

Minutes of the Board of License Commissioners for their meeting held on Tuesday, August 16, 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; Town Solicitor George E. Lane, Jr., Richard Marino, Director of Public Health; Licensing Officer King; Charles White, Acting Fire Protection Officer and Lisa VanWinkle, Secretary

Chairman Fryer called the meeting to order at 2 PM.

APPLICATION OF WEYMOUTH LODGE OF ELKS FOR A CHANGE OF MANAGER ON THEIR ALL ALCOHOLIC CLUB LICENSE, 1197 WASHINGTON ST.

Mr. Ralph Campbell, Chairman, and Ms. Debbra Baker, proposed manager, were present.

Mr. Richards read the departmental referrals into the record. The Municipal Finance Department reported no outstanding balances. Officer White reported fire extinguishers compliant; general housekeeping good; Ms. Baker stated that she would call for sprinkler system annual inspection by service contractor; overall inspection--good. Mr. Marino reported no adverse issues with the establishment and wrote that the request may be fulfilled. Officer King reported two unlicensed video games were onsite and they were told to be removed. They were informed of the necessary procedure. He also reported no public safety objection. Mr. Richards reported no objection to the requested change of manager.

Mr. Campbell stated they weren't aware they needed approval for the video games. Commonwealth Vending told them they would be covered under their current license. He also stated Ms. Baker has been with them for three weeks now, acting as manager. She has a background in the industry and they believe she will be a fine addition to their establishment.

Mr. Marino suggested implementing a violation fee.

Officer King informed Mr. Marino that it was their first offense.

Mr. Marino withdrew his suggestion.

Mr. Richards made a motion to approve Ms. Debbra Baker as the Manager of the Weymouth Elks. Chief Leary seconded. UNANIMOUSLY VOTED

APPLICATION OF APPLEBEE'S NORTHEAST, INC. D/B/A APPLEBEE'S NEIGHBORHOOD BAR & GRILLE FOR A CHANGE OF MANAGER ON THEIR ALL ALCOHOLIC RESTAURANT/COMMON VICTUALLER LICENSE, 765 BRIDGE ST.

Mr. Barry Gerstein and Mr. Mark Matheson, proposed manager, were present.

Mr. Richards read the departmental referrals into the record. The Municipal Finance Department reported nothing outstanding. Officer White, Fire Department, reported all fire protection systems

okay at this time; general housekeeping is good. Mr. Marino, Director of Public Health, reported no objections. Officer King, Police Department, reported no public safety objection. Mr. Richards, Inspector of Buildings, reported no issues with the requested change.

Mr. Gerstein stated Mr. Matheson has twenty plus years in the restaurant business. He has been employed by Applebee's for a while now and has had extensive training.

Mr. Richards made a motion to approve Mr. Mark Matheson as manager of Applebee's at 35 Pleasant Street. Chief Leary seconded. UNANIMOUSLY VOTED

APPLICATION OF CFL CORPORATION D/B/A BILLY BUDD'S FOR AN ALL ALCOHOLIC RESTAURANT/Common Victualler License Transfer, 117 Bridge St.

APPLICATION OF CFL CORPORATION D/B/A BILLY BUDD'S FOR A VIDEO GAME LICENSE, 117 Bridge St.

APPLICATION OF CFL CORPORATION D/B/A BILLY BUDD'S FOR A JUKE BOX LICENSE, 117 Bridge St.

Attorney Louis Cassis and Mr. Charles Lantana, President of CFL Corporation and proposed manager, were present.

Mr. Richards read the departmental referrals into the record. The Municipal Finance Department reported outstanding personal property taxes as well as water and sewer. The Health Department reported some interior update will be required; also, Food Manager Certification of at least one food handler on each shift; application and fees must be completed etc. She also recommended outside underground grease trap installation. Officer White reported vent hood and duct needed cleaning. Fixed fire suppression system needs to be serviced. Portable fire extinguishers are not mounted properly; need one "K" type extinguisher; exit lights need to be serviced. Officer King reported the Police Department does not feel the applicant is suitable for the requested license. Mr. Richards reported the use of the premises as a restaurant is permitted in the B-2 Zone in which it is located. The proposed sixty-six seat capacity is the same as the former occupant and therefore, the existing parking is adequate per Subsection 120-69 of the Town's Zoning Ordinance. Accordingly, the license request conforms to all applicable requirements of the Town's Zoning and Building Regulations and may be granted.

Attorney Cassis asked for the hearing to be convened in Executive Session to discuss the applicant's personal background.

