

TAPED

The License Commission held its regular monthly meeting at 6:00 p.m. on Thursday, May 16, 2013, in the G.A.R. Room at City Hall. Present were Commissioners Paul D. Sullivan, Joshua J. Wood and Kathy A. Kenney. Alternate Commissioner Catherine B. Holbrook arrived shortly after the meeting was called to order. Also present were License Agents Paul Bonanca and Officer Scott Uhlman; and Administrative Assistant Bonnie Tucker. Commissioner Kenney presided.

1. Approval of the Minutes of the License Commission Meeting of April 18, 2013.

A motion was made by Commissioner Sullivan to approve the minutes of the April 18, 2013 meeting. The motion was seconded by Commissioner Wood. All members present voting in the affirmative, the motion carried.

2. Approval of the following police officers as license agents for the month of June, 2013: Lieuts. Paul Bonanca and Kenneth Legrice; Sgts. George Khoury, Frank Vardaro, James Baroud, Michael Powers and Charles Cassiani; Dets. Thomas Hyland, Nazaire Paul and Matthew Graham; and Officer Scott Uhlman.

A motion was made by Commissioner Sullivan to approve the police officers as listed as license agents for the month of June, 2013, which motion was seconded by Commissioner Wood and made unanimous by vote of Commissioner Kenney.

3. Requests for Special One-day Permits:

It was noted for the record that Commissioner Holbrook arrived at this time.

- (a) **All Alcoholic Beverages (2 Permits)** – Annunciation Greek Orthodox Church – John Papadopoulos, Manager, for a Festival to be held in the Church Hall at 457 Oak Street on Saturday, May 18th and Sunday, May 19th from 11:00 a.m. to 11:00 p.m.

Representing the Church was Nick Alexiou, 62 Sumner Street, who stated Mr. Papadopoulos could not make the meeting.

Mr. Alexiou stated the event is the yearly festival which is a smaller than the annual fall festival. Everything will be inside.

In response to Lieut. Bonanca, Mr. Alexiou stated that a police detail is not usually required because everything is held indoors. Lieut. Bonanca stated that where there is an alcohol permit, he would recommend a police detail be present.

The Adm. Asst. informed Mr. Alexiou that she will inform the detail office of this and they will most likely contact someone from the Church.

A motion was made by Commissioner Wood to approve the permits which motion was seconded by Commissioner Sullivan. All members voting in the affirmative, the motion carried.

- (b) **Wine and Malt Beverages** – Brockton Firefighters Local 144 – James W. DuBeau, Jr., Manager, for a Road Race event at 80 Perkins Avenue on Sunday, June 23, 2013 from 11:00 a.m. to 3:00 p.m. (Event begins at 9:00 a.m.)

Representing the Firefighters Union was Peter M. Reardon, 8 Nancy Lane, who stated this is the seventh year they have held this road race. It is a charity event to benefit the Brockton Firefighters Pipes and Drums. It will be held inside the Union Hall.

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

4. Hearing on the request from Chinatown Restaurant Corporation – Joyce P.Y. Hayes, Manager, to transfer the All Alcoholic Restaurant license at 53 Oak Street Ext. to Wah Hoi, LLC dba Chinatown Restaurant – Sunny Wong, Manager.

Wah Hoi, LLC also requests an Entertainment license for Television and recorded music from 11:30 a.m. to 1:00 a.m.

The applicants requested this be held until later in the meeting because one of the principals, Sunny Wong, was delayed in traffic. (This was taken up after agenda item number 7)

Present were Attorney Russell Chin, 392 Hancock Street, Quincy, representing Wah Hoi, LLC. Also present was his client, Sally Lee, 2 Chestnut Drive, Salem, NH, and the seller, Joyce P.Y. Hayes, 416 Jon Highway, Braintree.

Attorney Chin reviewed that the current owner, Mrs. Hayes, would like to sell the restaurant business known as Chinatown to Wah Hoi, LLC which is a newly established LLC. Along with the sale of the business, they are also requesting that the liquor license be transferred. A lease has been negotiated with the owner of the premise. The two members of Wah Hoi, LLC are Sally Lee and Sunny Wong. Sunny Wong will also be the manager.

Attorney Chin stated that Sally Lee has extensive experience in owning and operating Chinese restaurants in the Salem, NH area where she has a number of restaurants. She will be the owner and one of the operators of Chinatown. Sunny Wong is also an experienced restaurateur and has an existing restaurant called Green Tea which is located in Newton.

