

TAPED

The License Commission held its regular monthly meeting at 6:00 p.m. on Wednesday, July 23, 2014 in the G.A.R. Room at City Hall. Present were Chairman Scott H. McDuffy; Commissioners Paul D. Sullivan, Kathy A. Kenney, Henry Tartaglia and Alternate Paul Merian. Also present were Asst. City Solicitor Katherine Feodoroff; License Agents Lieut. Ken LeGrice and Scott Uhlman and Administrative Assistant Bonnie Tucker

1. Approval of the Minutes of the License Commission meeting of June 19, 2014.

A motion was made by Commissioner Sullivan to approve the minutes of the aforesaid meeting which motion was seconded by Commissioner Kenney. All members present voting in the affirmative, the motion carried.

2. Approval of the following police officers as license agents for the month of August, 2014: Lieuts. Paul Bonanca and Kenneth LeGrice; Sgts. George Khoury, Frank Vardaro, Michael Powers and Bryan Maker; Dets. Thomas Hyland, Nazaire Paul, Matthew Graham, Eric Clark, Santiago Cirino, Tim Donahue, Jackie Congdon, Chris McDermott and Michael Bunker; 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 August which motion was seconded by Commissioner Kenney. All members voting in the affirmative, the motion carried.

3. Requests for Special One-day Permits

- (a) **All Alcoholic Beverages** (4 Permits) – Annunciation Greek Orthodox Church – John Papadopoulos, Manager, for the Annual Greek Food Festival to be held at 457 Oak Street on Thursday, September 18, Friday, September 19, Saturday, September 20 and Sunday, September 21, 2014, from 11:00 a.m. to 11:00 p.m.

Present was John Papadopoulos, 444 West Elm Street, who reviewed the request for the permits to sell liquor during the four day Greek Festival at the Church. The hours will be from 11:00 a.m. to 11:00 p.m. on each of the four days. It will be the same event as they have held for many years. There have been no problems and they will have a police detail present.

Lieut. LeGrice reviewed that the only issue is with the people who use the lot across the street and have to cross Oak Street. He stated there will be a police detail for traffic and to help people crossing the street.

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

At this time, the Chairman noted for the record that new member Paul Merian had arrived and he welcomed Mr. Merian to the board.

- (b) **Wine and Malt Beverages** – Entertainment Management Complex, LLC dba The Brockton Rox – Michael Canina, Manager, for a Baseball Game to be held at Campanelli Stadium on Wednesday, July 30, 2014, from 12:00 noon to 11:00 p.m.

Present was Michael Canina, 227 Linwood Street, who informed the board that this is an Exhibition game between China Tampei and the Cranberry League All Stars. It will be run like a Rox game with a \$5 general admission. Mr. Canina stated he has requested the 12:00 noon starting time because he is unsure whether some of the sponsors will be holding activities prior to the game but the gates will open at 6:05 for the 7:05 p.m. starting time.

Lieut. LeGrice stated there have been no problems at the Stadium and he asked Mr. Canina if they expect a large crowd. Mr. Canina indicated they hope for 1,500 people and the tickets are being pushed through the Cranberry League to help support the organization and the Entertainment Management Complex will also be marketing the tickets.

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

4. **Hearing (tabled at meeting on May 28, 2014) on the following proposed amendment to the Brockton License Commission Rules and Regulations with regard to "Video Surveillance Requirement for Alcoholic Beverage Establishments."**

- A. Any holder of an "All Alcoholic Restaurant" license, a "Wine and Malt Restaurant" license, an "All Alcoholic Hotel" license, an "All Alcoholic General On-Premise" license, or an "All Alcoholic Club" license, which permits the sale of alcoholic beverages after 12:00AM (midnight) ("Affected Licensees") shall install and maintain security cameras which shall monitor and record the interior entrances and exits of the licensed establishment, the exterior of the licensed establishment and parking lot utilized by the licensed establishment.
- B. The security camera(s) shall be operational twenty-four (24) hours a day, seven (7) days a week. The recordings contained therein shall be made available for inspection to sworn officers of the Brockton Police Department, Brockton's License Commission agent(s), Code Enforcement officers, and/or State and Federal officials for any/and all investigation(s) of activity(ies) at the licensed establishment or within the surrounding neighborhood to aid in the investigation of criminal activity or license violations occurring at the establishment or within the surrounding neighborhood.

