

Jessica Peterson, marketing director for Arsenal Yards, and Nicola L'Ecuyer, who will be marketing manager, appeared in support of the application. Chair Doucette reviewed the elements of the application: dates; live music; food; 200 – 300 attendees, of all ages; 4:00 – 8:00 p.m.; flyer and advertising material; site layout; bar location; 2 TIPS certifications; crowd manager certification; ABCC-approved wholesaler receipt. Ms. L'Ecuyer explained that this will be a Mighty Squirrel brewery pop-up. The beer garden area will be on the River Green; it will be fenced and will have only one entrance; wristbands will be issued to confirm age eligibility to purchase alcohol; and no alcohol will be stored on site. Attendees will be encouraged to patronize Arsenal Yards restaurants. The entrance to the beer garden will be near Shake Shack and along the property line adjacent to the park. There will be extra security on site for the events. The fencing will be set up in the morning and taken down at the end of each event day. The Building and Fire Departments had no comment on the application. The Health Department and Zoning Enforcement Officer reported no objection. Lt. Swift stated that the Police

Department had no objection to the granting of the licenses requested, subject to the conditions in the department's written report. The Board voted to grant the licenses, subject to the conditions requested by the Police Department.

- Berhe Woldegiorgis Approved 3-0
Special All Alcohol License
Armenian Cultural & Educational Center
47 Nichols Avenue
Graduation Party, July 20, 2024

Berhe Woldegiorgis and Sean Sullivan appeared in support of the application. Chair Doucette reviewed the elements of the application: ABCC-approved wholesaler receipt, TIPS certification, layout; 150 – 200 people, family members of all ages. She noted that a certificate of liability insurance was not included. Mr. Sullivan stated that insurance had been paid for and a notice sent by e-mail. He explained that the attendees will provide pot luck food offerings and there will be a MC, probably a family friend. He will be the bartender; and he stated he knows most of the attendees. ID's will be checked, and wrist bands can be issued if required. Member Kasabian Hoffman stated that would be a good idea. The Building and Fire Departments had no comment on the application. The Zoning Enforcement Officer reported no objection, and the Health Department reported comment was pending a permit application. Mr. Sullivan noted that the Clerk's office informed him that a health permit would not be needed since they will not be preparing food on site. Lt. Swift stated that the Police Department had no objection to the granting of the license requested, subject to the conditions in the department's written report. The Board voted to grant the license, subject to the conditions requested by the Police Department and submission of evidence of alcohol liability insurance. [Following the vote, later in the meeting, the applicant submitted a certificate of liability insurance.]

2. Oakley Country Club Approved 3-0
410 Belmont Street
Alteration of Premises Licensed for
All Alcohol Club Beverage Service

3. Kura Sushi USA Inc. Continued to August 15, 2024
d/b/a Kura Revolving Sushi Bar
101 Bond Street
Wine and Malt Common Victualer License

4. Buttermilk & Bourbon Group LLC
d/b/a Butterbird
112 Bond Square
Common Victualer License Approved 3-0
5. PTN Corp
d/b/a The Coolidge Kitchen and Bar
72 Bigelow Avenue
**Common Victualer License, Transfer of
All Alcohol Common Victualer License,
6-Day and Sunday Entertainment Licenses** Approved 3-0
6. Boston Bread LLC
d/b/a Panera Bread
One Mt. Auburn Street
Common Victualer License Continued to August 15, 2024
7. Paul's Grill, Inc.
d/b/a Greg's Restaurant
821 Mt. Auburn Street
**Show Cause Hearing for
All Alcohol Common Victualer Licensee** 1-Day Suspension

Start: 7:20PM
End: 10:50PM


Donna Doucette, Chair

Present: Donna Doucette, Sandra Kasabian Hoffman, John Labadini, Jim Tsekrekas
Also Present: Watertown Police Lieutenant Kenneth Swift, Attorney David Doneski,
Assistant City Clerk Emily Martin

The Oakley Country Club
410 Belmont Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of the Oakley Country Club for approval of an alteration of its premises at 410 Belmont Street licensed for all alcohol club beverage service.

