

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, June 27, 2006, at the Weymouth Town Hall, Chambers, 75 Middle Street

Attendance: Chairman Franklin Fryer, Town 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; Lt. Charles White, Fire Protection Officer and Lisa VanWinkle, Secretary

Chairman Fryer called the meeting to order at 2 PM.

PURSUANT TO M.G.L. CHAPTER 138, SECTION 23 & 64, VIOLATION HEARING TO CONSIDER MODIFICATION, SUSPENSION, REVOCATION OR CANCELLATION OF THE ALL ALCOHOLIC CLUB LICENSE OF WEYMOUTH LODGE OF ELKS, 1197 WASHINGTON ST.

Attorney James Lampke, Assistant Town Solicitor, represented the Board on the matter. He asked that the hearing is rescheduled to the July 25, 2006 meeting date. He has had conversations with the attorney representing the licensee. Notices need to be revised in relation to the hearing.

Mr. Richards made a motion to reschedule the hearing for July 25, 2006 at 2 PM. Chief Leary seconded. UNANIMOUSLY VOTED

APPLICATION OF SANOUSSEI, INC. D/B/A ATLAS PIZZERIA FOR A CHANGE OF OPERATIONAL HOURS ON THEIR COMMON VICTUALLER LICENSE, 312 BRIDGE ST.

Mr. Ghani Sanoussi, President, was present.

Mr. Richards read the departmental referrals into the record. The Health Department reported no objections. Officer King reported no public safety objection. Mr. Richards, Inspector of Buildings, reported the department has no issue with the change.

Mr. Richards stated the request is for a change of hours on the Common Victualler license from 6 AM – 10 PM to 6 AM – 1 AM. He stated his concern about the 1 AM closing and suggested that a 12 AM closing would be more appropriate.

Mr. Sanoussi replied he would amend his request to close at 12 AM instead. His business has grown and he would like to increase the hours to accommodate such.

Mr. Richards also voiced his concern over the 6 AM opening, questioning if the restaurant was open at such hour.

Mr. Sanoussi stated when he originally went before the Board he requested for a 6 AM opening hour to have breakfast available. He hasn't offered it yet, but would like to in the future.

Mr. Richards suggested amending the opening hour as the public is not being served during such hour.

Mr. Sanoussi replied he would amend the opening hour to 10 AM.

Officer King made it clear to the licensee that he would not be able to conduct business prior to 10 AM.

Mr. Sanoussi further requested the revised hours of 9 AM – 12 AM.

Mr. Richards made a motion to approve the operational hours of 9 AM – 12 AM on the Common Victualler license of Sanoussi, Inc. Chief Leary seconded.

Chief Leary informed the licensee he may request breakfast hours by coming back before the Board in the future if there is a need to.

Chairman Fryer stated there is a motion before the body, all in favor. The motion was UNANIMOUSLY VOTED.

APPLICATION OF PABAR CORP. D/B/A UNION BREW HOUSE FOR A SUNDAY ENTERTAINMENT LICENSE, 550 WASHINGTON ST.

Mrs. VanWinkle stated the licensee, Mr. Thomas Powers, contacted her earlier in the day, to inform her he would like for the hearing to be continued. He stated the publication of the legal notice had not met the 7 day publication requirement.

Mr. Richards made a motion to continue the hearing to July 25, 2006 at 2 PM. Mr. Marino seconded. UNANIMOUSLY VOTED

APPLICATION OF LAESTER D. VARGAS D/B/A BELOW ZERO FOR A COMMON VICTUALLER LICENSE, 1235 WASHINGTON ST.

Mr. Laester Vargas, applicant, was present.

Mr. Richards stated the applicant applied for a 25 seat Common Victualler license with the following hours: 10 AM – 10 PM; 11 AM – 5 PM: December – February.

