

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, April 21, 2015, at the Weymouth Town Hall, Chambers, 75 Middle Street

Attendance (present): Chairperson Kathleen A. Deree; Jeffrey E. Richards, Director of Municipal Licenses & Inspections; Police Chief Richard Grimes; Daniel McCormack, Director of Public Health; George E. Lane, Jr., Town Solicitor; Fire Prevention Officer Justin Myers and Licensing Officer Edward Chase (absent): Fire Chief Keith Stark

Chairperson Deree called the meeting to order at 1:30 PM.

PURSUANT TO M.G.L. CHAPTER 138, LIQUOR VIOLATION HEARINGS TO CONSIDER MODIFICATION, SUSPENSION, REVOCATION OR CANCELLATION OF THE ALL ALCOHOLIC RESTAURANT LICENSE OF: VINNIE'S EURO, INC. D/B/A CANNOLI'S, 920 WASHINGTON ST.

Mr. Richards made a MOTION to continue the hearing to the next meeting. Mr. McCormack seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF MONTILIO BAKING CO., INC. D/B/A MONTILIO'S FOR A FOOD VENDOR LICENSE AT 19 UNION ST.

Mr. Richards made a MOTION to continue the hearing. Mr. McCormack seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF RIVERWAY RESTAURANT GROUP, INC. D/B/A TIO JUAN'S MARGARITAS MEXICAN RESTAURANT FOR A CHANGE OF MANAGER ON THEIR ALL ALCOHOLIC RESTAURANT/COMMON VICTUALLER LICENSES, 765 BRIDGE ST.

Mr. Kevin Light, proposed Manager, was present.

Mr. Richards stated Margaritas is requesting a change of manager. He asked Mr. Light how long he had been with the establishment.

Mr. Light replied six years.

Mr. Richards asked if there was any public comment; there was none.

Mr. Richards made a MOTION to approve Kevin Light as the manager of Tio Juan's Margaritas Mexican Restaurant. Mr. McCormack seconded and the motion was UNANIMOUSLY VOTED.

APPROVALS

- Minutes: March 24, 2015

Mr. Richards made a MOTION to approve the meeting minutes of March 24, 2015 as submitted. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Food Vendor: Whitman's Pond Assoc. – Annual Fishing Festival (5/17/15)

Mr. Richards stated the Whitman's Pond Association filed a One-Day Food Vendor Permit for their Annual Fishing Festival on Sunday, May 17, 2015 from 9 AM – 2 PM at Whitman's Pond, Middle Street.

Mr. Richards made a MOTION of approval. Mr. McCormack seconded and the motion was UNANIMOUSLY VOTED.

- One-Day Food Vendor: Homebrew Emporium, Inc. – Annual Homebrew Day (5/2/15)

Mr. Richards stated the Homebrew Emporium applied for a One-Day Food Vendor for their Annual Homebrew Day to be held on May 2, 2015 from 10 AM – 6 PM in the parking lot of 58 Randolph Street.

Firefighter Myers stated they had been approved for propane use.

Mr. McCormack confirmed that they applied for food permit through the Health Department.

Mr. Richards made a MOTION of approval. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Wine & Malt Permit – Tio Juan's Margaritas Family Mexican Restaurant, 765 Bridge St. (5/5/15)

Mr. Richards made a MOTION to approve the One-Day Wine & Malt Permit request by Tio Juan's Margaritas Family Mexican Restaurant for the outdoor patio on May 5, 2015 from 11:30 AM to 1 AM on May 6, 2015. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

CHAIRMAN'S REPORT

- Meeting Schedule

Mr. Richards made a MOTION to schedule the next meeting as Tuesday, May 19, 2015 at 2 PM. Mr. McCormack seconded and the motion was UNANIMOUSLY VOTED.

Chief Grimes arrived to the meeting at 1:37 PM.

APPLICATION OF MONTILIO BAKING CO., INC. D/B/A MONTILIO'S FOR A FOOD VENDOR LICENSE AT 19 UNION ST.

Mr. George Montilio, owner, was present.

Mr. Richards made a MOTION to hear application that had been continued. Mr. McCormack seconded and the motion was UNANIMOUSLY VOTED.

Mr. Richards stated the application was submitted, including a lease, floor plan and menu. The proposed hours of operation would be 7 AM – 7 PM seven days a week.

Mr. Richards read the departmental referrals in to the record. Mr. McCormack reported a food permit application had been received by their office. Application was for 8 seats, but license request has 0 seats. Some of the equipment is very old and in need of upgrades. The application must work with the Health Department to determine what needs to be upgraded. Establishment must be inspected prior to opening under new ownership. Building Department requires a Certificate of Occupancy and Sign Permit.

Firefighter Myers stated the Fire Department performed a joint inspection with the Health Department. New extinguishers are required.

Mr. Montilio stated the new fire extinguishers were installed; extension cords removed and gas burner is done. He is proposing similar operation the Quincy store; 8 seats for waiting; coffee, pastries and baked goods. They are not looking to compete with existing businesses.

Mr. Richards asked if he would be amenable to restricting pizza from license.

Mr. Montilio replied the pizza they have is a different style of pizza that those offered in the square.

Mr. Richard asked for public comment.

Mrs. Frannie Xerokostas, Olympic Pizza (established for 45 years), welcomed Montilio's Bakery to the square. She stated there is a need for a bakery, but not pizza, between Olympic Pizza and Cece's.

Mr. Bill Kehlbeck, Bailey's Package Store, stated he felt the same way as Frannie when he heard sandwiches would be on the menu. He welcomed Montilio's to the square as there is a need for a bakery.

Mr. Montilio stated there would be no signage for "Pizza". He stated there would be no restriction requested.

Mrs. Zerokostas stated she had issues before with the menu, but after talking today with Mr. Montilio she no longer does.

Mr. Richards made a point that the proposal is for a bakery rather than a restaurant.

Mr. McCormack stated the inspection performed by Health showed older equipment. He questioned if they would be closing for repairs.

Mr. Montilio stated they would shut down for days only; Fire Department issues have been cleaned up.

Mr. McCormack asked Mr. Montilio if he intends to operate as a turnkey operation. There is a concern due to the age of the equipment.

Mr. Montilio stated the refrigeration has been taken out that isn't working.

Mr. McCormack stated the site has to meet minimum standard of the food code. (Oven is from 1940 – 1950's.)

Mr. Montilio's replied the ceiling is old; duct work/replace ceiling and will be painted at night to reopen next day.

Firefighter Myers stated necessary permits and Certificate of Occupancy would be required prior to new ownership.

Mr. Richards made a MOTION to approve the Food Vendor License of Montilio Baking Co., Inc. d/b/a Montilio's at 19 Union St. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

ADJOURNMENT

Mr. Richards made a MOTION to adjourn the meeting at 1:52 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

Respectfully submitted,

Lisa VanWinkle
Recording Secretary

Approved:

Date:

Jeffrey E. Richards, C.B.O., Clerk, Director of Municipal Licenses & Inspections