Michael Moffett, manager for the club, and Attorney Joseph Noone, a member of the club's board of directors, appeared on behalf of the licensee.

Attorney Noone stated that the club was looking to extend the license to the golf course area. He said that a driving reason is that when the club hosts weddings and other functions people take photos outside and would like to be able to have alcoholic beverages. Currently, the license is limited to the clubhouse building and pool area. The application requests approval for service at the 9th hole snack shack. Attorney Noone stated that other golf courses offer such on-course service and that the club is looking to keep up with its competition, and serve its members and provide an amenity for guest tournaments. Alcohol service from the snack shack would be by a TIPS certified person, and there would be no storage of alcohol overnight; beverages would be brought back to the clubhouse. Attorney Noone noted that on occasions when the club has hosted functions the organizers of the events have asked if there can be temporary locations set up on the course where someone may get an alcoholic drink, so the club would also like to expand its service area to allow on-course service. He noted the club's community contributions, including allowing the course to be used by the Watertown golf team, and offering a Monday evening supervised golf program for persons with disabilities. He stated that alcohol service would be monitored by the server and the club's golf professionals who monitor the pace of play on the course.

In response to questions from the Board, Attorney Noone explained that the club is proposing a place of service other than the 9th hole. He stated that the club does seek special licenses for tournaments. If on-course service were approved, players would be able to take beverages with them on the course. Attorney Noone stated that there would not be a roving service cart. The club is proposing, at most, two temporary locations that may be utilized 'maybe a handful of times' throughout the year. Most service would be from the snack shack; it would be monitored by TIPS-certified staff and golf professionals, and there would be a strict policy against service to minors. Attorney Noone confirmed that the club was seeking to have the entire course licensed.

Chair Doucette read into the record a letter to the Board from Zachariah Hickman, received on July 12. It stated that his back yard abuts the club, and that he was concerned about an increase in public urination on the course, something he has seen happen every year, with neighbors' lawns and gardens affected. The letter also referenced experiences of rowdy behavior on the course, and suggested that would increase with more alcohol service.

Several residents of the neighborhood offered comments to the Board. These included: a report from an abutter adjacent to the 6th hole area (Francesca Baker) of an incident the previous week involving shattered glass and rowdiness, with a broken bottle found in her driveway, and concerns about what appears to be little oversight by the club, especially during evening hours, and the fact there are places where non-members can enter the site; objection to making drinking of alcohol part of the sport of golf, and the prediction that doing so would create a noisier and messier area at the established refreshment stand (Vincent Stanton); concerns about incidents of indecent exposure, via public urination, and loud cursing, and the impact of alcohol on the accuracy of golfers' shots and driving golf carts, and complaints to the club about such problem behaviors without any changes being implemented (Sara Sullivan); the lack of any discussion

with the neighbors by club personnel, the negative impact of alcohol on interactions between the club and the neighborhood, and increased addiction to alcohol (Mark Leonard).

Other members of the audience spoke in support of the club. Comments included: the club takes care of its borders and shows a good face to the community, with a history of church outing events where alcohol was served on the course, an added benefit, without incident, and that there are situations where kids get on the course and cause a disturbance to the neighbors, a club member's perspective that his experience is that public urination and shouting would be frowned on and talked down by other members (Ken Samuelian); a long time member's report that the Boys and Girls Club held a golf tournament at the club for many years with alcohol service, that restroom facilities are available on the property, that the club donates use of the course for the Stephen Mugar memorial tournament, which raises about \$150,000 per event, and that alcohol is served at many other golf courses at a food shack or from a cart, with few problems (Steve Messina); a club member's experience of the club policing its members, and an expectation that if on-course service were approved the club would know people would be watching how it managed the operation (Steve Emery).

Attorney Noone stated that Oakley was not unique in seeking approval for on-course service. He noted that according to a poll, 95% of surrounding courses offer on-course service through a snack shack operation, and stated that service by that means increases the likelihood of no alcohol abuse. He confirmed that service would be monitored by a TIPS-certified server and the manager. Attorney Noone explained that the club does not tolerate urination incidents and is trying to address the issue by putting up fencing and trees and establishing another restroom on the course property. He pointed out, with respect to the broken bottle incident reported, that no beverages are served in glass for outdoor consumption. He stated that alcohol served from the snack shack would be in a can or plastic container. He added that the club has been in operation since the late 1890s, that golf is a seasonal activity, the abutters can enjoy vistas without any golf activities five to six months a year; and that on-course service is common in the golf industry.