Mr. Richards read the departmental referrals into the record. The Health Department reported the applicant was informed of Health Department requirements. They need plans, food manager certification, application and fees. Officer King reported no public safety objection. Lt. White reported he was unable to access the store. A Certificate of Inspection is required by sprinkler contractor prior to approvals. Mr. Richards reported the use of the premises as a restaurant is permitted in the B-1 Zone in which it is located. Accordingly, this application may be approved per Zoning Ordinance. A certificate of occupancy is required with a 30 seat maximum.

Mr. Vargas stated he would like to amend his application for 30 seats. He is applying for a Common Victualler license to sell ice cream.

Mr. Marino requested that all health requirements are met prior to the store opening.

Chairman Fryer opened the public hearing for comments; none.

Chief Leary made a motion to approve the Common Victualler license for 30 seats. Mr. Richards seconded. UNANIMOUSLY VOTED

APPLICATION OF CEEBEE'S PIZZA, INC. D/B/A PAPA JOHN'S FOR A FOOD VENDOR LICENSE, 850 WASHINGTON ST.

Mr. Bruce Williams, President of Ceebee's Pizza, Inc., and Mr. Richard Burns, landlord, were present.

Mr. Richards stated the applicant has applied for the hours of: Sunday – Thursday: 10 AM – 11 PM and Friday & Saturday: 10 AM – 12 AM.

Mr. Richards read the departmental referrals into the record. The Health Department reported they spoke with applicant and reviewed plans; discussed dumpster, grease trap, etc. Owner has passed food manager certification course. Officer King reported no public safety objection. Lt. White reported he would need to see plans before construction, with follow up inspection prior to final approval. Mr. Richards reported the use of the premises as a retail store (food vendor) is permitted in the HT Zone in which it is located and the parking is adequate for the proposed use. Accordingly, the application conforms to all applicable requirements of the Town's Zoning and Building Regulations and the requested license may be granted, provided the site has no seating.

Mr. Richards also stated a petition was submitted from residents.

Mr. Williams stated Papa John's is the largest pizza franchise in the United States. He has 16 stores on the North Shore and this will be his first on the South Shore.

Mr. Richards stated the sign within the plans does not meet the Zoning Ordinance.

Mr. Williams replied he is aware of that.

Chairman Fryer opened the public hearing for comments.

Mr. Robert Thomas came forward and submitted a petition signed by residential abutters. His house directly abuts the property at 848 Washington Street. He informed the Board of his opinion on the application. He cited his concern that even though the property is located in the Highway Transitional Zone, the strip mall has never had a food service tenant since it was built in 1981. He felt the business would increase traffic. There could be a potential for onsite traffic noise and over-

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limit sized signage with distracting lighting. The location does not have adequate parking and loading facilities, nor does it have designated spaces for persons with disabilities. He noted there are three existing pizza establishments in the immediate area. He also read the petition requesting an order of conditions be placed on the license should it be granted.

Mr. Robert Casimiro, Broad Street resident, also spoke, stating he was neither for nor against the application, but that he has been a guest of Mr. Thomas' and is aware of the public safety concern when exiting Mr. Thomas' driveway. The establishment could worsen such.

Mr. Richards stated in regards to Mr. Thomas' comment about the establishment being the first food service business at the location, the Building Department sees the establishment as a retail store which is permitted, similar to the other retail stores in the area. The business will be for take out food and is not a restaurant. This isn't a change of usage by definition of the Zoning Ordinance. The proposed retail business will be similar to the existing pool business as it is for take out pizza.

Chairman Fryer asked if anyone else wished to speak on the application. No one else came forward.

Mr. Richards questioned Mr. Burns, landlord, if he intended to comply with all of the Town/State regulations in relation to the application presented today.

Mr. Burns replied yes. He also added he couldn't understand why the conditions were presented when they are property ownership issues, not the applicants.

Mr. Richards also questioned Mr. Burns if he intended to comply with the conditions of the certificate of occupancy.

Mr. Burns replied yes.

Mr. Marino asked Mr. Burns if he was aware of the abutters concerns.

Mr. Burns replied no.

Mr. Marino informed Mr. Burns of the concerns about the dumpster, screening and pick-up hours.

