



Patricia O'Neil <poneil@natickma.org>

Class II Car Dealer Licensing

2 messages

Patricia O'Neil <poneil@natickma.org>
To: "David A. Deluca" <ddeluca@mhtl.com>

Thu, Dec 21, 2017 at 6:33 PM

Hi Dave. I have a question about one of our class II licenses.

Back in 2002, an application was made by John Ingemi for a class II license to "buy and sell cars at various auctions in the area." The Board voted to grant a "class II wholesale license" with no storage, selling, or repair of vehicles to be allowed at Mr. Ingemi's residence. Somewhere along the line, whomever was issuing the licenses stopped noting the "wholesale only" restriction on the license, so Mr. Ingemi would occasionally sell a car retail. Several years later, whomever was issuing the licenses again began noting the "wholesale only" restriction. This dealer is worried that that restriction is going to cause a legal problem for him because he does sell five or six cars a year retail.

I've attached the definitions for the class I, II, and III licenses. To my reading, it seems like the class II definition seems to include selling retail by default. So my question to you is whether Mr. Ingemi would have to come before the board to amend the license by having the "wholesale only" restriction removed, or whether we can administratively remove that restriction.

Let me know what you think. I will be out of the office until next Thursday, so no rush.

Enjoy your holidays!!

--

Trish O'Neil
Executive Assistant
Town of Natick
13 East Central Street
Natick, MA 01760
P: [508-647-6410](tel:508-647-6410)
F: [508-647-6401](tel:508-647-6401)
poneil@natickma.gov
www.natickma.gov



Class I, II, III Definitions.pdf
106K

David A. Deluca <ddeluca@mhtl.com>
To: Patricia O'Neil <poneil@natickma.org>

Fri, Dec 22, 2017 at 11:08 AM

Trish, I agree that the "wholesale only" provision whenever it appeared, seems to be contrary to the definition provided in the Natick bylaws. From reading the definition of class II, Mr. Ingemi should be allowed to sell at retail. That said, it would be interesting to check the minutes of the meeting from 2002 to see what reasoning the BOS used for the "wholesale only" language. In order to clarify this I would recommend an agenda item where all of this is explained to the BOS then obtain a vote to correct this situation going forward.

I will be in the office next week to discuss as necessary. Merry Xmas. DD

David A. DeLuca, Esq.

617-479-5000

From: Patricia O'Neil [mailto:poneil@natickma.org]

Sent: Thursday, December 21, 2017 6:34 PM

To: David A. DeLuca

Subject: Class II Car Dealer Licensing

[Quoted text hidden]