- C. If any or all of the security cameras and/or recording equipment should become inoperable for any reason, the Affected Licensee immediately shall notify the License Commission office and shall thereafter repair said security cameras and/or recording equipment within five (5) business days for subsequent inspection by a License Commission agent.
- D. All recordings shall be maintained for a minimum of fourteen (14) days unless directed otherwise and shall be made available for inspection immediately upon request to sworn officers of the Brockton Police Department, Brockton's License Commission agent(s), Code Enforcement officers, and/or State and Federal officials to aid in the investigation of criminal activity or license violations occurring at the establishment or within the surrounding neighborhood. Failure to make said recordings available for immediate inspection shall be deemed a violation of this regulation.
- E. Any Affected Licensee not currently possessing a security camera system as described in letter (a), shall have until November 1, 2014 to obtain said system. Failure to comply with any part or provision of this regulation shall result in penalties,, subject to the notice and public hearing requirements set forth in G.L. c. 138, § 12, as follows:
 - a. 1st Offense – written warning
 - b. 2nd Offense - an automatic rollback of hours to 12:00AM (midnight) for seven (7) days.
 - c. 3rd Offense - an automatic rollback of hours to 12:00AM (midnight) for fifteen (15) days.
 - d. 4th Offense - an automatic rollback of hours to 12:00AM (midnight) for thirty (30) days.
 - e. All Subsequent Offenses - an automatic rollback of hours to 12:00AM (midnight) for thirty (30) days.

Attorney Feodoroff reviewed that the proposal contains certain changes from what was presented at the Commission's May 28th meeting based on a meeting that the Mayor had with some of the affected parties. She indicated that the offenses allow for a warning on the first offense with a period of time to come into compliance. She explained that the reasoning behind this is that whenever a new regulation is adopted, there is an adjustment period and learning curve. The Mayor is very cognizant of that and he is conscious of the business concerns. He believe that the proposed changes would not affect the ultimate purpose of the rule which is to prevent and solve crimes.

There was an error on the agenda and the Chairman reviewed that section "A" contained the original proposal. He then read the amended proposal and Ms. Tucker stated that the correct proposal had been mailed to all of the Section 12 licensees.

Attorney Feodoroff stated that the changes made to section "A" address Commissioner Tartaglia's concern which was raised last month in that the Clubs were excluded from the proposed regulation and the fact that some of the other owners of establishments felt as if they were being unfairly targeted.

Chairman McDuffy asked for questions or comments from the Commissioners. He indicated he had several questions which he hoped that either Attorney Feodoroff or Lieut. LeGrice could answer.

Chairman McDuffy reviewed that he feels in Letter "A", the parking lot area is unclear and that some establishments have very large lots and some have small areas or not lots. As an example, he stated that the Cape Cod Café has a lot in the rear but many people park in the street; Doyles has a huge parking lot at Cary Hill Plaza which is also used by other businesses. He feels this needs to be made clear and should include how much of the parking area needs to be on camera. He stated that some places have no parking lots and use only street parking or lots owned by the City or others.

Attorney Feodoroff stated the intention is for camera coverage of any area of the parking lot being used by the licensed establishment. If the Commission has reason to believe that is extensive, they can amend the language. She indicated the police would most likely feel that whatever area is not covered is where a crime would be attracted.

