



Licensing Board
TOWN OF WATERTOWN
ADMINISTRATION BUILDING
149 Main Street
Watertown, Massachusetts 02472
TEL. (617) 972-6486
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BOARD MEMBERS
DONNA B. DOUCETTE
GEORGE B. NEWMAN
STEVEN W. AYLWARD

ALTERNATE MEMBER
SANDRA KASABIAN HOFFMAN

Minutes December 21, 2017

ACCEPTANCE OF MINUTES

SPECIAL LICENSES:

- Armenian Cultural Association/ ACEC 47 Nichols Ave Approved 3-0
**December 31, 2017 One Day All Alcohol License/ New Year's Eve
Banquet/Extended Hours**

Armen Khachatourian, comptroller of the Armenian Cultural Association, appeared in support of the application. He stated that no tickets will be sold at the door. Two or three bartenders will be on duty, with the anticipated attendance at approximately 300 persons. Sgt. Grady reported that the Police Department had no objection to the granting of the license requested or approval of extended hours for the event, subject to the conditions in the department's written report. The Board acknowledged receipt of reports from the Health and Fire Departments, and voted to grant the license, and approve extended event hours to 2:00 a.m. (bar to close at 1:00 a.m., and all patrons to vacate premises by 2:30 a.m.), subject to the conditions requested by the Police, Health and Fire Departments.

- Tamu Samaaj of Boston/ACEC 47 Nichols Ave Approved 3-0
December 29, 2017 One Day All Alcohol License/ New Year Party

Samjhana Gurung, president, appeared in support of the application. This will be the organization's 16th annual New Year's party, and the fourth at the ACEC. She stated that the organization intends to do its own cooking for the event, on-site, as in years past. Board chairman Doucette commented that the Health Department must be contacted to confirm approval for this arrangement. The anticipated attendance is 400 persons. Sgt. Grady reported 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 Building Department reported no issues, provided the occupancy load for the premises is not exceeded. Also, the Board acknowledged receipt of reports from

the Health and Fire Departments, and voted to grant the license subject to the conditions requested by the Police, Health and Fire Departments.

- Homenetmen Inc./ St. Stephen's Church Hall 1 Artsakh Street Approved 3-0
January 13, 2018 One Day All Alcohol License/ Christmas Dance

Sevag Khatchadourian, chairman, appeared in support of the application. He stated that the event is the annual Christmas dance/party, which also serves as a fundraiser. All tickets will be sold in advance. Dinner will not be served, but pre-packaged snacks will be available. Sgt. Grady reported 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 acknowledged receipt of reports from the Health and Fire Departments, and voted to grant the license subject to the conditions requested by the Police, Health and Fire Departments.

- La Casa De Pedro 343 Arsenal Street Approved 3-0
December 31, 2017/New Year's Eve Gala /Extended Hours

Flavio Valenzuela appeared in support of the application. He stated that this will be a ticketed event, with the ticket including food. Alcohol is subject to purchase. Three crowd managers, including Mr. Valenzuela, will be present. Sgt. Grady reported that the Police Department had no objection to approval of extended hours for the licensee, subject to the conditions in the department's written report. The Board acknowledged receipt of a report from the Fire Department, and voted to approve the extended event hours to 2:00 a.m. (bar to close at 1:00 a.m., and all patrons to vacate premises by 2:30 a.m.), subject to the conditions requested by the Police and Fire Departments.

1. King Bibis, Inc. Approved 3-0
45 Lexington Street
New Common Victualler License
2. New Salts, Inc. d/b/a La Bodega by Salts Continued from November 16,2017
21 Nichols Ave
Status Hearing Closed
3. Hibernian Club of Watertown, Inc. Letter of Warning
151 Watertown Street
Show Cause

Renewals:

- Common Victualler (4 closed, 5 Pending) 93
- All Alcohol Common Victualler 26

• All Alcohol Package Goods	7	
• All Alcohol Club	9	
• Wine & Malt Common Victualler 6 Day	1	
• Wine & Malt Common Victualler 7 Day	7	
• Wine & Malt Package Goods	6	
• General on Premises/ All alcohol	1	APPROVED 3-0
• BYOB	1	
• Innholders License	1	
• 24-Hour Opening	3	
• Sale of Food at Retail	3	
• Entertainment License 6 Day	13	
• Entertainment License 7 Day	5	
• Automatic Amusement Device	6	(Donohue's not renewing)
• Music Box	3	
• Class I Auto Dealer	6	
• Class II Auto Dealer	13	