Mr. Burns stated he was aware of them. The dumpster is picked up currently at 10 AM. He would be able to change the time with the disposal company if need be.

Mr. Marino stated as long as it is between the hours of 7 AM – 9 PM it is okay.

Mr. Richards gave Mr. Burns a copy of the submitted petition for his review as well as the applicant's.

Mr. Richards motioned to table the application until the end of the agenda. Mr. Marino seconded.
UNANIMOUSLY VOTED

APPLICATION OF CAETANO, INC. D/B/A MARIA'S CONVENIENT EXPRESS FOR A WINE & MALT PACKAGE STORE LICENSE, 505 COLUMBIAN ST.

Mrs. Maria Martins, Manager, was present.

Mr. Richards read the department referrals into the record. The Health Department reported no objections. Officer King reported no public safety objection. Lt. White reported local alarm system requires certificate of testing by contractor. Propane tank license/permit is required. Mr. Richards reported the use of the premises as a retail store (food vendor) is permitted in the B-1 Zone in which it is located, the parking as shown is adequate for the proposed use, and the required site plan review was approved by the Planning Board on November 18, 1996. Accordingly, the proposal conforms to all the Town's Building and Zoning Regulations and may be provided the units are in view of the cashier.

Ms. Martins stated the convenience store was established in 1997. She manages the store for her father.

Mr. Richards stated Curtis Liquors is located nearby. He asked what Ms. Martins thought about this and how it may affect her application.

Ms. Martins replied it shouldn't. Her patrons have been asking for beer and wine. They have been thinking about obtaining a license for a number of years now.

Mr. Marino informed Ms. Martins that the Town performs compliance checks throughout the Town.

Ms. Martins replied she is aware. They currently have a cigarette permit and the Board of Health has similar checks.

Officer King stated they would need to become T.I.P.S. certified. The Town conducts an annual alcohol awareness course as well.

Ms. Martin replied she wasn't certified.

Officer King stated if they were approved, he would inform them of the current rules and regulations.

Chairman Fryer opened the public hearing for comments; none.

Mr. Richards made a motion to approve the Wine & Malt License. Mr. Marino seconded.
UNANIMOUSLY VOTED

APPLICATION OF NGB, INC. D/B/A TABASCO BAR & GRILL FOR AN ALL ALCOHOLIC RESTAURANT/COMMON VICTUALLER LICENSE TRANSFER, 1166 WASHINGTON ST.

APPLICATION OF NGB, INC. D/B/A TABASCO BAR & GRILL FOR A POOL TABLE LICENSE, JUKE BOX LICENSE, VIDEO GAME LICENSE, ANNUAL ENTERTAINMENT LICENSE AND SUNDAY ENTERTAINMENT LICENSE, 1166 WASHINGTON ST.

Attorney Rocci DiFazio and Mr. Domenic Silvestro, III, President/Manager, were present.

Mr. Richards read the departmental referrals into the record. The Health Department spoke with new owner a couple of months ago about requirements for Health Department. Mrs. Williamson, Inspector, has not met with him since. Officer King, Police Department, reported they do not feel that the applicant is suitable for the requested license. Lt. White, Fire Department, reported floor plan must be submitted for review of fire alarm, extinguisher placement. Fixed fire suppression system must be inspected and approved prior to opening. All exit lights and emergency lighting must be operational. Final safety inspection by Fire Department required upon completion of renovations. Mr. Richards, Building Inspector, reported existing restaurant is permitted in the B-1 Zone in which it is located. The site provides adequate parking for the 84 seat capacity. The signage will be required to conform to the sign requirements of the Town's Zoning Ordinance. Therefore, the requested change may be granted.

Mr. Richards also read into the record correspondence received from Rev. Laurence J. Borges, St. Albert the Great Parish, 1130 Washington Street, who is a direct abutter, stating when Twelve Ben's II, Inc. began business at the location, there was a problem of patrons parking on the property of the parish and littering the area. Several times complaints were made, and the owner solved the problem. He trusts that the parish will not have the same problem with the new owners.

