

Minutes of the Board of License Commissioners for their meeting held on Tuesday, February 15, 2005, at Weymouth Town Hall in the Chambers

Attendance: Chairman Franklin Fryer, Town Clerk; Clerk Jeffrey Richards, Director of Municipal Licenses & Inspections; Fire Chief Robert Leary; Richard Marino, Director of Public Health; 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 NICHOLAS KATSILIERIS D/B/A INTERNATIONAL AUTO EXCHANGE & BROKERAGE FOR A CLASS II AUTO DEALER LICENSE, 1345 COMMERCIAL ST.

Attorney Rocco DiFazio and Nicholas Katsilieris, owner, were present.

Mr. Richards read the departmental referrals into the record. Mr. Dan McCormack, Health Department, reported Mr. Katsilieris has done a great job rehabbing the facility. There is however limited parking. Thought must be given to placement of any vehicle parked on the parcel for sale. Officer King, Police Department, reported no public safety objection. There is adequate parking to the rear of the building for employee and customer vehicles to be parked. Mr. Richards, Inspector of Buildings, reported the use of the premises as a Class II Auto Dealer is permitted by a pre-existing non-conforming use and the lot would allow a maximum of two vehicles, not the four as requested. Accordingly, the license request conforms to all applicable requirements for two vehicles and the Town's Zoning and Building Regulations and may be granted.

Attorney DiFazio stated that the abutters were re-notified and the newspaper advertisement ran accordingly. They are applying for a total of four vehicles; two will be displayed in the front parking lot and two in the rear. They intend to clean the parking lot in the spring.

Officer King stated there is sufficient room if the vehicles are displayed in the front and rear parking lots.

Chief Leary made a motion to approve a Class II Auto Dealer license for four vehicles; two displayed in the front parking lot and two in the rear. Mr. Richards seconded the motion.
UNANIMOUSLY VOTED

APPLICATION OF C & T RESTAURANT INC. D/B/A IMPERIAL KITCHEN FOR A COMMON VICTUALLER LICENSE, 1025 MAIN ST.

Attorney Peter Lim was present on behalf of Tiswiliana Widjaja, President.

Mr. Richards read the departmental referrals into the record. The Health Department reported no objection; new applicant must submit license information, application and fees and proof of food manager certification. The Municipal Finance Department reported outstanding FY2003 personal property taxes. Officer King reported no public safety objection. Mr. Richards reported no public

safety objection to the change of ownership.

Attorney Lim stated his client is applying for a Common Victualler license. The location is currently a twelve seat restaurant. They are applying for a change of ownership only.

Mr. Richards made a motion for the approval of the license with the condition that all outstanding taxes are paid. Chief Leary seconded. UNANIMOUSLY VOTED

APPLICATION OF PAPA GINO'S INC. D/B/A PAPA GINO'S FOR A COIN-OPERATED DEVICE LICENSE, 532 POND ST.

Mr. Timothy Chapin, Manager, was present.

Mr. Richards read the departmental referrals into the record. The Health Department reported no objection. Municipal Finance reported outstanding personal property taxes. Officer King reported no objection. Mr. Richards reported the use of the restaurant is permitted in the B-1 Zone in which it is located. He could see no objection to the request. Accordingly, the license request conforms to all applicable requirements of the Town's Zoning and Building regulations and may be granted.

Mr. Chapin stated they were applying for a Coin-Operated Device license for two machines: basketball and crane.

Chairman Fryer stated he was concerned about the outstanding taxes. He asked Mr. Chapin how long he had been manager.

Mr. Chapin replied he has been the manager for 1 ½ years. He wasn't aware of the outstanding taxes but would notify Accounts Payable.

Mr. Marino made a motion to table the application. He then dropped his motion.

Mr. Richards made a subsequent motion of approval subject to the payment of taxes. Mr. Marino seconded. UNANIMOUSLY VOTED

APPLICATION OF PAPA GINO'S INC. D/B/A PAPA GINO'S FOR A SUNDAY ENTERTAINMENT LICENSE, 532 POND ST.

