

**City Of Somerville
Licensing Commission**

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

**Regular Meeting
October 15, 2007
6:00 p.m.**

MINUTES

1. Minutes of the previous meeting

2. Somerville Cares About Prevention to address the Commission concerning mandatory alcohol server training
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WINE AND MALT RESTAURANT LICENSE

3. Great Thai Chef, Inc. d/b/a Great Thai Chef, 255 Washington St., requesting approval to transfer the shares of stock held by Veeraporn Kasuvan to Orjit Tran and to appoint Orjit Tran, President, Treasurer, Clerk and Director of the corporation.
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**ALL FORMS ALCOHOLIC BEVERAGES
7 DAY RESTAURANT**

Extended Hours

4. Samba Enterprises, LLC d/b/a Samba Bar & Grille, 596-608 Somerville Avenue requesting approval to extend its official closing hour from 1:00 a.m. to 2:00 a.m.

5. Razyzy, Inc. d/b/a Razyzy's, 585 Somerville Ave., requesting approval to extend its official closing hour from 1:00 a.m. to 2:00 a.m.
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Transfer of License

6. Wakely Security, Inc. d/b/a The Paddock requesting approval to transfer its All Forms Alcoholic Beverages 7 Day Restaurant license to MCDA, Inc. d/b/a The Paddock, Michael DaCova, Manager and for an Entertainment license consisting of radio, three televisions, 1 juke box and string instruments on the premises situated at 249 Pearl St.
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WINE & MALT PACKAGE STORE

Violation Hearing

7. Kim Tran Corporation d/b/a Trans Liquor Mart, 545 McGrath Highway, to show cause why its Wine and Malt Package Goods Store license should not be modified, suspended or revoked for alleged violation of Massachusetts General Laws Chapter 134 §34- Sale, delivery or furnishing alcoholic beverages to a person under twenty-one years of age and Somerville Licensing Commission Rule 1.08i - Alcoholic Beverages Sales and Law.

The date of the alleged offense is August 23, 2007 at 7:41 p.m. as reported to this office by Somerville Police Inspector Warren Chaille.

**ALL FORMS ALCOHOLIC BEVERAGES
PACKAGE GOODS STORE**

Violation Hearing

8. Majota, Inc. d/b/a Crowley's Liquors, 152 Boston Avenue, to show cause why its All Forms Package Goods Store license should not be modified, suspended or revoked for alleged violation of 204 CMR 2.05 (2) permitting an illegality on the licensed premises and Somerville Licensing Commission Rule 1.08 i. Alcoholic Salves and Laws to wit:

Massachusetts General Laws Chapter 138 §34 – Sales, delivery or furnishing alcoholic beverages to a person under twenty-one years of age

Somerville Licensing Commission Rule 1.08i – Whoever makes a sale or delivery of any alcoholic beverages or alcohol to any person under twenty-one years of age, either for his own use or for the use of his parent or any other person, or whoever, being a patron of an establishment licensed under section 12 or 15 of General Laws Chapter 138 delivers or procures to be delivered in any public room or area of such establishment any such beverages or alcohol to or for use of a person who he knows or has reason to believe to be under twenty-one years of age or whoever procures any such beverages or alcohol for a person under twenty-one years of age in any establishment licensed under section 12, or procures any such beverage or alcohol for a person under twenty-one years of age who is not his child, ward or spouse in any establishment that is a package store, shall be subject to disciplinary action by the Licensing Commission.

The date of the alleged offense is July 11, 2007 at 7:00 p.m. as reported to this office by Somerville Police Inspector Warren Chaille.

9. Bargain Spot Warehouse Liquors, Inc., 225 Elm Street, Somerville, MA to show cause why its All Forms Alcoholic Beverages Package Goods Store license should not be modified, suspended or revoked for alleged violation of Massachusetts General Laws Chapter 134 §34- Sale, delivery or furnishing alcoholic beverages to a person under twenty-one years of age and Somerville Licensing Commission Rule 1.08i - Alcoholic Beverages Sales and Law.

The date of the alleged offense is August 23, 2007 at 7:05 p.m. as reported to this office by Somerville Police Inspector Warren Chaille.

CLUB LICENSE

Violation Hearing

10. American Legion East Somerville Post 388, Inc., 163 Glen St., Somerville to show cause why its All Forms Alcoholic Beverages Club license 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: -

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.

Rule 1.09 c.- Licensees shall act reasonably and diligently to disperse loiterers or patrons who attempt to congregate in front of or at the licensed premises. Failure of the licensee to keep persons from congregating at the licensed premises may lead to disciplinary action against the licensee for allowing a public nuisance. Reasonable steps to be taken by the licensee may include, but are not limited to:

- (1) maintaining the front door in a closed position;
- (2) asking loiterers to disperse;
- (3) calling the police if loiterers refuse to disperse;
- (4) requesting a police detail or stationing an employee at the front door to disperse loiterers;
- (5) refusing to allow the same patrons to walk in and out of the premises at short intervals;
- (6) maintaining order in lines of patrons waiting outside to get in;
- (7) announcing that no further patrons will be allowed into the premises if lines become too long or disorderly or loud ;

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.

Rule 6.01a. - Private clubs licensed for the sale and service of alcoholic beverages may serve such beverages and may serve food to members and to guests of members and to no others.

The date of the alleged offenses is August 24, 2007 as reported to this office by Somerville Police Officer Richard C. Lavey.