In response to questions from the Board, Attorney Noone offered the following information: there would be a two drinks per person purchase limit; there are two restroom locations on the course, at the snack shack and the 12th hole, as well as a bathroom in the pro shop adjacent to the first hole; the club would utilize a POS (point of sale) system for purchases at the snack shack; at present, if staff observe drinking of alcohol on the course the offenders are told to dispose of it, but the club does not check golf bags before players begin a round; if members violate club rules there are consequences, with successively stricter penalties and the worst case being suspension; the manager and golf pro staff monitor pace of play and conduct on the course, including drive around observation from golf carts; on on a weekend day, two pros monitor pace and managers check on the snack shack; Attorney Noone was not sure if there would have been a 1-day license for those instances of alcohol service on the course mentioned earlier; he estimated there had been two complaints of urination this year, and that complaints for egregious behavior are fairly irregular.

A member of the club, Jack Bartley, commented that for a tournament, if alcohol service is only from the snack shack many players won't arrive at that location for several hours because a 'shotgun start,' players teeing off on all holes at once, is used. He stated that other clubs set up

different service locations on their courses for such events, and that if there is bad behavior the club will call it out and report it.

Mr. Leonard commented that the club's charitable contributions should not be driving the decision. He stated that putting up a fence doesn't fix bad behavior on the course, it only hides it. He disagreed that 95% of other golf clubs serve alcohol on the course.

Board member Labadini stated it was incumbent on the staff to police activity at the club.

Chair Doucette noted there are three issues for an alcohol license application: the character of the applicant, the site, and the needs of the community. Here, she said, character is presumed by comments that the club is a good member of the community; the site is acceptable because it already has a license; it is separated from the community but there have been interactions with neighbors for which it appears the club is not making best effort to address. She stated that Watertown is a place where businesses are embedded in residential areas. With respect to the needs of the community, she said, there are two groups involved – members of the club and surrounding residents. She commented that the addition of alcohol and potential drunken behavior will always make a situation worse. She stated her view that getting one or two beers on the course will not appreciably alter the situation, and that people who are inclined to sneak alcohol onto a course will probably keep doing that. She concluded that the intrusion upon the neighbors has reached a point where the club should make a stronger effort to meet with them and try to identify the problem people, if possible. This is not a situation of looking at the ability to change problem golfers, but whether the application is reasonable, represents a significant change, and is in accordance with the laws of the Commonwealth. Chair Doucette stated she did not believe that alcohol at one snack shack will make a difference, but that on roving carts it would. She recommended approval of the extension of premises to permit the carrying of alcohol throughout the course, but to limit the sale to specified locations not totaling more than two on the premises.

Lt. Swift stated that the Police Department had no objection to the alteration, as proposed.

The Building, Fire and Health Departments and Zoning Enforcement Officer reported no objection to the proposed alteration.

The Board discussed conditions and guidelines for implementation of on-course sales. Attorney Noone suggested that the number of time per year when temporary points of sale on the course would be permitted be limited to no more than 20, factoring in the number of weddings and golf tournaments. He recommended the 15th hole and the chipping practice area near the 6th hole, which is the furthest point from the clubhouse and snack shack.

After hearing, the Licensing Board voted unanimously to approve an alteration of premises as follows:

The licensed premises are extended to include the golf course as an authorized location for consumption of alcohol; the licensee may utilize additional points of sale for alcohol

as follows: the snack shack adjacent to the 9th hole green (shown as “Halfway House” on the Oakley Country Club Course Map submitted with the application) throughout the golf season; at the chipping green adjacent to the 8th hole green (shown as “Short Game” on the Course Map), and at or adjacent to the 15th hole tee area (as shown on the Course Map) as temporary points of sale for a total of up to 20 days per year, in total and cumulatively (i.e., 20 days is the limit for use of the temporary points of sale, whether both points or only one are used on a particular day), and subject to the requirement of two weeks advance notice to the Licensing Board clerk and the Police Department. When temporary points of sale are utilized, the licensee shall provide additional supervision throughout the golf course to protect against illegal sale or consumption of alcohol and any other violations of alcohol service laws or the license.