Attorney DiFazio stated he is seeking a transfer of the All Alcoholic Restaurant license, as well as all other existing licenses of Twelve Ben's II. Mr. Silvestro is a resident and has been in the restaurant/food business for approximately 15 years. He is knowledgeable with regulations and he is T.I.P.s certified. He is looking for the operational hours of 10 AM – 1 AM. The dumpster is located in the rear of the property and a barrel will be provided to deter littering of the parking lot. He is willing to hire a police detail if need be.

Mr. Richards asked Officer King to explain the applicant's suitability, as Chief Thomas is not present.

Officer King replied he sent the departmental referral to the Chief for his comments and he wrote back stating applicant unsuitable. This is based on his criminal background check.

Mr. Richards made a motion to continue the hearing after the hearing of Papa John's. Mr. Marino seconded. UNANIMOUSLY VOTED

APPLICATION OF BRADY'S INC. D/B/A BRADY'S PACKAGE STORE FOR AN ALL ALCOHOLIC PACKAGE STORE LICENSE TRANSFER, 1516 COMMERCIAL ST.

Attorney Rocci DiFazio and Mr. George Brady, President of Brady's Inc. were present.

Mr. Richards read the departmental referrals into the record. Lt. White reported owner must choose an option to replace existing hard-wired system. No other fire and life safety issues noted during inspection. Officer King reported no public safety objection to the request. Mr. Richards reported no objection.

Attorney DiFazio stated Mr. George Brady is seeking for the approval of a transfer of the All Alcoholic Package Store license. His parents passed away over a year ago and he wasn't aware that he needed to go before the Board for approval of the change of ownership. All stocks were transferred to his name. The corporation of Brady's Inc. was formed in 1939; the corporate body has also changed.

Solicitor Lane questioned if the application was for a transfer of the license or a change of stockholders/directors.

Attorney DiFazio stated the ownership of Brady's Inc. is now under the control of George F. Brady.

Mr. Richards made a motion of approval. Chief Leary seconded. UNANIMOUSLY VOTED

APPLICATION OF MINI MARKET CORPORATION, INC. D/B/A MINI MARKET FOR A WINE & MALT PACKAGE STORE LICENSE TRANSFER, 405-407A MIDDLE ST.

APPLICATION OF MINI MARKET CORPORATION, INC. D/B/A MINI MARKET FOR A FOOD VENDOR LICENSE, 405-407A MIDDLE ST.

Attorney Ann Brennan and Ms. Denise Le, President/Manager, were present.

Mr. Richards read the departmental referrals into the record. The Health Department had no objections. Officer King reported no public safety objection to the request. Lt. White reported fire extinguisher needs to be serviced and/or replaced. Extension cords in rear of store must be removed and replaced with permanent wiring. Restaurant must have adequate fire protection, specifically, a fixed system subject to inspection prior to opening. Mr. Richards reported no objection.

Attorney Brennan stated the hours of operation will be from 7 AM – 10 PM for the Wine & Malt Package Store license and Food Vendor license. Ms. Le owns and operates Donut King and owns the building in which Jumbo Market resides. She will be remodeling the premises completely and plans on opening October 1, 2006.

Officer King stated the store has been known the place for minors to buy. There is a case which will go before the Licensing Board in the near future, regarding an alleged violation.

Chief Leary stated as the location has a reputation as a target area, they will need to work with the Police Department. He believes it is an excellent idea to change the name and renovate to deter such.

Officer King warned the applicant to keep an eye on the parking lot as the minors are asking for people to buy for them.

Attorney Patrick Fitzgerald, representing owner of Jumbo Market, was present. He stated they are aware of the situation and have made arrangements to deter further instances. Mr. Khahn has another location in New Bedford, where he will resume his livelihood.

