

Minutes of the Board of License Commissioners for their meeting held on Tuesday, January 27, 2004, at the Tufts Library, Jones Room

Attendance: Chairman Franklin Fryer, Town Clerk; Clerk Jeffrey Richards, Director of Municipal Licenses & Inspections; Fire Deputy Chief Joseph Davis; Richard Marino, Director of Public Health; Police Captain Richard Fairbairn; Town Solicitor George E. Lane, Jr.; Licensing Officer Brian King and Lisa VanWinkle, Secretary

Chairman Fryer called the meeting to order at 2 PM.

APPLICATION OF BAILEY'S PACKAGE STORE, INC. D/B/A BAILEY'S PACKAGE STORE, 74 PLEASANT ST. FOR A SUNDAY ALCOHOL SALES PERMIT

Ms. Lillian Forento, representative of Bailey's Package Store, Inc., was present. She stated they would like to be able to open for business this coming Sunday. They are currently open six days a week and would like to be open seven days a week like the other package stores within Town.

Chairman Fryer asked the audience if anyone wished to speak in favor or opposed to the granting of the license. No one spoke.

Mr. Richards made a motion of approval to grant a seven day license, for the Sunday hours of 12 PM – 6 PM. Mr. Marino seconded the motion. SO VOTED (Capt. Fairbairn was opposed on behalf of Acting Chief Thomas).

APPLICATION OF WASHINGTON STREET LIQUOR MART, INC. D/B/A WASHINGTON STREET LIQUOR MART FOR AN ALL ALCOHOLIC PACKAGE STORE LICENSE TRANSFER FROM BILLY'S LIQUOR, INC., 21 WASHINGTON ST.

Attorney Rocco DiFazio and Mr. Tony Nguyen, President of Washington Street Liquor Mart, Inc., were present.

Mr. Richards read the departmental referrals into the record. The Municipal Finance Department reported taxes as current. The Health Department reported no objections. Officer Brian King, Police Department, reported no public safety objection. Mr. Richards, Inspector of Buildings, reported no objection to the transfer of the license, as there would be no change in the type of operation. A Certificate of Occupancy is required prior to license issuance.

Attorney DiFazio stated Mr. Nguyen is a married forty-three year old with children living in Dorchester, MA. He was working in bars/restaurants during his previous years and within the last five years in a grocery store. His wife will be working with him at the store. Mr. Nguyen will be on the premises for 60 – 70 hours a week. He plans on renovating the interior with paint, minor repairs and a new fire system. He is aware of the liquor laws regarding carding of patrons and plans on attending the course offered by the Town. The package store will have convenience items for sale as well.

Mr. Marino stated they will need to apply for a Food Service Permit from the Health Department.

Attorney DiFazio stated Mr. Nguyen will be obtaining a worker's compensation insurance policy; his accountant is taking care of it. He also noted that Washington Street Liquors was approved for a Sunday permit. They intend to be open on Sundays as well.

Mr. Richards asked Officer King if the background information on the applicant(s) was okay.

Officer King replied it came up clear.

Mr. Richards asked Attorney DiFazio if all three involved parties had experience in the industry.

Attorney DiFazio replied yes, and they plan on taking the Alcohol Awareness Training Course the Town provides as well.

Chairman Fryer announced that it was a public hearing and asked if anyone wished to speak in regards to the application. No one spoke.

Captain Fairbairn made a motion to approve the All Alcoholic Package Store license transfer. Deputy Chief Davis seconded. UNANIMOUSLY VOTED.

**APPLICATION OF WAH LI FAI CORP. D/B/A GOURMET ORIENTAL RESTAURANT
FOR A VIDEO GAME LICENSE, 625 WASHINGTON ST.**

Mr. Aldy Chi Fai Lam, President of Wah Li Fai, Corporation, was present.

Mr. Richards read the departmental referrals into the record. The Municipal Finance Department reported taxes as current. The Health Department reported no objections. Officer King, Police Department, reported no public safety objection. Mr. Richards, Inspector of Buildings, reported the use of the premises as a restaurant is permitted in the B-1 Zone in which it is located. The 353 seat capacity proposed is unchanged from the existing. Accordingly, the proposal conforms to the Town's Zoning and Building regulations and therefore, the requested license may be granted.

Mr. Lam stated he was applying for a Video Game license for three machines: 2 counter top multi-touch machines and 1 freestanding car racing machine. They will be located within the lounge area. His customers requested that they offer them for entertainment purposes.

Capt. Fairbairn questioned where Mr. Lam was leasing the machines from.

Mr. Lam replied Commonwealth Vending.