Kura Sushi USA Inc.
d/b/a Kura Revolving Sushi Bar
101 Bond Street

The Watertown Licensing Board met to consider the application of Kura Sushi USA Inc. d/b/a Kura Revolving Sushi Bar for a Wine and Malt Common Victualer License. Randy Velez, a manager, appeared in support of the application. He stated he had been with the restaurant for about two years, had been promoted to manager, and had alcohol server certification and ServSafe certification. Chair Doucette noted there was no evidence of those certifications in the application materials and that they were extremely important. She recommended the Board continue the hearing to its August meeting so that the missing information could be provided. The Board voted to continue the hearing to the meeting of August 15, 2024.

Buttermilk & Bourbon Group, LLC
d/b/a Butterbird
100 Eastern Avenue
Woburn, MA 01801

The Watertown Licensing Board met to consider the application of Buttermilk & Bourbon Group, LLC d/b/a Butterbird for a Common Victualer License to be exercised at 112 Bond Square.

Liz Barker, operations manager of the LLC, appeared in support of the application.

Ms. Barker stated that Butterbird is the 6th restaurant in the Buttermilk & Bourbon group. It will offer fast casual dining, and is the group’s second site at Arsenal Yards. Anticipated hours of operation are 8:00 a.m. to 8:00 p.m. Sunday through Thursday, and until 9:00 p.m. on Friday and Saturday.

Lt. Swift reported that the Police Department had no objection to the granting of the requested license, provided that the conditions stated in items 1 through 3 below were imposed.

The Building and Fire Departments and Zoning Enforcement Officer reported no objection to the granting of the license; and the Health Department reported a food service permit had been issued.

After hearing, the Licensing Board voted unanimously to grant a Common Victualer License, subject to the following conditions:

1. The description of the licensed premises is as follows: approximately 1,100 square feet restaurant, kitchen and outdoor take-out window, with indoor seating for 28 people and outdoor seating for 16 people (total occupancy limit of 80).
2. The hours of operation shall be 8:00 a.m. to 12:00 a.m., Monday through Sunday.
3. There shall be no alcoholic beverages on the premises.
4. The applicant shall submit a correct total of seating and occupancy numbers and a layout plan of the subject premises.

PTN Corp
d/b/a The Coolidge Kitchen and Bar
2 Academy Hill Road
Brighton, MA 02135

The Watertown Licensing Board met to consider the application of PTN Corp d/b/a The Coolidge Kitchen and Bar for a Common Victualer License, a transfer to it of the All Alcohol Common Victualer License held by Shiraz Cuisine Inc. for exercise at 72 Bigelow Avenue, and a 6-Day Entertainment License and Sunday Entertainment License to be exercised at 77 Bigelow Avenue.

Attorney Anthony Donato and Thomas Devlin, president, appeared in support of the application.

Attorney Donato stated that he had given the City Clerk's office copies of the actual receipts for the certified mail notices sent to abutters, 49 notices he believed, but had not received back the green return cards for the majority of notices sent. Chair Doucette asked if any members of the audience were present to speak on the application, and three responded 'yes'. Chair Doucette stated she would take that response as proof of notice.

Attorney Donato stated that Mr. Devlin is the CEO of Superior Dining Group, which currently operates restaurants in Brighton (3), Charlestown, Somerville, and Waltham. The applicant is purchasing both the existing restaurant at the subject property and the real estate itself, subject to approval of the alcohol license transfer. The operating hours requested are based on those of other restaurants in the vicinity. Mr. Devlin stated that he will be creating a concept for this site, and that he has adopted different concepts at his other locations; for now that

concept is contemporary American cuisine. He added that he is TIPS certified. Attorney Donato stated that, more specifically, the proposed hours were based on the hours for Donohue's Bar and Grill [at 87 Bigelow Avenue].