Chairman McDuffy asked about the establishments that do not have a parking lot and use public parking or street parking only. Attorney Feodoroff stated that the written rule is for the parking lot. She further stated that the bars with parking on the street would most likely have an entrance on the street and this is covered in the rule so the cameras at the door entrance would capture some of the spaces in the front of the establishment.

Chairman McDuffy stated this is a gray area. He then reviewed that Owen O'Leary's is also located in a large plaza with other stores and asked if they would be required to have cameras to cover the whole lot. He stated that Maui also has a large parking lot and it is a concern to him that if something happened, they wouldn't be covered. He suggested that this be fine tuned and asked Lieut. LeGrice how he feels about this.

Lieut. LeGrice stated that it seems to be unreasonable to ask establishments to cover parking areas shared by other businesses. They are finding that there are problems taking place in close proximity to these establishments and the cameras will help the police. He stated they are not looking to make this a huge expense for the businesses. In New York City where there is not a lot of parking, they require their establishments to cover a certain amount of footage in each direction out from the building. In his opinion, if the business is going to be open, there is an obligation to try and do something to mitigate some of the things that happen late at night in the areas where there have been problems or where there is a better chance for problems to occur.

Attorney Feodoroff asked if there is a proposal for the number of feet and Chairman McDuffy indicated he would rely on a recommendation from Lieut. LeGrice. Lieut. LeGrice indicated that 50 feet in either direction from the entrances and exits would give the police a good area to look at and it would be fair to the business owners.

Attorney Feodoroff suggested that all proposals be held until the end of the hearing and their motion would be subject to any amendments they would like to make. It was agreed that all comments would be heard prior to making the amendments.

In response to Chairman McDuffy's questions regarding the portion of Section "A" which requires cameras to monitor and record the interior entrances and exits of the licensed establishment, Attorney Feodoroff stated that, as written, this would include all entrances and exits. The board could amend it to include only the doors used by the public.

Commissioner Tartaglia indicated he feels the doors used by the public would be sufficient. Lieut. LeGrice agreed that the public entries and exits would be enough.

In response to Commissioner Kenney's questions concerning cameras for the interior of the premises, Attorney Feodoroff stated that was a concession made as a result of the Mayor's meeting with some of the licensees so this amended proposal does not include the interior.

Chairman McDuffy then indicated he is not clear with the offenses. Attorney Feodoroff suggested that this can be resolved by adding an amendment that would say any affected licensee who has been found in violation shall be subject to a finding of subsequent offense of attendant penalty if said violation has not been cured in whatever number of days the Commission deems appropriate. She suggested the number of days could be based upon a police department recommendation. Lieut. LeGrice stated he feels that if a system breaks down, they are given five days to correct it and if that doesn't happen a written warning will be sent. He suggested 14 days after the warning might be reasonable. Attorney Feodoroff reminded everyone that the license agents cannot issue penalties or warnings and they would have to bring the alleged violation before the Commission for a hearing per state law.

Chairman McDuffy indicated he is talking about the initial violation at establishments and suggested they be given an additional 30 days to get the system in place and 14 days for each violation after the first. The members all felt this would be a reasonable amount of time.

Commissioner Merian stated that they have until November 1st to have the system installed. Chairman McDuffy stated he would like the licensees to be given more time to have the systems installed and suggested they be given to June 1st. Commissioner Merian stated he feels they should be required by the November 1st date and if it is delayed they are only deferring problems to a later date. He feels nothing will be resolved unless they get them in place and move forward.

Chairman McDuffy stated the establishments have had a very good record in the last few years and there have been very few issues. He feels the establishments and the Commissioners should be congratulated on this and that everyone has done a great job. He stated he is looking at this from a financial point of view for the businesses and the fact that the taxes are high and it is a difficult for them. Commissioner Kenney stated she agrees that the licensees should be given more time but she also doesn't want to see it delayed any more. She suggested that they be given until December 31st.

Commissioner Merian then asked if anyone knows the basic cost for setting up a five camera system.

