

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, October 23, 2007, 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; Police Chief James Thomas; Police Lieutenant Brian Callahan; Richard Marino, Director of Public Health; Town Solicitor George E. Lane, Jr., Marsha Conley, Town Paralegal; Licensing Officer Brian King; and Lisa VanWinkle, Secretary

Chairman Fryer called the meeting to order at 2 PM. The Board observed a moment of silence in honor of the passing of Paul Leary, District 5 Councilor.

**PURSUANT TO M.G.L. CHAPTER 138, SECTION 23 & 64, LIQUOR VIOLATION HEARING TO CONSIDER MODIFICATION, SUSPENSION, REVOCATION OR CANCELLATION OF THE ALL ALCOHOLIC RESTAURANT LICENSE OF NBG, INC. D/B/A BASTA BAR & GRILL, 1166 WASHINGTON ST.**

Attorney Louis Cassis and Mr. Domenic Silvestro, III were present for Basta Bar & Grill.

Chief James Thomas recused himself from the hearing while Captain Brian Callahan represented the Police Department.

Solicitor Lane swore in all testifying parties. Each incident was heard separately and the following assessments were made:

March 10, 2007 – OUI Liquor Arrest (Mr. Richards made a MOTION for no finding of responsibility. Mr. Marino seconded. – UNANIMOUSLY VOTED)

March 16, 2007 – sale, delivery or furnishing alcohol to under-aged persons (Mr. Marino made a MOTION for a finding of a sale to underaged person. Chief Leary seconded. – UNANIMOUSLY VOTED)

March 16, 2007 – over serving of patrons, leading to drunk & disorderly arrests and a patron being taken into protective custody (Mr. Richards made a MOTION for no finding of a violation. Mr. Marino seconded. – SO VOTED (4-1 Chairman Fryer)

March 17, 2007 – Mr. Richards made a MOTION for a finding of a violation. Mr. Marino seconded. – UNANIMOUSLY VOTED

March 16, 2007 – operating after hours (Capt. Callahan made a MOTION for a finding of a violation. Mr. Marino seconded. – SO VOTED (4-1 Jeff Richards)

March 17, 2007 – OUI Liquor arrest (Mr. Richards made a MOTION for no finding of responsibility. Mr. Marino seconded. – UNANIMOUSLY VOTED)

April 14, 2007 – pouring of shots into the mouths of patrons by bartenders (Mr. Richards made a MOTION for no finding of a violation. Mr. Marino seconded. – UNANIMOUSLY VOTED)

April 28, 2007 – over serving of patron (Mr. Marino made a MOTION for a finding of the service of alcohol to an intoxicated person. Capt. Callahan seconded. – UNANIMOUSLY VOTED)

Mr. Richards made a MOTION to continue the hearing until Tuesday, October 30, 2007 at 2 PM to be held in the Council Chambers. Chief Leary seconded. UNANIMOUSLY VOTED

## **APPROVALS**

- Minutes

Mr. Richards made a MOTION to approve the September 25, 2007 meeting minutes. Chief Leary seconded. UNANIMOUSLY VOTED

- Keno License – Bridge Street Pizzeria, Inc., 117 Bridge St.

Mr. Richards made a MOTION to reserve the Board's comments until such time as the establishment opens for business. Chief Thomas seconded. UNANIMOUSLY VOTED

Solicitor Lane asked that correspondence be mailed to the Mass State Lottery Commission referencing the decision.

## **CHAIRMAN'S REPORT**

- Meeting Schedule

Mr. Richards made a MOTION to schedule the November meeting as Tuesday, November 27, 2007 at 2 PM, to be held in the Chambers.

## **ADJOURNMENT**

Mr. Richards made a MOTION to adjourn the meeting at 4:30 PM. Chief Leary seconded. UNANIMOUSLY VOTED

Respectfully submitted by Lisa VanWinkle, Recording Secretary