Capt. Fairbairn asked if there were any financial arrangements.

Mr. Lam replied none; it will be a 50/50 profit.

Capt. Fairbairn asked who will be responsible to pay out the winnings.

Mr. Lam replied there won't be any.

Deputy Davis noted that there was a time within Town that there was an issue over the use of those machines for illegal purposes.

Chairman Fryer asked if anyone wished to speak in favor or opposed to the application. No one spoke.

Mr. Richards made a motion to approve the Video Game license for three machines. Deputy Davis seconded. UNANIMOUSLY VOTED.

APPLICATION OF WAH LI FAI CORP. D/B/A GOURMET ORIENTAL RESTAURANT FOR A JUKE BOX LICENSE, 625 WASHINGTON ST.

Mr. Richards stated the floor plan submitted shows where the juke box and video games will be installed.

Chairman Fryer asked if anyone wished to speak in favor or opposed to the granting of the license. No one spoke.

Mr. Richards made a motion of approval. Deputy Davis seconded. UNANIMOUSLY VOTED.

APPLICATION OF WAH LI FAI CORP. D/B/A GOURMET ORIENTAL RESTAURANT FOR ADDITIONAL CATEGORIES (VIDEO GAMES & JUKE BOX) ON THEIR SUNDAY ENTERTAINMENT LICENSE, 625 WASHINGTON ST.

Mr. Richards stated the application is to be able to include the use of the juke box and video games on their current Sunday Entertainment license.

Chairman Fryer asked if anyone wished to speak in favor or opposed to the granting of the license. No one spoke.

Mr. Richards made a motion of approval. Deputy Davis seconded the motion. UNANIMOUSLY VOTED.

APPLICATION OF AKHTAR, INC. D/B/A DB MART #841 FOR A CHANGE OF D/B/A "DOING BUSINESS AS" NAME ON THEIR FOOD VENDOR LICENSE, 1235 WASHINGTON ST.

Mr. Ayaz Akhtar, President of Akhtar, Inc., was present.

Mr. Richards read the departmental reports into the record. The Municipal Finance Department reported taxes current. The Health Department reported no objections. Officer King, Police Department, reported no public safety objection to the change of D/B/A. Mr. Richards, Inspector of Buildings, reported no objection to the license change as there would be no change in the type of

operation as is currently.

Mr. Akhtar stated his lease has expired. Everything will remain the same except for the name. He will apply for necessary permits through the Building Department as well.

Mr. Marino questioned if there was any corporate name change or location change.

Mr. Akhtar replied no.

Mr. Richards made a motion to approve the D/B/A name change from DB Mart to EZ Mart. Mr. Marino seconded. UNANIMOUSLY VOTED.

APPROVALS

- Minutes: December 16, 2003; December 22, 2003 & January 9, 2004

Mr. Richards made a motion to approve the minutes of December 16, 2003.

Solicitor Lane noted a few amendments.

Mr. Richards revised his motion to approve the minutes as amended. Mr. Marino seconded. UNANIMOUSLY VOTED.

Mr. Richards made a motion to approve the minutes of December 22, 2003. Mr. Marino seconded. UNANIMOUSLY VOTED.

Mr. Richards made a motion to approve the minutes of January 9, 2004. Mr. Marino seconded. UNANIMOUSLY VOTED.

- Permit to conduct Annual Poppy Drive: Ladies' Auxiliary of the George R. Bean Post #79, American Legion

Mr. Richards made a motion to approve the permit to allow the George Bean Post Ladies' Auxiliary to be able to sell poppies on May 13 – 16, 2004. Deputy Davis seconded. UNANIMOUSLY VOTED.

CHAIRMAN'S REPORT

- Meeting schedule

Mr. Richards made a motion to schedule their next meeting for Tuesday, February 10, 2004 at 2 PM. Mr. Marino seconded. UNANIMOUSLY VOTED.

CORRESPONDENCE

- Change of Manager on the Food Vendor License of Yummy House Restaurant, 1212 Washington St.

Mr. Richards read the correspondence and requested that it be kept on file.

- Officer King RE: used car sales at Ultimate Detail, 547 Bridge Street

Mr. Richards read the correspondence from Officer King.

Officer King stated there haven't been any additional incidents. The sector cars are keeping an eye on them.

Mr. Richards requested that the letter be placed on file.

ADJOURNMENT

Mr. Richards made a motion to adjourn the meeting at 2:30 PM. Mr. Marino seconded.
UNANIMOUSLY VOTED.

Respectfully submitted,

Lisa VanWinkle, Recording Secretary

Approved

Date