Donald Coward, 179 Lynne Road, a member of the Campello Veteran Firemen's Association, came forward and stated he has been installing these systems for fifteen years. Based on the number of cameras being used and the 14 day storage, it can be fairly expensive. A camera can go from \$300 to \$800 depending on how large of an area it has to monitor. He stated there is a lot involved especially for the people who have nothing to start with and the cost can run into thousands of dollars. They can get something cheaper but it won't help the police.

Chairman McDuffy stated he understands what the benefits to the City are but he would like hear from the businesses what the benefits will be for them.

Commissioner Kenney stated that with regard to the automatic rollback of hours to midnight, it is more of a penalty for someone who has a 2:00 a.m. license than someone who has a 1:00 a.m. license. She feels the intent is to make this a two hour rollback and suggested the wording be amended to be an automatic two hour rollback.

Attorney Feodoroff was asked to review her notes and in response to Commissioner McDuffy's questions, she stated that the original proposal came from the Police Department. After the Mayor met with some of the licensees, a new proposal was submitted by the Mayor through the Law Department. Commissioner McDuffy asked if the Mayor should be involved prior to the Commission taking a vote on this and was advised that it is the Commission's rule.

Commissioner Tartaglia stated that the Mayor has given a lot of concessions on this rule and feels it has been reviewed closely. It is his opinion that the Commission should go forward with the proposal this evening. Commissioner Merian agreed that they should make a couple of changes and go forward with the vote this evening.

Attorney Feodoroff stated that if everyone agrees to go forward with a vote this evening, the language should be very precise in the motion because the language once stated won't change. She suggested they listen to the comments from the public and then have a second round of discussion and finalize the amendments.

Chairman McDuffy then called for anyone wishing to speak on this matter.

James Badio, the President of the Campello Veteran Firemen's Association came forward and expressed concern with the price as well as whether the officials who will be coming into the establishment will be licensed to handle the surveillance systems. It was explained that it would be more than likely the people checking will be license agents from the police department. Lieut. LeGrice stated there is no license to handle surveillance systems. He explained that when a crime is committed the agents would ask the licensee to have someone set up their system to be reviewed. If necessary, the police will call the State Police who are well trained do what needs to be done.

Mr. Badgio asked if the agents will come in only if there is a crime committed or if they will come in at any given time and interrupt the business. Lieut. LeGrice stated he hopes Mr. Badgio doesn't think that a license officer showing up at his establishment is interrupting his business. This will only be used when it involves a police matter. Mr. Badgio commented that it is a big expense for the owners.

Jason Minassian from Westgate Lanes stated they already have a security system in place and asked if an officer would be available to check the system for compliance prior to making any additional expenditure. Lieut. LeGrice agreed this would be a good idea and a license agent would be made available for this purpose.

Attorney Feodoroff suggested that a special meeting be set up two weeks after the date this rule is to become effective in order for the license agents to conduct inspections of the establishments and report on any licensees who have not complied. Lieut. LeGrice indicated he is unsure that two weeks will be enough time and suggested the agents be given a month to complete the inspections and report to the Commission. Lieut. LeGrice stated that if any licensee has systems in place and would like them to be checked now, he would have an agent check on it. It was agreed that this information would be included in the notice.

Mr. Coward then stated that he has installed many systems and there are instances when the owners do not know that the systems are broken until he is called after they have looked for something on the video. He is concerned that this could become an issue.

In response to questions from the Chairman, Mr. Coward stated that some of the systems do not operate unless they are activated by something such as a motion sensor. The system at The Enterprise Club operates and records all of the time. It was installed in 2006 and cost \$6,600 at the time. He purchased two cameras yesterday which cost \$460 each. A couple of years ago there was a cost of \$2,400 to replace a machine. He stated that business has been down and at the Club, this is the worst time of year for business. He asked that the deadline be extended in order to give everyone some time to have the systems installed.

The Chairman then stated that no one has come forward opposed to the proposal.