The Adm. Asst. reviewed that the address of Sally Lee in the application states 80 Main Street, Salem, MA and Ms. Lee stated that is her restaurant address. Ms. Tucker indicated that the addresses will have to be changed on the applications.

Attorney Chin continued and stated that the applicants are planning to continue the operation with 95 seats and not looking to expand the seating. At some point they would like to extend the operating hours on Friday and Saturday evening from 1:00 to 2:00 a.m. There is currently a 1:00 a.m. license.

Ms. Tucker indicated that she had explained to Attorney Chin's paralegal that a separate vote is required for a 2:00 a.m. closing which was not included in the application. At this time, the application could only be considered with a 1:00 a.m. closing hour.

A motion was made by Commissioner Wood to approve the transfer of the license which motion was seconded by Commissioner Sullivan.

During discussion, Mrs. Lee stated that all of the servers will be tips certified. Attorney Chin stated that the current employees are certified and any future ones will also be. Mrs. Lee stated that she plans to keep the same employees and the current owner will help with the transition after the change in ownership.

Commissioner Wood indicated that where they are keeping the same help, he sees no need to place any conditions on the transfer.

Ms. Tucker explained to the applicant that once the applications go into the ABCC, it usually takes about a month for the approval and prior to issuing the license, they must furnish an up to date Certificate of Inspection and the required inspection approvals as well as the required Liquor Liability Certificate.

A vote was then taken and with all members voting in the affirmative, the motion carried.

5. Hearing on the request from Michelle Morrison dba DW Grill for a Common Victualer license at 331 Oak Street (DW Golf Course).

Present was Michelle Morrison, 133 Poskus Street, Stoughton.

It was reviewed that the request is for a license to operate the lunch room at the D.W. Field Golf Course which consists of both the inside and a patio area outside. Hours will be from 6:00 a.m. to 7:00 p.m. The Adm. Asst. stated the paperwork is in with the exception of the department inspection approvals.

At this time, Richard Morrison, 133 Poskus Street, Stoughton, stated that all of the inspections have been done but he didn't have the forms signed. Ms. Tucker told him that he needs to get them signed and submitted before the license can be issued.

A motion was made by Commissioner Wood 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 following requests from Brockton Baseball Concessions, Inc. – Michael Canina, Manager, 1 Feinberg Way (Campenelli Stadium):

- (a) To extend the hours of operation on the Common Victualer license which are currently from 11:00 a.m. to 11:00 p.m. to 8:00 a.m. to 12:00 midnight, seven days.

- (b) For an Entertainment license for Baseball Games, Sporting Events, On-field Promotions, Inflatables and Fireworks, Orchestra, Vocalists, Dancing by Patrons, Dancing by Performers, Disc Jockey, Karaoke, Jukebox, Televisions, Recorded Music – Sunday through Saturday from 8:00 a.m. to 12:00 midnight.
- (c) **Special One-day Wine and Malt Beverages (27 Permits)** for Baseball Games to be held at Campanelli Stadium on the following dates:
 - June 8, 9, 13, 14, 18, 19, 21, 23, 25, 27, 29, 2013
 - July 6, 10, 12, 14, 16, 17, 18, 21, 22, 26, 27, 30, 31, 2013
 - August 4, 6, 8, 2013

Hours: Mondays thru Saturdays – 6:00 p.m. to 10:30 p.m.
Sundays - June – 12:00 noon to 7:00 p.m.
July – 4:00 p.m. to 9:00 p.m.

Wednesday - July 10 – 10:00 a.m. to 5:00 p.m.
Saturday - July 27 – 12:00 noon to 10:00 p.m.

Present was Michael Canina, 227 Linwood Street.

Lieut. Bonanca suggested a condition be placed on the permits that if a patrol supervisor or license agent sees that the attendance exceeds safety standards, it would be at their discretion to request a detail officer. He indicated this will not be a burden on the company but just in case there is an issue.

In response to questions, Mr. Canina stated that they do not typically have a detail officer but over the past few years they have been requested by Lieut. Williams that if they expect over 3,000 people in attendance, a Fire Detail be hired. The exception would be on firework nights because there is already a fire detail present. He indicated he would go along with whatever the police department feels is best.

Ms. Tucker stated the requests this evening do not include any concerts and they will be required to come back before the board for any concerts being planned.