Mr. Devlin explained that, for patio service, he would work with an architect to prepare drawings; right now, there is just a service bar inside. The plan would be to take orders at the patio and bring drinks to customers from inside. He confirmed that he would be the manager. Mr. Devlin stated that the Shiraz operation does have a patio but he didn't believe it was being used. Assistant City Clerk Emily Martin confirmed that, per the 2023 license, the Shiraz premises include outdoor seating.

The Board received comments from members of the audience, including the following: Claudette Dwyer stated that her balcony overlooks the patio area, and that Shiraz has been a good neighbor, closing at 10:00 p.m. or earlier. She said she could not imagine music and 40 people drinking 50 feet from her bedroom window. She noted there is a chain link fence separating the properties, but that the noise of people just talking would be a problem because of the restaurant's proximity to residences. She stated she was opposed to an entertainment license or alcohol license until midnight for the patio area. John Airasian stated that he knows the restaurant group's partners and believed the restaurant would be a great addition to Watertown. Jim Romanchek stated he had worked at the District Court in Brighton, where Mr. Devlin has three restaurants, and that he could not recall any incidents in the court related to those restaurants, so he was giving his full support for the application.

Chair Doucette commented that it is difficult to craft safeguards for neighbors when the extent of the outdoor area operations is not known. She stated her presumption that the new restaurant would probably not begin operations this calendar year. Attorney Donato stated that is client was willing to commit that it would not substantially change what is there now, and that he could mark up and deliver to the Clerk's office a copy of the current plan of the outdoor area. Mr. Devlin stated he had no patios that stay open past 11:00 p.m., and that he understood there would be restrictions.

For the entertainment, Mr. Devlin stated that the license was intended to cover televisions, background music and live music. He said he was not planning any live bands at this point but may offer a jazz brunch. Ms. Dwyer commented that even if music is not projected to the outside, it will be audible when the door is opened. She stated she did not think entertainment was appropriate that close to residences. Attorney Donato stated he anticipated the entertainment area would be to the right of the main entrance, the lower right corner as shown on the floor plan sketch, and the point farthest away from the patio. Tables and chairs in that location would be moved when entertainment was offered.

Lt. Swift stated that the Police Department had no objection to the granting of the licenses requested provided that the conditions stated below in items 1 through 5 for the Common Victualer and All Alcohol Common Victualer Licenses were imposed, and the conditions stated below in items 1 through 6 for the Entertainment License were imposed.

The Building, Fire and Health Departments and Zoning Enforcement Officer reported no objection to the granting of the license.

Board member Labadini stated he would hope the applicant would make best efforts to accommodate the neighbors, and if that meant soundproofing the premises to please consider that.

After hearing, the Licensing Board voted unanimously to grant the Common Victualer License and approve the transfer of the All Alcohol Common Victualer License, subject to the following conditions:

1. The description of the premises is as follows: approximately 1,600 square foot full-service restaurant and dining area, kitchen, and restrooms.
2. The hours of operation shall be Monday through Saturday, 8:00 a.m. to 1:00 a.m., and Sunday, 10:00 a.m. to 12:00 a.m. Outdoor patio hours shall be no later than 11:00 p.m. Monday through Saturday, and shall be limited to 10:00 a.m. to 10:00 p.m. on Sunday.
3. Seating for 83 persons, as shown on the plan submitted (sketch plan labeled “Initial Planned Floor Plan,” showing seating, kitchen area, bar area and bathrooms).
4. The manager, Thomas Devlin, and all servers employed by the licensed establishment shall attend and successfully complete an alcohol awareness training program (e.g., TIPS) immediately upon hire or expiration of certification.
5. Copies of all alcohol awareness training certifications shall be maintained by the licensee and be reviewable upon request.
6. Patio operations shall require a new application that includes specifics of the proposed extent and scope of such operations. Until such application is approved, there shall be no patio operations.

The Licensing Board also voted unanimously to grant a 6-Day Entertainment License, subject to the following conditions:

1. Musicians shall be limited to three, one of which may be a singer.
2. Instruments shall be limited to piano, string and reed.
3. The space for entertainment shall be as shown on the sketch plan described above (in the corner to the right of the main entrance area).
4. No dancing shall be allowed.
5. The hours shall be Monday to Saturday 8:00 a.m. to 1:00 a.m.