Mr. Badgio stated that he thinks everyone is aware of what the Mayor is trying to do and the City is asking the businesses to survey the streets for them but it is a lot of money for the businesses to spend. Some establishments do not own their property or their parking lots. He stated he likes the idea of having cameras throughout the City but feels there should be no cameras required to monitor inside. He is opposed to the rollback of hours for a violation and stated something could happen to the system that they are not aware of. Lieut. LeGrice stated that they have five days to fix the problem before they are cited for a violation.

Commissioner Tartaglia stated that they are giving everyone until at least November to have the systems installed. The first offense is a written warning.

Commissioner Kenney reminded everyone that when a violation is brought to the board, they hear from all sides and their decision is based on each individual case and the evidence presented.

Chairman McDuffy then asked the licensees if there are any benefits to them that would result from the installation of the surveillance systems.

Chenet Sam, 1156 Adams Street, Dorchester, owner of The Spot at 133 North Main Street, stated there is a definite benefit and used a case where a patron had made a false claim of being knocked down and injured inside his establishment. When the police reviewed the tapes there was nothing on the video to support her claims. Mr. Sam stated that as a business owner, you have to protect yourself. He attended the meeting with the Mayor and stated that the Mayor listened to the licensees and has made some great concessions from what was originally proposed.

John Efremidis, 215 Lincoln Street, No. Easton, stated he is opposed to the requirement. In November, he has to pay \$3,000 for his license renewal and he feels they should be given more time.

Chairman McDuffy thanked everyone for their comments and asked if there were any comments from the Commissioners. He then asked for Attorney Feodoroff to review the proposals prior to any motion being taken.

Attorney Feodoroff then reviewed that five issues were raised. If the board would like some or all of the issues to be included, she will put them into a form which would be appropriate for a motion.

The five issues are as follow:

1. To eliminate the cameras monitoring the entire parking lot area to something less broad such as 50 feet from entrances and exits;

2. The cameras are to be monitoring entrances and exits which are used by the general public as opposed to those used only by staff or vendors;
3. Whether or not the second, third, fourth or subsequent violations are immediately possible or whether there is some delay in between. Attorney Feodoroff reviewed that 30 days or 14 days were raised as possibilities;
4. The time for compliance be extended beyond the November 1st date as called out in paragraph E.
5. To resolve the issue of rolling back to midnight which would impact 2:00 a.m. licensees in a harsher fashion than the 1:00 a.m. licensees, the rollback be changed to 2 hours.

Chairman McDuffy then asked if anyone had any comments on the issues brought forward by Attorney Feodoroff.

Commissioner Sullivan then asked for Mr. Minassian to come back up. He recalled that several years ago at a hearing before the Commission, the lounge was vindicated of serving minors as a result of the camera system and the video which was shown to the Commission at the time.

Mr. Minassian stated he is in favor of the camera systems but there are a lot of gray areas and their parking lot is an acre. He indicated that the suggestion for 30 to 50 feet in either direction would be beneficial to them and the other businesses affected. The cost to monitor a whole parking lot with night cameras and weather proof cameras will be astronomical.

With regard to the time between offenses, Chairman McDuffy suggested there be 30 days given to comply after the first offense and that 14 days for any subsequent offenses .

Commissioner Kenney expressed concern that they might be letting themselves in for people who can't afford to do this now who will hold off until they get caught because they will have an additional 30 days.

Lieut. LeGrice stated he feels this will not be an issue because the agents will go out and check within 30 days. No one will be waiting to get caught because the inspections will take place within the first 30 days.

Chairman McDuffy indicated the other proposal they should talk about is whether they want to extend the time from November where that is license renewal time and all fees are due. He reviewed that a couple of the dates suggested were December 31st or January 1st. They have to decide what is best.

Commissioner Kenney indicated there will more than likely be an argument of whatever date is suggested and she feels that five or six months is sufficient time to save up for it.

