



CITY OF QUINCY **BOARD OF LICENSE COMMISSIONERS**

The Board of License Commissioners of the City of Quincy met in Council Chambers on Tuesday, October 26, 2010, at 4:00 P.M. with Chairman Joseph P. Shea presiding. Also present, Police Chief Paul Keenan, Inspectional Services Director James Duca, Health Commissioner Andrew Scheele, Fire Chief Joseph Barron, Det. Leo Coppens.

Agenda 1 . Hearing regarding the request of Pankaj Patel d/b/a Alpha Sub Quincy, Inc. d/b/a Subway @ 301 Falls Blvd. for a Common Victualer License. Mr. Patel stated he has completed 3 weeks training @ Subway headquarters in Connecticut. After inspection of the site today Chief Barron noted the fire extinguisher is out of date and must be replaced. Mr. Patel agreed to replace it. Motion to grant the request made by Commissioner Scheele, second Chief Keenan. All in favor.

Agenda 2. Hearing regarding the request of Mr. Brian Tenore, d/b/a Beale Street News, 19 Beale St. for a Common Victualer License. Mr. Tenore is moving his existing business across the street and will offer coffee. Motion to grant the request made by Commissioner Scheele, second Chief Keenan. All in favor.

Agenda 3. Hearing regarding the request of Quincy Entertaining, d/b/a Remick's, 1657 Hancock St for transfer of the CV All Alcoholic Restaurant, Cabaret & Pledge of License from Evia Food Service, Inc. Timothy Collins Manager. Attorney Jon Aieta & Timothy Collins present. Mr. Collins explained the concept using a part of Quincy history, 1657 Hancock Street housed the oldest restaurant in Quincy and Remick's a large part of "Shoppers Town". Proposed Chef Marco Farley is a seven time nominated best chef. Brunch as well as a Jazz and Blues will be offered two nights a week. Architect plans for the 156 seat restaurant were presented to the Board. Commissioner Scheele questioned the sprinkler law. Attorney Aieta believes if used as a restaurant it would not need to be sprinkled. Chief Barron and Director Duca both agreed to review the plans and determine if the site needs a sprinkler system. Mr. Collins stated 60% of the restaurant will be food and 30% alcohol. A Jazz percussionist from Quincy will perform. Commissioner Scheele questioned the request for a Cabaret License. Chairman Shea noted the existing Cabaret License at Finian's is current. Motion to grant the request for transfer of the CV All Alcoholic Restaurant & Cabaret License pending fire approval made by Commissioner Scheele, second Chief Keenan. All in favor. Motion to grant the Pledge of License to Evia Food Service made by Commissioner Scheele, second Chief Keenan. All in favor.

Agenda 4. Hearing regarding the request of Wild Blue Burger, LLC, d/b/a Wild Willy's Burgers, 588 Washington St. for a Common Victualer License. Applicants Paul & Ruth Bennett present. Chairman Shea noted Ward 2 Councillor Dan Raymondi held a neighborhood meeting on September 16, 2010 and visits to the site by Inspectors Bill Dicarli & Director Duca as well as himself and Det. Leo Coppens. The site will be completely converted from the existing Laundromat. Mr. Bennett explained he will operate the franchise with his wife Ruth, they are former McDonald's franchisees. He also was the General Manager of the Bay Side Expo Center in Boston. They are both TIPS and Food Save Certified. Mr. Bennett stated that Wild Willy's does offer Beer & Wine at the 3 other locations in Massachusetts and would like to apply for a Wine & Malt License when one becomes available in Quincy. Ward 2 Councillor Dan Raymondi stated the neighborhood meeting was attended by over 75 residents along with Chief Keenan. He is very impressed with the new owners adding this is a quality operation and asked the Board to do what they could to expedite the application. Chairman Shea noted the 77 parking spaces

are almost double what is needed, he spoke with the applicants on October 15 about Wine & Malt not being available, " I don't want anyone to think we're tricking people when one becomes available and we give them one". Commissioner Scheele questioned the drive thru in the drawings. Mr. Bennett explained it is there because of the express wash the laundry has and he envisions it as a pick-up. Chief Barron requested the applicants to contact Quincy Fire Prevention. Motion to grant the request pending occupancy made by Commissioner Scheele, second Director Duca. All in favor.

Agenda 5. Hearing regarding the request for Transfer of the CV All Alcoholic Restaurant, Change of Manager, New Officers & Directors & Stockholders from Samthan, Inc. to Country Saloon Products, Inc., d/b/a Texas Saloon, 1546R Hancock St. Ashlee Forsyth, Manager. Attorney William Keener, present the applicant David Keville. Only cosmetic changes are planned, a new floor plan will be submitted. The applicant is in the process of installing sprinklers, and will apply later to increase the occupancy. Mr. Keville requested a One-day license for the Grand opening on Friday October 29, a police detail has been arranged and he will contact traffic and parking regarding use of the parking area. Director Duca asked Mr. Keville to pay attention to the City's Noise Ordinance. Chief Keenan advised Mr. Keville to control the alcohol section of the outside area. Motion to grant the Transfer of the CV All Alcoholic Restaurant License made by Commissioner Scheele, second Chief Keenan. Motion to grant the request for New Officers/Directors made by Commissioner Scheele, second Chief Keenan. Motion to grant the request for Extension of Premise, (pending approval of Jack Gillon for use of the parking area) October 29, 2010, rain or shine, from 8-11 PM, made by Commissioner Scheele, second Chief Keenan. All in favor.