Mr. Richards made a motion to approve the transfer of the Wine & Malt Package Store license. Mr. Marino seconded. UNANIMOUSLY VOTED

Mr. Richards made a motion to approve the Food Vendor license. Mr. Marino seconded. UNANIMOUSLY VOTED

APPLICATION OF MONDELLO'S RESTAURANT GROUP, LLC D/B/A A LA. BRIATTA FOR A FOOD VENDOR LICENSE, 148 WASHINGTON ST.

Mr. Richards read correspondence into the record from the applicant, Mr. Laurence Terrio, stating he would like to request a continuance of the hearing as he wasn't able to receive a sublease agreement for the hearing. The building was recently sold. He is in the process of obtaining a lease from the new owner.

Mr. Richards made a motion to continue the hearing until July 25, 2006. Mr. Marino seconded. UNANIMOUSLY VOTED

LICENSE RENEWALS FOR LICENSES EXPIRING JUNE 30, 2006

- **Antique Dealers**

Mr. Richards read the report of Officer King, stating an inspection was completed of all Antique Dealers. As a result of the inspection, all license holders were found to be in compliance.

Mr. Richards made a motion to approve all licensed Antique Dealers. Mr. Marino seconded. UNANIMOUSLY VOTED

- **Auctioneers**

Mr. Richards read the report of Officer King, stating an inspection was completed of all Auctioneers. As a result of the inspection, all license holders were found to be in compliance.

Mr. Richards made a motion to approve all licensed Auctioneers. Mr. Marino seconded. UNANIMOUSLY VOTED

- **Fortune Tellers**

Mr. Richards read the report of Officer King, stating an inspection was completed of all Fortune

Tellers. As a result of the inspection, all license holders were found to be in compliance, with the exception of Sandye Dolphe, Middle Earth South, 1068 Washington Street is out of business.

Mr. Richards made a motion to approve all licensed Fortune Tellers. Mr. Marino seconded.
UNANIMOUSLY VOTED

- **Junk Dealers**

Mr. Richards read the report of Officer King, stating an inspection was completed of all Junk Dealers. As a result of the inspection, all license holders were found to be in compliance.

Mr. Richards made a motion to approve all licensed Junk Dealers. Mr. Marino seconded.
UNANIMOUSLY VOTED

- **Precious Metals**

Mr. Richards read the report of Officer King, stating an inspection was completed of all Precious Metals licenses. As a result of the inspection, all license holders were found to be in compliance.

Mr. Richards made a motion to approve all Precious Metal licenses. Mr. Marino seconded.
UNANIMOUSLY VOTED

CONTINUATION OF THE APPLICATION OF CEEBEE'S PIZZA, INC. D/B/A PAPA JOHN'S FOR A FOOD VENDOR LICENSE, 850 WASHINGTON ST.

Mr. Williams and Mr. Burns reviewed the petition with the Board.

Mr. Burns informed the Board that he applied for a curb cut with Mass Highway in January and received a permit two weeks ago. The placement of the curb cut is shown on the parking plans.

Mr. Williams stated he would be willing to amend the hours of operation to 10 AM – 11 PM.

Mr. Burns stated he is willing to change the dumpster location and pick-up hour. He noted there are no current issues from the neighbors. He also noted the fence is his property and he doesn't see the need to change it. The berm will be cleaned up. The curbing is part of the order of conditions of the Zoning Board of Appeals (ZBA).

Mr. Williams stated he would address the deliveries with Papa John's International. He also stated he wouldn't put up with loud music or offensive language emanating from the drivers; as it is not a good business practice. Lot lighting would be directed away from the residential areas.

Mr. Burns stated a lot of the conditions are matters that should be discussed with him as the property owner. He believes it should not affect the license application.

Mr. Richards informed Mr. Burns that the application was based on a public hearing process.

Mr. Marino questioned about the dumpster location.

Mr. Burns replied he would comply with the Town's suggestions.

Mr. Thomas stated under the ZBA requirements it specified the installation of a Cape Cod style berm and a wooden fence, which was installed. The dumpster is supposed to have adequate screening and rodent control. He also stated the fencing is an issue as lights of vehicles turning around in the parking lot in the night time will be shining into the abutting lots.