6. A full service menu and kitchen hours shall be maintained when entertainment is offered.
7. Entertainment may be offered indoors only.

In addition, The Licensing Board voted unanimously to grant a Sunday Entertainment License, subject to the same conditions as for the 6-day Entertainment License, except that the hours shall be 10:00 a.m. to 12:00 a.m.

Boston Bread LLC
d/b/a Panera Bread
One Mt. Auburn Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Boston Bread LLC d/b/a Panera Bread for a Common Victualer License to be exercised at One Mt. Auburn Street. No one appeared in support of the application. The Board voted to continue the hearing to its August 15 meeting.

Paul's Grill, Inc.
d/b/a Greg's Restaurant
821 Mt. Auburn Street
Watertown, MA 02472
Attn. Paul F. Diliberto, President

The Watertown Licensing Board held a show cause hearing on a complaint of the Watertown Police Department alleging a violation of G.L. c.138 (the Liquor Control Act) on April 30, 2024 at your premises located at 821 Mt. Auburn Street, licensed for all alcohol common victualer service, to wit: sale or delivery of an alcoholic beverage to an intoxicated person, in violation of M.G.L. c. 138, §69; and improper management, in violation of M.G.L. c.138, §23, in allowing such over service of an alcoholic beverage.

Paul Diliberto, president, and Brian Diliberto appeared on behalf of the licensee.

Lt. Swift played a recording of a 911 call received by the Police Department on the evening of Tuesday April 30 at approximately 8:43 p.m. from a patron at Greg's, who had tried to stop someone from getting into his car because of suspected incapacity. After the call, officers were dispatched. Lt. Swift reported the contents of the Police Department report for the events of April 30, 2024, incident no. 24-9434-OF, submitted by Sgt. Michael Martino. Officers located and identified the involved person as Stuart Ryan, who was outside of his motor vehicle on the sidewalk when encountered by Officer DelloRusso. Sergeant Martino spoke with Mr. Ryan, who stated he had just left Greg's restaurant. Sergeant Martino observed Mr. Ryan had bloodshot, glassy eyes, was unsteady on his feet, had slurred speech, and had a moderate odor of an alcoholic beverage emanating from his breath. Mr. Ryan stated he had arrived at Greg's

approximately an hour and a half prior, and consumed two vodka sodas, but no food. Mr. Ryan stated he did not consume any alcohol prior to entering Greg's.

Officers observed and encountered another party, later identified as Roy Garber, outside of the restaurant attempting to enter his vehicle. Mr. Garber appeared to be unsteady on his feet, and his speech was slurred. He stated that he had been in Greg's but "did not drink that much." Based on their observations, the officers determined that both men were intoxicated to the point they could not care for themselves, and both were released to the care of sober parties for the rest of the evening.

Sergeant Martino spoke with the bartender on duty, Frank Disalvio, who stated he had observed Mr. Ryan leaving the bar and attempting to drive home. Mr. Disalvio stated he was concerned that Mr. Ryan was too intoxicated to drive. Mr. Disalvio stated Mr. Garber was already at the bar when he began his shift at 5:30, but staff members believed that Mr. Garber had entered at approximately 4:30 p.m. and was initially served by the dayshift bartender, Robert Duffy. Mr. Disalvio stated he was unsure what Mr. Garber was served by Mr. Duffy, and that Mr. Garber appeared fine to him when he began his shift. Mr. Disalvio stated he served Mr. Garber three vodka ginger ales, and that Mr. Garber ate shrimp and bread while at the bar. Mr. Disalvio stated he also served Mr. Ryan, who had entered the bar with two women at 5:30. Mr. Disalvio stated that the women were served food and Mr. Ryan was served three vodka cranberries. He stated that Mr. Ryan appeared fine when he served him and that he did not think he was too intoxicated to be served. Mr. Disalvio stated that the women did not consume any alcohol and that Mr. Ryan and the women included Mr. Garber on their bill. Mr. Disalvio provided two handwritten receipts, but neither receipt listed what was purchased, just the amounts and totals.

