

**City of Somerville
Licensing Commission**

**Senior Center
Tufts Administration Building
167 Holland Street**

**Regular Meeting
Monday
September 20, 2010
6:00 p.m.**

MINUTES

1. Minutes of the August 5, 2010 meeting.

COMMUNICATIONS

2. Massachusetts State Lottery Commission re: Keno-To-Go

SPECIAL ALCOHOL LICENSES

3. St. Anthony's Parish, 12 Properzi Way requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a dinner dance to be held in the gymnasium on September 25, 2010 from 9:00PM-1:00AM.
4. Shoestring LLC, d/b/a The Swapaholics requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Boston Fashion Week Clothing Swap to be held at The Center for Arts at the Armory, 191 Highland Ave. on September 30, 2010 from 5:00PM-10:00PM.
5. Somerville Local First requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Harvest Fest Fundraiser to be held at The Center for Arts at the Armory, 191 Highland Ave. on October 19, 2010 from 1PM-10PM.
6. Hellenic Association of Somerville d/b/a Dormition of the Virgin Mary Greek Orthodox Church, 29 Central St. requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Honk Fest Band Celebration dinner on October 9, 2010 from 7:00PM-2:00AM.

7. Hellenic Association of Somerville d/b/a Dormition of the Virgin Mary Greek Orthodox Church, 29 Central St. requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Cultural Event on October 16, 2010 8PM-1AM.

COMMON VICTUALER LICENSE

8. Rodizio Brazilian Steakhouse
129 Broadway
Otto Hernandez

ENTERTAINMENT LICENSES

9. Amelia's Kitchen, 1137 Broadway requesting approval of an Entertainment license consisting of Audio, film projectors & Television.
10. The Joshua Tree, 256 Elm St. requesting approval of an Entertainment license by performers consisting of Free Poker Tournaments.
11. Prima Pizza, 284 Broadway requesting approval of an Entertainment license consisting of Television.

CLUB LICENSES

Change of Manager

12. Somerville Post 19 American Legion, 124 Highland Ave. requesting approval for change of manager from Richard Campbell to Marie DiBenedetto.

Change of location

13. George Dilboy Post 529, Inc. VFW, 371 Summer St. requesting a change of location of the All Forms Alcohol Club license to 343-349 Summer St.

ALL FORMS ALCOHOLIC BEVERAGES
7 DAY RESTAURANTS

Review of 2AM license

14. Dev. Corp., d/b/a Orleans Restaurant, 59-65 Holland St. for 90 day review of 2AM license as part of the conditions for the license.

New Licenses

15. Namaskar Restaurant, 236 Elm St. requesting approval of a New All Forms Alcoholic Beverages 7 Day Restaurant license.
16. Istanbul'Lu, 237 Holland St., requesting approval of a New All Forms Alcoholic Beverages 7 Day Restaurant license.

WINE AND MALT LICENSES

New Licenses

17. Yak & Yeti Café, 719 Broadway requesting approval of a Wine and Malt Restaurant license.
18. Marsala, 1127 Broadway requesting approval of a Wine and Malt Restaurant license.
19. Las Brisas, Inc., 561 McGrath Highway requesting approval of a Wine and Malt Restaurant license.
20. Snappy Sushi, 420 Highland Ave. requesting approval of a Wine and Malt license. (Currently holds an All Forms Alcohol license).
21. Taipei Tokyo, 7 Holland St. requesting approval of a Wine and Malt Restaurant license (Currently holds an All Forms Alcohol license).

VIOLATION

(THIS VIOLATION WAS CONTINUED FROM THE JULY 27, 2010 MEETING)

22. B.EEF., Inc., d/b/a Fasika, 145-147 Broadway to show cause why the All Forms Alcoholic Beverages 7-Day Restaurant license, Common Victualer license and Entertainment license of the above-referenced establishment should not be modified, suspended, revoked, or the hours during which sales of alcoholic beverages may be made reduced for alleged violation of Somerville Licensing Commission Rules and Regulations to wit: -

Somerville Licensing Commission Rule 1.08. 1. Alcoholic beverages licensees are forbidden to make a sale or delivery of alcoholic beverages or alcohol to a person who is intoxicated

Somerville Licensing Commission Rule 1.09.a. - It shall be the obligation of licensees to ensure that a high degree of supervision is exercised over the conduct of the licensed

establishment at all times. Each licensee will be held accountable for all violations that are related to the licensed premises to determine whether or not the licensee acted properly in the given circumstances.

Somerville Licensing Commission Rule 1.09.e. - When any noise, disturbance, misconduct, disorder, act or activity occurs in the licensed premises, or in the area in front of or adjacent to the licensed premises, or in any parking lot provided by the licensee for the use of its patrons, which in the judgment of the Commission adversely affects the protection, health, welfare, safety or repose of the residents of the area in which the licensed premises are located, or results in the licensed premises becoming the focal point for Police attention, or is offensive to public decency, the licensee may be held in violation of the license and subject to proceedings for suspension, revocation or modification of the license.

Somerville Licensing Commission Rule 1.13(a)(5)-(a) Licensees shall make all reasonable and diligent efforts to ensure that illegal activities do not occur at the licensed premises. Such efforts may include, but are not limited to:
(5)calling for police assistance as necessary to protect patrons against injury `or to evict unruly patrons or to uncover unlawful conduct or to give medical assistance and providing police with requested information;

Somerville Licensing Commission Rule 1.14.b. Licensees shall call the police and an ambulance and take all other reasonable steps to assist patrons and persons who are injured in or on the licensed premises or whose injuries have occurred outside the premises but have been brought to the attention of the licensee.

The date of the alleged offenses are April 24, 2010 (2:23 AM) see Somerville Police Department Incident Report #10012938, May 7, 2010, see Somerville Police Department Incident Report 10014712, and May 15, 2010 (2:40 AM), see Somerville Police Department Incident Report 10015637.