality on the licensed premises, to wit: "Allowing Entertainment beyond the approved hours."; and

- (b) **ABCC Rule 4.04(1)(c)**, to wit: "No licensee or employee or agent of a licensee shall sell, offer to sell or deliver to any person or group of persons any drinks at a price less than the price regularly charged for such drinks during the same calendar week, except at private functions not open to the public."

Present was Attorney John F. Creedon, 71 Legion Parkway, representing the licensee. Also present was Alex Strangis, 30 Homesite Road and Aldo Fernandez, 130 West Chestnut Street.

The following persons were sworn by Attorney Feodoroff:

Lieut. Thomas LaFratta, Brockton Police  
Aldo Fernandez

Attorney Feodoroff called on Lieut. LaFratta who had submitted a report dated March 2, 2011 which stated that on February 26, 2011, he and Det. Nazaire Paul were checking bars when they heard music coming from the Pisces Lounge at 1:00 a.m. They went inside and observed the band was still playing although it stopped seconds after he entered. There were approximately 20 people inside the establishment. Lieut. LaFratta stated he spoke with Aldo and advised him that his entertainment license only allows him to go until 12:45 (live entertainment to 12:30). He also reminded him that they had this conversation previously.

Lieut. LaFratta stated that as he was leaving, he saw a sign on an electronic chalkboard advertising "2'sDays2Dolla'Holla". Later, he looked on Face Book and found the Pisces Lounge advertising \$2 dollar shots and drinks on every Tuesday night. At approximately 11:00 p.m., on the following Tuesday, Lieut. LaFratta went to Pisces Lounge and explained to Aldo that this is a violation of the ABCC regulations and that he could not sell drinks at a discounted price on Tuesdays only.

A lengthy discussion was held concerning the pouring mechanism used for the shots. Mr. Fernandez stated the machine has small, medium, large and extra large shot measurements for shots. The extra large shots are not used. The shots are set at ½ ounce increments. In response to questions from Attorney Feodoroff, Mr. Fernandez stated there is no ¼ ounce setting. Mr. Strangis stated that this was a promotional practice to help business and he stopped the practice as soon as Lieut. LaFratta brought it to his attention. With regard to the band playing beyond 12:30 a.m., Mr. Strangis indicated they lost track of time.

A motion was made by Commissioner McDuffy to find the licensee guilty of allowing entertainment beyond the approved hours which motion was seconded by Commissioner Sullivan. All members voting in the affirmative, the motion carried.

A second motion was made by Commissioner Kenney to find the licensee in violation of ABCC Rule 4.04(1)(c) which motion was seconded by Commissioner Sullivan. With Commissioners Kenney, Sullivan and McDuffy voting in favor and Chairman Kelley opposed, the motion carried.

A third motion was made by Commissioner Kenney to place a letter of warning in the file. The motion was seconded by Commissioner McDuffy. All members voting in the affirmative, the motion carried.

10. Hearing on the charges brought against RJA Corporation dba Joe Angelo's Café – Carl Simmons, Manager, 216 Main and 11 Crescent Streets, of the following alleged violations observed on April 2, 2011 at approximately 2:00 a.m.:

- (a) **ABCC Rule 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 whether present or not.”

Said charge arose from a large disturbance on April 2, 2011 at approximately 2:00 a.m. involving fights both inside and outside Joe Angelo’s requiring Brockton Police and State Police to respond.

- (b) **M.G.L. Chapter 138, Section 69**, to wit: “No alcoholic beverage shall be sold or delivered on any premises licensed under this chapter to an intoxicated person.”
- (c) **Brockton License Commission Rule #6**, to wit: “All alcoholic beverages sold must be opened and consumed on the premises.”
- (d) **ABCC Rule 2.05(2)** – Permitting an illegality, to wit: “Altering the licensed premises without approval of the License Commission.”