Commissioner Tartaglia stated the Mayor has made a lot of concessions and he is comfortable with the November 1st date.

It was agreed that the date should remain at November 1st.

With regard to the offenses, all members were in agreement to go along with Chairman McDuffy's suggestion that there be 30 days to remedy the violation after the first offense and 14 days after each subsequent offense.

Attorney Feodoroff then stated that the motion should read as follows:

Motion to adopt the Video Surveillance Requirement for Alcoholic Beverage establishments as proposed in the memo dated July 2, 2014 subject to the following amendments:

That the last clause of Paragraph A be stricken and to add the following clause thereto, "50 feet from all exterior entrances and exits of the licensed establishment.";

To add the following language to Paragraph A of the proposed rule: "used by the general public". Said language to be inserted following entrances and exits in 2 spots in Paragraph A.;

Amend Paragraph E as follows: Strike "to 12:00 a.m. (midnight)" and replace with 2 hours in subparagraphs (a) thru (e);

Add the following language to the end of the rule as follows: Any affected licensee who has been found in violation as herein provided shall be subject to a finding of a subsequent offense and attendant penalty if said violation has not been cured within 30 days of a finding of first violation and 14 days following a finding of a second and subsequent violation.

A motion was made by Commissioner Kenney to adopt the Video Surveillance memo dated July 2, 2014 with the amendments as read by Attorney Feodoroff. The motion was seconded by Commissioner Merian. With Commissioners McDuffy, Kenney, Tartaglia and Merian voting in the affirmative and Commissioner Sullivan opposed, the motion carried by a vote of 4 to 1.

Chairman McDuffy suggested that once Attorney Feodoroff has drafted the proposal with the amendments that he get together with the Mayor and Lieut. LeGrice to go over it.

Chairman McDuffy thanked those in attendance and informed them that they would be notified of the results of the meeting.

5. Hearing on the request from Brockton Fair Caterers, Inc. – George L. Carney, Jr., Manager, to amend the Entertainment license to include a Brazilian Rodeo event on Sunday, August 10, 2014, from 12:00 noon to 9:00 p.m.

No one was present on this request.

The Chairman suggested that if someone could get in touch with Mr. Carney to have him come to the meeting, it will be held until the end of the meeting since the event is prior to the next regular board meeting.

Later in the meeting (after agenda item #7), Attorney Rick Lawton came forward and stated he had spoken with Chris Carney who asked him to represent Mr. Carney on this matter. Attorney Lawton explained that Mr. Clifford who usually handles these matters is currently out on disability. Attorney Lawton stated he has been informed that this will be the same Brazilian type rodeo they have run in the past. It is a one day event on Sunday, August 10th.

Chairman McDuffy instructed Attorney Lawton to have whoever is running the rodeo event contact the police department to make arrangements for the details.

A motion was made by Commissioner Merian to approve the amendment as requested with the stipulation that the police details will be required as in the past. The motion was seconded by Commissioner Tartaglia. All members voting in the affirmative, the motion carried.

6. Hearing on the request from TG&A Services, Inc. dba OCY Grill for a Common Victualer license at 320 Main Street.

Present was John Finneran, 31 Academy Avenue, Weymouth, who stated he will be taking over the food service contract at the Old Colony Y as of August 1st. This includes the operation of the grill and the DYS also. There will be no change to the hours and Mr. Finneran stated he has been operating the food services for seven years for the company which has held the contract. Hours are from 7:30 a.m. to 2:00 p.m. on Monday through Friday. In response to questions with regard to why this isn't a transfer, Ms. Tucker stated a letter from Frank McDonald, a V.P. at the Y, has been received notifying the board of the change in the vendor.

A motion was made by Commissioner Kenney 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.

7. Hearing on the request from T. Doyle's Pub of Brockton, Inc. dba Tommy Doyle's Pub-Thomas P. Doyle, Manager, 225 East Ashland Street, to alter the licensed premise by expanding the restaurant to include and additional dining/function room and a second additional dining room and kitchen.