Mr. Marino suggested the dumpster be placed on rolled hard top, which the corporation would do anyway.

Mr. Burns stated he would screen it.

Mr. Richards made a motion to approve the Food Vendor license with the condition that the dumpster is screened and the hours of operation are: 10 AM – 11 PM. Mr. Marino seconded.

Mr. Marino asked that all managers are food safety certified prior to opening for business.

Chief Leary stated he can see there have been ongoing issues between Mr. Thomas and Mr. Burns. They need to be good neighbors. The petition was submitted. The spirit of cooperation has been met by discussing such today. It is important for them to develop a line of communication.

Mr. Williams stated loud music emanating from vehicles in the parking lot will not be tolerated. He will address such as well as the other matters in good faith.

Chairman Fryer stated there is a motion before the body; all in favor. UNANIMOUSLY VOTED

APPROVALS

- **Minutes: 5/9/06**

Mr. Richards made a motion to approve the May 9, 2006 meeting minutes. Mr. Marino seconded. UNANIMOUSLY VOTED

- **Carnival Permit & One-Day Food Vendor Permits: July 1st Celebration**

Mrs. Lee Hultin, Assistant to the Mayor, was present. She stated the Mayor is requesting for the approval of a carnival for the July 1st Celebration to be held at the George Lane Beach from 5 PM to 9:30 PM. Just for Fun is the vendor who will be conducting the event. Several amusements will be available. Police details will be hired for the event and emergency Management/Civil Defense will be present as well. A certificate of insurance will be provided. In addition to the Carnival Permit, they are also seeking for the approval of several One-Day Food Vendor Permits.

Mr. Richards made a motion to approve a Carnival Permit for the July 1st event to Just for Fun to be held at the George Lane Beach. Chief Leary seconded. UNANIMOUSLY VOTED

Mr. Richards made a motion to approve a One-Day Food Vendor license for James Cadin. Chief Leary seconded. UNANIMOUSLY VOTED

Mr. Richards made a motion to approve a One-Day Food Vendor license for Peter Costa, Costaco, Inc. Chief Leary seconded. UNANIMOUSLY VOTED

Mr. Richards made a motion to approve a One-Day Food Vendor license for Weymouth Band Parent's Association. Chief Leary seconded. UNANIMOUSLY VOTED

Mr. Richards made a motion to approve a One-Day Food Vendor license for Sanoussi, inc. d/b/a Atlas Pizzeria. Chief Leary seconded. UNANIMOUSLY VOTED

Mr. Richards made a motion to approve a One-Day Food Vendor license for The Yummy Cart. Chief Leary seconded. UNANIMOUSLY VOTED

Mr. Richards made a motion to approve a One-Day Food Vendor license for Egypt Country Store. Chief Leary seconded. UNANIMOUSLY VOTED

Mr. Richards made a motion to approve a One-Day Food Vendor license for Dylan & Pete's Ice Cream. Chief Leary seconded. UNANIMOUSLY VOTED

CHAIRMAN'S REPORT

Meeting Schedule:

- 1. Next Meeting: July 25, 2006**
- 2. Suspend August Meeting for Summer Recess**

Mr. Richards made a motion to suspend their August meeting for summer recess. Chief Leary seconded. UNANIMOUSLY VOTED

- 3. Schedule September Meeting**

Chairman Fryer stated the September meeting would be scheduled on July 25th.

CORRESPONDENCE

- Cathay Center Restaurant

Officer King submitted correspondence in relation to the All Alcoholic Restaurant license of the Cathay Center Restaurant, 203 Bridge Street. He stated he contacted Mr. Sam Chu and had received a letter of response on May 9, 2006. The letter stated they are in the midst of working with their insurance company. Plans have been made to rebuild the restaurant and they hope to start construction in the near future. In the meantime, they will clean up the mess and fill in the hole until the exact location of the new building is determined.