Said charge arose as a result of a report submitted from Sgt. William Hallisey, dated April 3, 2011 which states that on April 2, 2011, at approximately 1:40 a.m., “There was a large crowd (250-300 people)...” and the report of Mass. State Police Lieut. Robert H. Friend, Jr. which states there were between 350 and 400 people inside Joe Angelo’s on April 2, 2011 at approximately 2:00 a.m. The plan on file with the License Commission allows tables with seating for up to 160 persons as presented and approved on March 11, 2003.

- (e) **M.G.L. Chapter 138, Section 63A**, “Any person who hinders or delays any authorized investigator, inspector or any other authorized agent of local licensing authorities in the performance of his duties...”, as a result of the owner, Joseph Angelo, refusing to provide video documentation of the premises on April 1 and 2, 2011, as requested by License Agent Lieut. Paul Bonanca.

Representing the licensee was Attorney John F. Creedon, 71 Legion Parkway. Also present were Joseph and Sheila Angelo, 10 Arborview Terrace, West Bridgewater.

The following individuals were sworn by Attorney Feodoroff:

Joseph Angelo, 10 Arborview Terrace, W. Bridgewater  
Lieut. Thomas Lafratta, Brockton Police  
Lieut. Paul Bonanca, Brockton Police  
Major Anthony Thomas Jr., Mass. State Police  
Lieut. Robert H. Friend Jr., Mass. State Police  
Officer William Hallisey, Brockton Police  
Sheila Angelo, 10 Arborview Terrace, W. Bridgewater

With regard to the charge of an alleged violation of M.G.L. Chapter 138, Section 63A, the first witness called by Attorney Feodoroff was Lieut. Paul Bonanca. Lieut. Bonanca stated that on

April 11, 2011 at 9:00 p.m., he went to Joe Angelo's Café and spoke with the owner, Joe Angelo. He specifically asked Mr. Angelo for video documentation of his bar on April 1<sup>st</sup> and into April 2, 2011. No video was produced and Mr. Angelo refused to cooperate. Mr. Angelo told him that his lawyer had advised him he did not have to comply. Mr. Angelo further stated, "get a warrant if you want the video." Lieut. Bonanca stated he then left the establishment. To date, he has not been provided with the video.

Attorney Creedon indicated there is a pending criminal case. In response to questions, Mr. Angelo stated he has another lawyer who advised him not to provide the video. In response to questions, he indicated he would rather not say who the other lawyer is.

Attorney Feodoroff reminded Mr. Angelo that at the April hearing he was before the Commission on another charged of hindering when he refused to give police a copy of a video of an incident and he had testified that he did not know he had to give this to police.

Chairman Kelley expressed concern over the inconsistencies in Mr. Angelo's testimony. He reviewed that at the last hearing, Mr. Angelo testified that Al McCarthy was not an employee of Joe Angelo's. However, when the notice for this hearing was served, Al McCarthy was behind the bar and had signed for the hearing notice. Mr. Angelo stated that Al McCarthy is not an employee but hangs around his place all the time.

The next witness called by Attorney Feodoroff was Lieut. Tom LaFratta who stated that on April 2, 2011, Sgt. Hallisey was working the detail at Joe Angelo's. When the fight erupted, Sgt. Hallisey became concerned and called for assistance at approximately 1:41 a.m. It was a "First Friday" function and all Brockton cruisers responded as well as State Police. Lieut. LaFratta stated that when he arrived, the fight inside was over but the large crowd which remained inside had to be dispersed. He stated he tried to get in the front door but because of the number of people exiting out the front door, he had to go to the rear. He indicated that many of the patrons were uncooperative and reluctant to leave. After the crowd was cleared from inside Joe Angelo's, a fight consisting of patrons from the establishment broke out in the lot on Maple Avenue.

In response to questions from Attorney Feodoroff, Lieut. LaFratta indicated that most crowds do not leave easily and this was somewhat the case. He indicated that there were 50 to 100 people and a good number of them were cooperative. The State police had responded prior to his arrival.

In response to Attorney Creedon, Lieut. LaFratta stated he had arrived in an unmarked cruiser with Det. Hyland. He spoke with Sheila Angelo.