Agenda 6. Hearing regarding the status of the Retail Wine & Malt Package Store License presently held by the Wine Messenger, 111 Franklin Street. Chairman Shea read a report from Lt. Peter Turowski, Liquor Inspector, dated October 18, 2010. Lt. Turowski reported he called the contact person listed, Mr. Robert Mitchell who stated the store closed September 30, 2010. Certified Mail was sent to the Wine Messenger in New York on informing them of today's hearing and Mass General Law 138, Section 77 (failure to conduct business at the licensed premise). Chairman Shea read the minutes of the original meeting, September 2000, granting the license and the agreement that if the store closed the Wine Messenger would surrender the license to the City. With no response from the Wine Messenger the Board voted 5-0 to cancel the Retail Wine & Malt Package Store License.

Agenda 7. Hearing regarding the September 11, 2010 violation of MGL 138 § 34: serving alcohol to a minor @ Quincy Jade Restaurant. Mihn Phuoc Giang, Manager, present with interpreter. Commissioner Scheele questioned if Mr. Giang understood the violation. Through his interpreter Mr. Giang stated he understands and is not challenging anything, the waitress that night has signed up to be TIPS trained in Watertown and will return to work when the class is completed. He asked that the City give him a chance and added it will not happen again. Chief Keenan motioned to issue a written warning and place it on file for one year. Second Director Duca. All in favor.

Agenda 8. Hearing regarding the September 11, 2010 violation of MGL 138 § 34: serving alcohol to a minor @ Bistro Chi/Karma Lounge, 39 Cottage Ave. Mr. John Liang, Manager. Lt. Turowski read his report of the incident. Mr. Jimmy Liang and Ms. Emily Conroy, present. Lt. Turowski read his report. Mr. Liang noted Ms. Conroy is very experienced, she made a mistake. He has decided to give her another chance. Chief Keenan motioned to issue a written warning, placed on file for one year. Second Director Duca. All in favor.

Agenda 9. Hearing regarding the September 11, 2010 violation of MGL 138 § 34: serving alcohol to a minor @ Applebee's Neighborhood Grill & Bar, 200 Hancock St. Ms. Andrea Meola, Manager, & the barmaid were present. The manager noted all employees are TIPS trained, and will be recertified, he has reminded all employees that busy is not an excuse. All employees have been warned about the responsible service of alcohol. Chief Keenan motioned to issue a written warning, placed on file for one year. Second Director Duca. All in favor.

Agenda 10. Hearing regarding the September 11, 2010 violation of MGL 138 § 34: serving alcohol to a minor @ Tedeschi's, 751 East Squantum St. Mr. John Whalen, Manager, present. Lt. Turowski read his report. Mr. Whalen reported he was not present that night, the employee has been terminated. He has purchased new software for the registers requiring birth dates to read drivers licenses. There have been two prior violations, 2005 & 2006 at the store resulting in 3-day suspensions. Commissioner Scheele noted how the 2006 Board struggled with the 3 day suspension because the fake I.D. did look like the person, the vote was 3-2 to suspend, there were 6 different votes. Chairman Shea read the minutes of that meeting. Chief Keenan stated he is discouraged that this is the second time, but encouraged as to how Mr. Whalen does business. Chief Keenan motioned to suspend the license for 3 days, suspend the suspension for one year from today, second Director Duca. Commissioner Scheele motioned to place it on file for two years. The motion failed. Chief Keenan's motion to suspend for 3 days, suspend the suspension for one year and place on file, second Chief Barron. All in favor.

Agenda 11. Discussion regarding One-Day License Fees. Commissioner Scheele's motion to impose a \$200.00 fee for all for profit one day Wine & Malt requests made by Commissioner Scheele failed. Chief Keenan motioned to charge \$100.00, second Director Duca. All in favor.

OTHER BUSINESS

Director Duca noted a letter received concerning Agenda Item #6 on the October 5, agenda. Chairman Shea asked the Board to read the letter, he has received numerous calls from the Quincy Point Community regarding the transfer of Auto-Matic, from 671 Washington Street to 588 Washington Street. Chairman Shea asked the Board to set aside a public hearing date of November 16, 2010 to take another look. The Board agreed. All parties will be notified of the hearing.

Chairman Shea announced the retirement of Captain Tom Lyons, Quincy Fire Department and License Board member. The Board congratulated and thanked Captain Lyons for his 32 years of service and excellent direction in public safety and fire issues.

The Board accepted and waived the reading of the minutes of the previous hearing of October 5, 2010.

The meeting adjourned at 6:15 PM