Officer King stated his concern of the status. The Alcoholic Beverages Control Commission would classify the license as a "pocket license", as it hasn't been in use for a year and a half.

Mr. Marino deferred the matter to Solicitor Lane for guidance.

Solicitor Lane stated he would confer with Attorney Bill Kelley of the ABCC. He will review the matter and render a suggestion for the next meeting.

Mr. Richards made a motion to continue the discussion to the meeting of July 25th. Chief Leary seconded. UNANIMOUSLY VOTED

- Alleged Liquor Violation of Jumbo Market, 407 Middle St.

Officer King stated it is a moot point, now, where the license was approved for transfer of ownership today.

- Reggio's Italian Ristorante

Mr. Richards stated Mr. Gregory Cammarata, owner, submitted a letter for the record, stating they would be closing the restaurant for vacation from June 26 through July 5, 2006.

NEW/OLD BUSINESS

- Acapulco's Mexican Family Restaurant

Officer King reported that there is a sign posted outside of the building stating the property is "for lease". He stated the Board as well as the ABCC approved the transfer of the All Alcoholic Restaurant license. The new owners have not picked up nor paid for their licenses.

EXECUTIVE SESSION

4:10 PM

Mr. Richards motioned to convene in Executive Session to discuss the application of NBG, Inc. d/b/a Tabasoc's regarding the disciplinary record of the applicant. They will return in Open Session to adjourn the meeting.

ROLL CALL VOTE: Chief Leary, AYE; Mr. Richards, AYE; Chairman Fryer, AYE; Mr. Marino, AYE – UNANIMOUSLY VOTED

The Board reconvened in Open Session at 4:20 PM.

CONTINUATION OF THE APPLICATION OF TWELVE BEN'S II FOR AN ALL ALCOHOLIC RESTAURANT/COMMON VICTUALLER LICENSE TRANSFER, 1166 WASHINGTON ST.

CONTINUATION OF THE APPLICATION OF TWELVE BEN'S II FOR A POOL TABLE LICENSE, JUKE BOX LICENSE, VIDEO GAME LICENSE, ANNUAL ENTERTAINMENT LICENSE AND SUNDAY ENTERTAINMENT LICENSE, 1166 WASHINGTON ST.

Mr. Richards stated he felt it may be appropriate to continue the hearing until July 25th as Chief Thomas is not present.

Chairman Fryer stated he received a note that Chief Thomas was unable to attend today with apologies.

Solicitor Lane stated Chief Thomas was not present today. Under the Open Meeting Law he cannot participate on July 25th.

Mr. Richards withdrew his suggestion.

Chairman Fryer asked the Board for action on the matter.

Mr. Marino made a motion to approve the application for the transfer of the All Alcoholic Restaurant license. Chief Leary seconded. UNANIMOUSLY VOTED

Mr. Marino stated the Health Department requirements need to be in place prior to the issuance of the license.

Mr. Richards made a motion to approve the application for a Pool Table license for eight tables. Chief Leary seconded. UNANIMOUSLY VOTED

Mr. Richards made a motion to approve the application for a Juke Box license. Chief Leary seconded. UNANIMOUSLY VOTED

Mr. Richards made a motion to approve the application for a Video Game license for two machines. Chief Leary seconded. UNANIMOUSLY VOTED

Lt. White asked what type of entertainment they are seeking to offer.

Mr. Silvestro replied live music, disc jockey, and karaoke.

Lt. White replied under the new law, as a result of the tragic Rhode Island nightclub fire, the location would need to have a sprinkler system for such as it is considered a nightclub.

Attorney Rocci made a request to withdraw the applications for Annual Entertainment and Sunday Entertainment licenses.

Mr. Richards made a motion to accept the request to withdraw the applications. Mr. Marino seconded. UNANIMOUSLY VOTED

ADJOURNMENT

Mr. Richards made a motion to adjourn the meeting at 4:35 PM. Chief Leary seconded. UNANIMOUSLY VOTED

Respectfully submitted by Lisa VanWinkle, Recording Secretary