Mr. Richards made a motion to approve the Sunday Entertainment license for Coin-Operated devices subject to the payment of taxes. Mr. Marino seconded. UNANIMOUSLY VOTED

APPLICATION OF LJP CORP. D/B/A LORD JEFFREY'S PUB FOR A D/B/A NAME CHANGE ON THEIR ALL ALCOHOLIC RESTAURANT/COMMON VICTUALLER LICENSE TO MARTINI'S RESTAURANT, 450 WASHINGTON ST.

Mr. Joseph Perette, President/Manager, was present.

Mr. Perette stated that he was applying for a name change to the restaurant. He also plans on changing the décor. He distributed a menu of Italian/American cuisine. He hopes to bring in more clientele and to offer more food than currently.

Mr. Marino made a motion to approve the d/b/a name change. Chief Leary seconded.

UNANIMOUSLY VOTED

**APPLICATION OF CAMPBELL-DEE INC. D/B/A JC DEE'S FOR A CHANGE OF
MANAGER ON THEIR ALL ALCOHOLIC RESTAURANT/COMMON VICTUALLER
LICENSE, 312 BRIDGE ST.**

Mr. James Dee was present.

Solicitor Lane read documentation into the record in relation to the request from the Norfolk Superior Court. He also stated Mr. Dee filed correspondence on February 9, 2005 requesting for the Board's approval of the change of manager into his name. He questioned Mr. Dee about the background of the situation.

Mr. Dee informed the Board that there were personal issues that lead them to the removal of Ms. Carol Campbell as Manager and President of the corporation. The restaurant is still active. He is requesting the Board's approval to become the manager on record.

Solicitor Lane was satisfied with Mr. Dee's explanation of the circumstance and informed the Board that they may act on the application for the manager change.

Mr. Marino questioned if the ownership remained the same as the application was for a change of manager only.

Mr. Dee stated the estate of Beverly Dee owns 100% of the stock.

Officer King stated for a change of manager a criminal history background check is usually done. He asked Mr. Dee if and when he attended the alcohol awareness training offered at the Police Station.

Mr. Dee replied he attended in 2003.

Officer King suggested that the approval is contingent upon a favorable criminal history check and alcohol training certification.

Mr. Richards made a motion to approve the change of manager subject to the approval of the CORI check by Officer King and to allow business to remain active in the interim. Chief Leary seconded.
UNANIMOUSLY VOTED

APPROVALS

- Minutes: 1/25/05

Mr. Marino made a motion to approve the January 25, 2005 meeting minutes. Chief Leary seconded. UNANIMOUSLY VOTED

- One-Day Liquor Permit: Immaculate Conception Church

Mr. Richards made a motion to approve the One-Day Liquor Permit for Immaculate Conception Church for a social to be held on March 12, 2005 at 5-9 PM. Chief Leary seconded. UNANIMOUSLY VOTED

CHAIRMAN'S REPORT

- Next Meeting

The next meeting will be held on Tuesday, March 22, 2005 at 2 PM in the Chambers of Town Hall. The Board also set the April meeting for April 12, 2005.

CORRESPONDENCE

- DOR Request for license holder information

Solicitor Lane stated he had discussed the request with Chairman Fryer and had suggested that the item was scheduled on the agenda for discussion. He stated that the request is for personal information of the licensees: social security and federal identification numbers.

After discussion Mr. Marino and Solicitor Lane agreed that they would contact the representative at the Department of Revenue for further information.

NEW BUSINESS

- Liquor Compliance Operation of Package Stores

Solicitor Lane stated the Weymouth Police Department conducted a compliance operation of all package stores within the Town. There was an alleged violation which occurred on February 8, 2005. It is necessary to have a hearing on that matter.

Mr. Richards made a motion to schedule the hearing for their April 12, 2005 meeting. Chief Leary seconded. UNANIMOUSLY VOTED

- Certified Fire Inspector

Chief Leary stated Charles White has been hired on a temporary basis to perform fire inspections.

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He will be a great asset to the Board.

ADJOURNMENT

Mr. Marino made a motion to adjourn the meeting at 3:00 PM. Mr. Richards seconded.

UNANIMOUSLY VOTED

Respectfully submitted by Lisa VanWinkle, Recording Secretary