The next witness called by Attorney Feodoroff was Mass. State Police Lieut. Robert H. Friend Jr. who stated he is assigned to the Community Action Team which assists the local police in various cities. He is in Brockton most every night and his shift is from 3:00 p.m. to 3:00 a.m. On April 1, 2011, Troop D CAT was working in Brockton from 3:00 p.m. to 3:00 a.m. Shortly before 2:00 a.m. (April 2, 2011), they received word from the E-911 communications center in Middleboro that they were taking calls relative to a disturbance at Joe Angelo's. In addition,

they received similar information from the cruiser scanners that Brockton Police were also responding. When he received the call, he was in the vicinity of Forest Avenue and Main Street and he arrived at Joe Angelo's in less than two minutes. There were five additional CAT Team cruisers responding. Lieut. Friend observed a large crowd of between 75-100 people on the sidewalk adjacent to the front door. He indicated he could see a number of the people carrying plastic cups and beer bottles. He then went to the front door as there still appeared to be a large crowd inside. A woman, whom Lieut. Friend believed to be a manager told him that there was a large fight inside and that the Brockton Detail officer was in the kitchen with a large group of people.

Lieut. Friend stated his main concern was to get to the Brockton Officer who was working the detail and help him to safety. There were 12-15 Brockton officers trying to disperse the crowd. He and all of the CAT officers entered the building via the main entrance and proceeded towards the back of the club where the kitchen is located. He indicated that it was difficult moving through the crowd because of the number of people inside. As they moved through, they were continually ordering people out the door and he directed two of the troopers to remain in the hallway in order to keep an open pathway out of the club so as to secure the officers safe departure. Lieut. Friend indicated that the majority of the people he encountered were highly intoxicated and some were visibly staggering. They located the Brockton detail officer who was in the kitchen and he appeared to be attempting to stop a fight. They then reversed direction, along with the Brockton Officer, and moved out of the club, moving the patrons as they went.

Lieut. Friend estimated that there were somewhere between 350 and 400 people inside the building upon their arrival. Outside in the area of the parking lot, there were 10 or 12 Brockton police officers moving the crowd along and breaking up a number of fights as they did. They assisted the Brockton officers in stopping 7-8 fights before the parking lot was empty around 2:45 a.m. Lieut. Friend stated he left the area sometime between 3:20 and 3:40 a.m.

In response to questions from Attorney Creedon, Lieut. Friend stated all State police officers were in uniform. He observed a number of highly intoxicated individuals but due to the urgency of the situation he was prevented from placing anyone in protective custody. After about 40-45 minutes, the parking lot was fairly empty. He did not seize any alcoholic beverages. This was the first and only time he has been inside Joe Angelo's. The initial radio transmission indicated there was a fight inside the building. Lieut. Friend stated his primary concern was to make sure the Brockton officer was okay.

Mr. Angelo indicated he disputes the information contained in Lieut. Friend's report.

The next witness called by Attorney Feodoroff was Mass. State Police Major Anthony E. Thomas Jr. Major Thomas stated he is the Commander of the Southern Region and Lieut. Friend reports to him. Although he was not present at Joe Angelo's, he learned of the disturbance and indicated a large number of calls were received by the Emergency E911 Center at the State Police in Middleboro in the early morning hours of April 2, 2011 citing a major ongoing disturbance at Joe Angelo's Bar.

As a result of his concern for public safety and for the safety of the police officers with the situation at Joe Angelo's, Major Thomas wrote to Police Chief William Conlon by letter dated April 11, 2011. Major Thomas read from the letter which stated that it is his opinion that this matter warrants heighten concern relating to Public and Officers Safety, possible Fire Code Violations, capacity/census violations and numerous alcohol commission violations. On a strictly Public Safety/Officer Safety interpretation, he believes they would collectively be neglectful in their Public Responsibilities if they allowed and failed to mitigate a public safety matter with elements that are volatile and contribute to potential disruptive/explosive human behavior.