ALCV the following have renewed but are not open

- Dionysus, LLC d/b/a Dionysus, 100 Kingsbury Ave.
- Watertown Exchange, Inc.
- Taha Grill
- Chai Yo, Inc. d/b/a Pho O Sha

7:45PM-10:15PM

Donna B. Doucette, Chairman

Present: Donna B. Doucette, George B Newman, Steven W Aylward

King Bibis, Inc.
45 Lexington Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of King Bibis, Inc. for a common victualer license to be exercised at 45 Lexington Street, a site historically occupied for restaurant use, most recently by Steam Flavor, Inc.

Attorney Herbert Cohen, Julio Cesar De Paula, president, and Fernanda Da Silva, a translator for Mr. De Paula, appeared in support of the application.

Attorney Cohen stated that Mr. De Paula has purchased the restaurant business most recently operating at the site. He has been a cook for 20 years and has experience at other restaurants, including a restaurant he owned in Brazil. Ms. Da Silva stated that Mr. De Paula had contacted the Health Department and has begun the department's plan review process. He noted that Mr. De Paula is familiar with health regulations from his experience at a Woburn restaurant.

A resident of 49 Lexington Street, Ms. Sourakian, commented that the parking lot for her property is next to the restaurant site and stated two concerns: exhaust/ventilation air from the cooking operations and past incidents of cars blocking her driveway. Through Ms. Da Silva, Mr. De Paula responded that the ventilation system has been changed, so that exhaust air is discharged from the top of the building, not the side. He also noted there are two other businesses adjacent to the 45 Lexington Street site, and that the exhaust in question may be coming from those operations. Ms. Da Silva added that he had told Ms. Sourakian that signs would be posted and customers would be informed regarding parking limitations and restrictions. In response to a question from chairman Doucette, Sgt. Grady stated that per his review of police reports parking issues have not been identified at this location, but he recommended that if neighbors have concerns they should contact the Police Department.

The Building Department reported that a floor plan check, for occupancy load, will be required; and the Health Department reported that no changes to the menu or equipment utilized for the previous restaurant operation may be implemented unless approved by the Department as part of the plan review process.

The Zoning Enforcement Officer reported that no increase in seats is permitted.

Sgt. Grady stated that the Police Department had no objection to the granting of the requested license, provided that the conditions stated below were imposed.

The Licensing Board voted unanimously to grant the requested license, subject to the following conditions:

1. The description of the licensed premises is as follows: an estimated 1,200 square feet, with kitchen area, restroom, basement for storage and two entrances/exits.

2. The hours of operation shall be Monday through Sunday 8:00 a.m. to 10:00 p.m.
3. Seating capacity shall be 48 persons, as shown on the plan submitted (graphic floor plan received in the office of the Town Clerk on November 1, 2017).
4. There shall be no alcoholic beverages on the licensed premises.

New Salts, Inc.
d/b/a La Bodega by Salts
61 Prichard Avenue, No. 1
Somerville, MA 02144

On December 21, 2017 the Watertown Licensing Board convened a status hearing to consider the ongoing matter of the all alcohol common victualer license granted to New Salts, Inc. d/b/a La Bodega by Salts for exercise at 21 Nichols Avenue. The status hearing was opened on September 15, 2016, continued to October 20 and November 17, 2016, and further continued to January 19, March 16, May 18, June 15, September 21, November 16, and December 21, 2017.

Chairman Doucette acknowledged receipt of a letter dated December 7, 2017 from Analia Verolo, president, and Gabriel Bremer, manager, reporting that the restaurant officially opened to the public on November 30, 2017. The Licensing Board voted unanimously to close the status hearing proceedings.

The Hibernian Club of Watertown, Inc.
d/b/a Hibernian Club
151 Watertown Street
Watertown, MA 02472
Attention: Robert Casey

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 September 30, 2017 at your premises located at 151 Watertown Street licensed for all alcohol common victualer service, to wit: sale/delivery of an alcoholic beverage to an intoxicated person in violation of G.L. c.138, §69, and improper management of the licensed premises, by allowance of over-service of an alcoholic beverage, in violation of G.L. c.138, §23.