Present was Attorney Rick Lawton, 157 Belmont Street and his client, Thomas Doyle, 20 Messina Drive.

Attorney Lawton stated that Mr. Doyle's restaurant has done very well and he has signed a lease with Mr. Carney to expand the operation. He will be doing functions in the old Sidelines Function Room and will also be taking over the area which was the breakfast room. They are requesting permission to allow him to alter the description on the license license and to expand into the additional area.

In response to questions, Mr. Doyle stated he will not be serving breakfast but plans to do take-outs in the area formerly used as the breakfast room. There is a separate entrance. Hours of operation will not be changing. They are not sure of the amount of seating but the that will be determined by the Building and Fire Inspectors. There have been many inquiries for a functions room. The tables in the function room will be determined by the number of guests attending. In some instances there will also be entertainment set up there.

A motion was made by Commissioner Tartaglia to approve the expansion of the licensed premise with the understanding that it will be inspected by all of the required departments. The motion was seconded by Commissioner Merian. All members voting in the affirmative, the motion carried.

8. Hearing on the request from JADS Restaurant, Inc. dba Charlie's Diner for a Wine and Malt Restaurant license at 708 Belmont Street.

Present was Charles Saab, 1308 North Main Street, Randolph.

Mr. Saab stated he had opened his current restaurant at 708 Belmont Street last November. His business is slow in the evening and he is requesting the beer and wine license. He feels this will help his dinner business. He is currently open until 9:00 p.m. The Chairman informed him that the Commission cannot restrict hours for the alcoholic beverages between 11:00 a.m. and 11:00 p.m.

The Adm. Asst. stated that Mayor Carpenter has sent a letter in favor of this license. No one was present in opposition.

Attorney Feodoroff reviewed the fact that the High School is located next door to the restaurant and the law requires that the Commission must make findings as to whether or not the issuance of the license will be detrimental to the educational activities of the school. In their findings the Commission should take into consideration the measures being taken to prevent service to underage individuals.

Mr. Saab stated that he notified the school and sent them a copy of the law which was provided. He ran a restaurant in Holbrook with a full liquor license for thirteen years and

the restaurant was across the street from the high school. He stated he never had any violations. All of his employees, including himself, are Tips trained. He plans to offer beer and wine beginning at 11:00 a.m.

A motion was made by Commissioner Tartaglia to approve the license with the further finding that based on the representation that Mr. Saab had operated in the vicinity of a school and that he and his staff are tips trained, it will not have a detrimental impact on the students at the High School. The motion was seconded by Commissioner Kenney. All members voting in the affirmative, the motion carried.

9. Communications

The Adm. Asst. reviewed that Sgt. Damiano has written a letter regarding Fernandes Liquors located at the corner of Pleasant Street and Warren Avenue. On July 11th, while on motorcycle patrol, he observed that the store was open and sales of liquor were being made after 11:00 p.m. This is in violation of the liquor license.

After review, a motion was made by Commissioner Kenney to send a letter of reprimand to Fernandez Family Liquors notifying them that their licensed hours do not allow them to sell after 11:00 p.m. The motion was seconded by Commissioner Tartaglia. All members voting in the affirmative, the motion carried.

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

With no further business to come before the Commission, a motion was made by Commissioner Kenney to adjourn the meeting which motion was seconded by Chairman McDuffy. All members voting in the affirmative, the motion carried.

The Commission's next regular meeting is August 20, 2014.

Respectfully submitted,

Scott H. McDuffy
Chairman

APPROVED:

Paul D. Sullivan, Commissioner

Bruce G. Dansby, Commissioner

Kathy Kenney, Commissioner

Henry Tartaglia, Commissioner

Catherine B. Holbrook
Alternate Commissioner

Paul Merian
Alternate Commissioner