Mr. Canina then reviewed that all of the dates included this evening are for baseball games. On July 27th, they are holding a beer festival from 12 to 5:30 so that would be an event where the police department would probably want to have a detail present and Lieut. Williams had requested he be notified if they anticipate over 1,000 people.

Mr. Canina stated that Blue Hills Breweries is putting the festival on and holding it at the Stadium. There will be a \$35 admission and individuals will be given a 4 oz. tumbler. There will be 16 to 20 microbreweries from New England and each of the vendors will be giving out 2 oz. samples. There will be activities going on the field such as corn toss, homerun derby and wiffle ball tournaments in order that it be an interactive fun day.

A motion was made by Commissioner Sullivan to approve the licenses with Lieut. Bonanca's recommendations. Commissioner Wood seconded the motion subject to a detail if the shift commander/license agent determines that the number of attendees is likely to be a greater amount than safety requires without a detail. All members voting in the affirmative, the motion carried.

7. Hearing on the request from the Brockton Youth Foundation to hold a Las Vegas night function at the Brockton Baseball Concessions, Inc. (Conference Center) on Friday, June 21, 2013, from 7:00 p.m. to 12:00 midnight.

Present were Michael Canina, the manager of the Conference Center and Bill McGauley, 107 Wheeler Avenue, representing the Brockton Youth Foundation.

Mr. McGauley stated that every couple of years, the Brockton Youth Foundation runs a Casino night. He stated this year's Casino Night will support Summerfest which is a festival for all the City kids and is held on the grounds of the High School. The Brockton Rox and Brockton Community Schools are co-sponsors of the event. There will be Black Jack, Dice, Roulette and spinning games along with silent auction items being raffled. He stated that last year at Summerfest, there were approximately 2,000 families and this year they are expecting about 5,000. Mr. McGauley stated they have had a detail in the past which has been done through the Community School and the School Police are used because they take the money from the event.

Lieut. Bonanca stated he would recommend the detail and would have no objection to the School Police being used.

Ms. Tucker reviewed that the paperwork is in order with the exception of the Raffle and Bazaar Permit. Mr. McGauley stated he has the permit and will send it in.

A motion was made by Commissioner Sullivan to approve the Permit to hold a Las Vegas night function. The motion was seconded by Commissioner Holbrook. All members voting in the affirmative, the motion carried.

8. Communications

An ABCC decision concerning Tedeschi's Food Shop on Belmont Street was reviewed.

Lieut. Bonanca indicated that they will look into an anonymous complaint concerning a business at 74 Franklin Street.

The Adm. Asst. reviewed that the Municipal Licensing Corporation is holding its annual meeting at Plimouth Plantation on June 5th and invited all members and license agents to attend.

9. Any other business to properly come before the Commission.
 - (a) Request from Chairman McDuffy to schedule meeting to discuss amendments to Rules and Regulations.

Commissioner Kenney stated that Chairman McDuffy had asked that a special meeting date be set to review the regulations. It was agreed that a meeting will be scheduled for May 30th at 6 p.m.

- (b) Review compliance requiring the lining of the car lots (by May 31, 2013) of the following Motor Vehicle Dealer licenses after hearings held in January and February: **Avon Auto Brokers, Inc. – 8 Montello Street, Insurance Collision Center – 50 Meadowbrook Road, Auto Solutions – 1067 & 1081 Montello St. and Inaccio Tavares dba IRT Company – 1100 Montello St.**

Officer Uhlman stated he has approved the IRT Company lot at 1100 Montello Street and it is supposed to be lined this coming Saturday. He indicated he plans to meet the liner there to go over the plan to make sure everything is in conformance.

Plans have not been received from Auto Solutions, Insurance Collision Center and Avon Auto Brokers. As far as Insurance Collision Center, Officer Uhlman stated this is the second year he has failed to have the lot lined.

A motion was made by Commissioner Wood to schedule hearings in June for all the licensees. The motion was seconded by Commissioner Holbrook. All members voting in the affirmative, the motion carried. It was agreed that if they do comply by the meeting, the hearing will be dismissed.

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

There will be a Special Meeting on May 30, 2013 and the next regular meeting will be held on June 20, 2013.

Respectfully submitted,

Scott H. McDuffy
Chairman

APPROVED:

Paul D. Sullivan, Commissioner

Bruce G. Dansby, Commissioner

Joshua J. Wood, Commissioner

Kathy Kenney, Commissioner

Fred Fontaine, Alternate Commissioner

Catherine B. Holbrook
Alternate Commissioner