Mr. Richards made a motion to postpone the hearing until later in the meeting. Chief Leary seconded. UNANIMOUSLY VOTED

APPLICATION OF CAMBELL-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, President, was present.

Mr. Richards read the departmental referrals into the record. The Municipal Finance Department reported no outstanding obligations. Officer King reported no public safety objection to the requested change of manager.

Mr. Richards made a motion to postpone the hearing until later in the meeting as the applicant was not present. Chief Leary seconded. UNANIMOUSLY VOTED

APPROVALS

- Minutes: 7/19/05

Mr. Richards made a motion to approve the July 19, 2005 meeting minutes as submitted. Chief Leary seconded. SO VOTED (4-1, Mr. Marino abstained).

- Keno Application: Main Street Bar & Grill, 1400 Main St.

Mr. Richards read correspondence from the Massachusetts State Lottery Commission stating in accordance with MGL, Chapter 10, Section 27A, a Keno License application has been received from Main Street Bar & Grill, 1400 Main Street, Weymouth, MA. If the Town objects to the issuance of the license, it must claim its right to a hearing before the MSLC within twenty-one (21) days of receipt of notice.

Mr. Richards made a motion to approve the Keno License issuance. Chief Leary seconded. UNANIMOUSLY VOTED

- One-Day Food Vendor Permit: VJOLT Enterprises, Inc.

Mr. Richards read a letter from the Mayor into the record stating of his approval for the skate boarding competition to be held at the Weymouth Skate Park on Sunday, August 21, 2005.

Mr. Dave Kaplan, Health Inspector, informed the Board he was aware of the intention and stated they did not require a permit through the Health Department as the food was being provided by Papa Gino's (pizza delivery).

Mr. Richards stated they are aware they are not supposed to utilize the parking lots of the package store or restaurant.

Mr. Richards made a motion to approve a One-Day Food Vendor Permit for VJOLT Enterprises, Inc. for August 21, 2005 from 11 AM – 5 PM at the Weymouth Skate Park. Mr. Marino seconded. UNANIMOUSLY VOTED

- One-Day Liquor Permit: St. Albert the Great Parish

Mr. Richards made a motion to approve the One-Day Liquor Permit for St. Albert the Great Parish for wine and malt to be served at a Re-opening Celebration to be held on August 28, 2005 from 6 PM to 12 AM. Chief Leary seconded. UNANIMOUSLY VOTED

CHAIRMAN'S REPORT

- Next Meeting: September 13, 2005

CORRESPONDENCE

- ABCC Training Seminar: Thursday, August 18th, 11 AM @ Boston City Hall

Mr. Marino and Officer White stated they would be attending.

NEW/OLD BUSINESS

- Status of Applications spreadsheet

APPLICATION OF CAMBELL-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. Dee stated he got in touch with Ms. Parr. She is stuck in traffic on the expressway due to an accident.

Mr. Richards made a motion to continue the hearing until their next meeting of September 13, 2005 at 2 PM as the applicant failed to attend. Chief Leary seconded. UNANIMOUSLY VOTED

APPLICATION OF CFL CORPORATION D/B/A BILLY BUDD'S FOR AN ALL ALCOHOLIC RESTAURANT/COMMON VICTUALLER LICENSE TRANSFER, 117 BRIDGE ST.

APPLICATION OF CFL CORPORATION D/B/A BILLY BUDD'S FOR A VIDEO GAME LICENSE, 117 BRIDGE ST.

APPLICATION OF CFL CORPORATION D/B/A BILLY BUDD'S FOR A JUKE BOX LICENSE, 117 BRIDGE ST.

BOARD OF LICENSE COMMISSIONERS

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Mr. Richards made a roll call vote to convene in Executive Session to discuss the personal background of the applicant and reconvene in Regular Session for purposes of adjournment. Chief Leary seconded. Chief Leary, AYE; Mr. Richards, AYE; Chairman Fryer, AYE; Mr. Marino, AYE; Officer King, AYE. The motion was UNANIMOUSLY VOTED.

The Board reconvened the regular session at 3 PM for a vote.

Chairman Fryer asked for a motion of the Board.

Mr. Richards made a motion to deny the application based on the applicant's personal background. Officer King seconded. SO VOTED (3-2 Mr. Marino and Chief Leary opposed)

ADJOURNMENT

Mr. Richards made a motion to adjourn the meeting at 3:05 PM. Chief Leary seconded. UNANIMOUSLY VOTED

Respectfully submitted by Lisa VanWinkle, Recording Secretary