Robert Casey, president, appeared on behalf of the licensee. Sgt. Grady summarized the contents of Watertown Police Department report #17-19858-OF regarding events of September 30, 2017 and a meeting between Sgt. Grady and Mr. Casey on October 18, 2017. On September 30, 2017, Watertown police officers responded to 151 Watertown Street for a reported

disturbance, a man yelling. The officers arrived and located a single male kneeling in the front parking lot of the Hibernians' hall. It appeared that the person was kneeling next to a broken Heineken beer bottle which had broken on the pavement. Officers also observed the person to have sustained minor cuts to his hands and arms. After questioning the man, the officers learned that he was in fact a member of the Hibernian Club, had been inside the club, and had been served alcoholic beverages during that time. While the officers conversed with the man it became apparent that he required some assistance in standing while speaking with officers. The officers noted in their report that the man's eyes were red and bloodshot, his speech was slurred and his gaze was unfocused; and he had a strong odor of an alcoholic beverage emanating from his breath while he spoke. The officers contacted John Feeney, inside the club, and determined he was the bartender on duty for the evening. Mr. Feeney admitted that the person speaking with the officers was a member of the club and had been served 3 to 4 Heineken beers and 2 shots of brandy after arriving at the club that evening between 7:30 pm and 8:00 pm. Mr. Feeney stated that the man did have a ride home and that he did not notice the man to be exhibiting signs or symptoms of intoxication at anytime during the evening as the man had remained in the pool room watching TV for most of the 4 or so hours he was present. The man was offered a Portable Breath Test (PBT) at the time of the officers' investigation, which revealed a .251% Blood Alcohol Content or (BAC). The man was with a sober friend at the time of this investigation and the friend was allowed to drive the man home to his residence.

On October 18, 2017 Sgt. Grady met and spoke with Robert Casey and bartender John Feeney about the night in question. He asked Mr. Feeney what his schedule was for the evening of September 30, 2017, and Mr. Feeney replied 7:00 p.m. to closing. Mr. Feeney reported that he did not have a current "TIPS" certification as he was new to the bartending staff and had only worked about 6 shifts on the bar at the club. Mr. Feeney did acknowledge that he did serve the member in question 3 to 4 Heineken beers and a couple shots of brandy during the 4 or so hours the member was in the club. Mr. Feeney stated that the member in question is well known and is a member in good standing, who usually keeps to himself, playing pool and watching TV on the nights he may visit the club. Mr. Feeney stated he did not notice anything about the man's behavior or demeanor that would have given him reason to question his level of sobriety until he made observations of the man while he was being attended to by police at the scene. Asked about the broken bottle of Heineken found in the parking lot when police arrived on scene, Mr. Feeney stated that he did not notice the member leave with any open containers, only a back pack he carries in and out of the club. Mr. Feeney stated he never left the bar unattended, nor does he suspect the member of taking alcohol from behind the bar. At the same meeting, Mr. Casey acknowledged that the club has been looking to hire or add staff to the established list of active bartenders and that John Feeney was a recent hire and had only worked about 6 shifts total over the period of two weeks. He reported that at a special meeting the club's board of directors voted to suspend the member's access to the club until such time as this matter is decided by the Licensing Board. Mr. Casey stated that only after this matter had been concluded would the board of directors entertain reinstating the member in the club. Sgt. Grady suggested to Mr. Casey that bartenders and staff on duty should make periodic checks of the adjacent rooms that may not be completely visible from the bar during their shifts to monitor activity of members and to ensure over-service of members and guests is not a factor in the future.

Mr. Casey stated that he did not refute or deny any of the facts in Sgt. Grady's presentation, and noted that he was not on duty on the night in question. He reported that he had discussed the following response actions and operational improvements with Sgt. Grady: having all bartenders be TIPS certified, which they now are; posting clear signs on the exit doors stating that no alcohol is to leave the building; installation of cameras to monitor the premises, including a monitor screen so the bartender can see areas other than the room where the bar is located; prohibiting the member in question from consuming alcohol on the premises, though he may be present at the club, subject to further consideration after action of the Licensing Board.

Chairman Doucette commented that the steps taken by the club were appropriate, and that the licensee had acted to help prevent a future event. Board member Aylward stated he would not be comfortable if the member in question were allowed to consume alcohol again right away.

The Licensing Board unanimously found that the violation of sale/delivery to an intoxicated person had occurred, and unanimously found that the violation of improper management had occurred. The Board unanimously voted to issue a letter of warning on account of the violations. This Notice of Decision constitutes the letter of warning. Any future violations will be subject to penalties.