Sgt. Swift stated he conducted his own investigation, after having been notified, on May 1, of the incident on April 30. His report recounted the observations in Sgt. Martino's report. On May 6, 2024, Lieutenant Swift spoke with the owner of Greg's, John Diliberto, who stated he was not at the restaurant at the time of the incident but had been informed of it by staff. He stated that the restaurant does not have cameras that would have captured the event, and it uses paper and pen to track sale items so that a receipt does not include an itemized list of items purchased and, therefore, the restaurant could not say for certain how many drinks both Mr. Ryan and Mr. Garber had consumed. Mr. Diliberto reported that since the incident he had met with staff and required those who were not TIPS certified to become certified. At the time of the incident, the bartender on duty, Mr. Disalvio, was not TIPS certified.

On May 6, Lieutenant Swift also spoke with Mr. Disalvio, whom he described as open and honest in his conversation. Mr. Disalvio stated he is currently the night bartender at Greg's and starts his shift at 5:30. When he arrived on April 30, Mr. Garber was already seated at the bar, and Mr. Disalvio was unsure of how many drinks Mr. Garber had consumed prior to the start of his shift. From 5:30 until the time of the incident, Mr. Garber had three vodka drinks, and Mr. Ryan had two vodka drinks. Mr. Disalvio added that it was an unexpectedly busy night, and he couldn't say with complete certainty how many drinks were consumed.

Mr. Disalvio stated to Lt. Swift that throughout the night he started to notice that Mr. Garber became very loud, and was slurring his speech, and Mr. Disalvio believed Mr. Garber was intoxicated. He stated he spoke to Mr. Garber several times to quiet down, and then he asked how he was getting home and Mr. Garber assured him he was not driving. At approximately 7:30 p.m., Mr. Disalvio “cut him off” from alcohol. When Mr. Garber got up to leave the restaurant, Mr. Disalvio followed him to confirm he was not driving and watched him walk away. Once Mr. Disalvio went back inside, he noticed that Mr. Ryan could not stand up and became concerned for his well-being. As Mr. Ryan was leaving the restaurant Mr. Disalvio was notified that a patron at the bar, also concerned about Mr. Ryan, had contacted 911. Mr. Disalvio and that patron followed Mr. Ryan out of the bar to make sure he wasn’t going to drive his motor vehicle and then stopped him from driving. A short time later, the police arrived on the scene. As police officers were talking with Mr. Ryan, Mr. Garber reappeared and attempted to get into his motor vehicle, but he was immediately stopped. Mr. Disalvio reported that at the time of the incident he was not TIPS certified and believed that he had not been certified since 2002.

Paul Diliberto stated that he and Brian were both in the restaurant on the night in question, working in the kitchen, and that he was the manager on duty that night. He stated that the police reports correctly summarized the events of the evening in question. He stated that Mr. Garber lived within walking distance of the restaurant. Mr. Diliberto stated he would accept Mr. Disalvio’s report of drinks served. He also commented that there may have been other issues affecting the patrons because with the number of drinks served things should not have gotten to the point they did. Brian Diliberto reported that all servers had now been TIPS certified. Paul Diliberto noted that Greg’s focuses on its restaurant service, not bar service, closing by 10:00 p.m. and often earlier.

In response to questions from the Board, Paul Diliberto stated he could not be sure how many drinks the day bartender had served Mr. Garber, but believed it would have been no more than one. Brian Diliberto stated that the customers in question were not really frequent visitors to the restaurant.

Lt. Swift stated he was unaware of any recent violations by the licensee.

In deliberating, Chair Doucette noted her concern regarding the lack of TIPS certification among restaurant staff. Member Kasabian Hoffman echoed that concern.

After hearing, the Licensing Board unanimously found that the violations as alleged had occurred, and unanimously voted to impose a one-day license suspension. The Board offered the licensee the opportunity to choose the date the suspension would be served, a date within six weeks of the hearing date, if the licensee chose to waive its right of appeal to the Alcoholic Beverages Control Commission. Paul Diliberto stated that the licensee would waive the right to appeal, and that the licensee would serve the suspension on Tuesday, September 3.