Major Thomas indicated he was active in the City of Brockton for twenty plus years and worked under three District Attorneys. He is very familiar with the City of Brockton. He has never written a letter to the License Commission. He fears that unless something is done to address these egregious events, something worse could happen. He has had a long term relationship with Chief Conlon and it is a collective collaboration to make the City a safer place. He did confer with Chief Conlon and Lieut. LaFratta about this situation.

Attorney Feodoroff then proceeded with the charge of altering the premises without approval and overcapacity. She referred to the minutes of the License Commission from March 11, 2003, when a plan for a total of 160 persons was submitted by Mr. Angelo and approved by the Commission. Although the Certificate of Inspection indicates otherwise, the Occupancy approved through the License Commission limits the number of people to 160.

Attorney Creedon objected to this and indicated he has not had sufficient time to prepare for this hearing and stated he would need certification as to the numbers and other information. He demanded this be postponed to a full hearing. Attorney Feodoroff indicated she had reviewed this information with Attorney Creedon prior to the April hearing and that he was well aware of this. Mr. Angelo indicated he is not aware of the rules and Attorney Feodoroff indicated the licensee is responsible to know the terms of his license. She indicated anything over a capacity of 160 would be a violation of the license.

Chairman Kelley indicated he would agree to hold off on this charge with the understanding that going forward, the capacity is for 160 until the hearing is held.

Attorney Creedon then called on Sgt. William Hallisey who is the regular detail officer and was present this evening at their request. Sgt. Hallisey stated he was present on April 2<sup>nd</sup>. At about 1:40 a.m., he turned the lights on in the front bar. The DJ had just shut the music off. There was a large crowd of 250-300 people but up until that point of the night there had been no problems. A female patron told him there was a fight in the front bar. He and four bouncers went to the area near the front door where there were 2 or 3 black males punching and kicking a Cape Verdean male. They broke up the fight and the black males ran out the front door. The victim of the beating had some minor injuries but refused medical treatment. He also stated he did not want to pursue charges. Sgt. Hallisey stated he then heard a loud noise come from the kitchen and he went to investigate. As he walked back towards the kitchen, he made two calls to dispatch. There were 15-20 non-employees in the kitchen. They were pushing and shoving. He separated the parties who left in different directions. Sgt. Hallisey's report dated April 3, 2011

indicated he went outside to help clear the parking lot where there was yelling and screaming but no fights and that by 2:30 a.m., the parking lot was cleared. Mrs. Angelo was present.

In reply to questions, Sgt. Hallisey stated that it had been a typical night. Attorney Feodoroff asked if a typical night consisted of two fights and Sgt. Hallisey indicated there was only one fight and a pushing and shoving incident. There are knives in the kitchen. There were 5 or 6 bouncers working that night.

In response to questions from Chairman Kelley, Sgt. Hallisey stated he did not see anyone who appeared intoxicated as Lieut. Friend has testified.

The next witness called by Attorney Creedon was Sheila Angelo who stated there were 264 people inside. She indicated the State police had no difficulty going into the establishment. Mrs. Angelo indicated she had five discs from the security cameras on April 2 which showed there were no fights outside on Crescent Street, the deck and the parking lot. All of the State police left at 2:00 a.m. The time on the discs are from 1:44 to 2:11 a.m. She had conversation with Lieut. LaFratta concerning why he was reporting against her husband. She observed 4-5 Brockton police officers and 7 State troopers. The times reported by Lieut. Friend were not accurate. Commissioner Kelley asked Mrs. Angelo if the discs are the videos that Lieut. Bonanca had asked for and she indicated they are and that they had a computer person in to make them.

In summation, Attorney Feodoroff indicated that Lieut. Friend's testimony is credible and that he reported to observing intoxicated persons who were staggering which is indicative of over service of alcohol beverages. There were fights inside the establishment as well as patrons of the establishment fighting outside. The testimony indicated patrons were carrying plastic cups and bottles of beer outside the premises. She reviewed that the licensee has a responsibility to properly manage the establishment and with the events of the evening and the crowds escalating, there is an issue that the management is incapable of controlling the premise. She further indicated that Mrs. Angelo testified that there were 260 people inside when the capacity should not exceed 160.

Attorney Feodoroff further reviewed that Major Thomas has written a letter to Chief Conlon advising him that something needs to be done because of the public safety and police officer safety issues. She recommended the Commission find the licensee guilty of the charges.

Attorney Creedon then questioned whether there was something either Mr. or Mrs. Angelo could have done to prevent or stop the calls to 911. With regard to the over serving charge, he asked if they could prove the reported intoxicated persons had been served at Joe Angelo's in light of the fact that Tamboo and Cristal Restaurant are two other establishments serving alcohol in the area and both have 2 a.m. closings.

Attorney Creedon suggested that he has no problem with Major Thomas' opinion letter, however, it adds bias and prejudice to the situation.

Attorney Feodoroff then stated that she has spoken with Capt. Gomes who has indicated that since Joe Angelo's hours were rolled back to 1:00 a.m., there have been no incidents. She then indicated that if the establishment is found in violation, the City would recommend the following:

- That the rollback remain in effect for one year from this date and due to the management control issue, they not be allowed to re-apply for an extension during the one year period;
- All beverages must be poured into plastic cups. No bottles allowed;
- Capacity not to exceed 160 as per the approved plan on file;
- A counter to monitor the capacity must be in place; and
- Mr. Angelo be provided with a copy of the Rules and Regulations.

Mr. Angelo stated that he has had to lay off 10 or 11 people since his hours were rolled back to 1:00 a.m. He stated that not being able to allow anyone in after midnight is killing his business.

Chairman Kelley indicated he agrees with the City's recommendation and the one year requirement. He commented to Mr. Angelo that he has blamed everyone but himself for the problems and as a business owner he should take a closer look at who is to blame.

A motion was made by Commissioner Kenney to find a violation of ABCC Rule 2.05(2) as a result of the disturbance on April 2, 2011 at approximately 2:00 a.m. The motion was seconded by Commissioner McDuffy. With all members voting in the affirmative, the motion carried.

A second motion was made by Commissioner McDuffy to find the licensee guilty of violating M.G.L. Chapter 138, Section 69. The motion was seconded by Commissioner Sullivan. With Commissioners McDuffy, Sullivan and Kelley voting in the affirmative and Commissioner Kenney opposed, the motion carried.

A third motion was made by Commissioner McDuffy to find the licensee Guilty of Brockton License Commission Rule 6. The motion was seconded by Commissioner Kenney. All members voting in the affirmative, the motion carried.

A fourth motion was made by Commissioner McDuffy to find the licensee in violation of M.G.L. Chapter 138, Section 63A which motion was seconded by Commissioner Kenney. All members voting in the affirmative, the motion carried.

Commissioner McDuffy then suggested that the advertisement of "First Friday's" be done away with and it was suggested by Attorney Feodoroff that this might be a First Amendment violation.

Chairman Kelley then reviewed that the board should go along with the recommendations of Attorney Feodoroff.

Commissioner Kenney then suggested that the Commission consider amending the list to include the removal of the requirement that no patrons be allowed in after 12:00 midnight in six months if there are no further violations.

A motion was then made by Commissioner Kenney to adopt the five recommendation of the City Solicitor with the addition of the six month provision as stated. The motion was seconded by Commissioner McDuffy. All members voting in the affirmative, the motion carried.

11. Communications

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

With no further business to come before the Commission, a motion was made by Commissioner Sullivan to adjourn the meeting. The motion was seconded by Commissioner Kenney. All members voting in the affirmative, the meeting was adjourned.

Respectfully submitted,

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Joseph P. Kelley  
Chairman

APPROVED:

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Paul D. Sullivan, Commissioner

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Bruce G. Dansby, Commissioner

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Joshua J. Wood, Commissioner

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Scott H. McDuffy, Commissioner

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Fred Fontaine, Alternate Commissioner

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Kathy Kenney, Alternate Commissioner