



Licensing Board
TOWN OF WATERTOWN
ADMINISTRATION BUILDING
149 Main Street
Watertown, Massachusetts 02472

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BOARD MEMBERS
DONNA B. DOUCETTE
GEORGE B. NEWMAN
ROBERT J. WHITNEY

ALTERNATE MEMBER
SANDRA KASABIAN HOFFMAN

Minutes March 20, 2014

1. ACCEPTANCE OF MINUTES: February 20, 2014
2. Armenian American Social Club of Watertown, Inc.
76 Bigelow Ave.
New Officer-Directors Approved 3-0
3. Jalapeno Enterprises, Inc. d/b/a
Ixtapa Mexican Grill & Cantina
18 Mt. Auburn Street
New Common Victualler Approved 3-0
Transfer All Alcohol Common Victualler Approved 3-0
Pledge of License Approved 3-0
4. New Rotary Grille, Inc.
d/b/a Verona Restaurant
18 Mt. Auburn Street
Status Hearing Resolved
5. MJLK, Inc. d/b/a 21 Nickels
21 Nichols Ave.
a. Show Cause Continued to April 17, 2014
b. Show Cause Continued to April 17, 2014
6. Comments by Board Clerk and Police Department

Donna B. Doucette, Chairman

7:30 to 8:50

Present: Donna B. Doucette, Robert J. Whitney, George B. Newman, Sandra Kasabian Hoffman

1. Armenian-American Social Club of Watertown, Inc.
76 Bigelow Avenue
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of the Armenian-American Social Club of Watertown, Inc., an all alcohol club beverage licensee, for approval of a change in its corporate officers and directors.

Attorney Helen Partlow appeared in support of the application. Attorney Partlow explained that the application is being presented to implement a change in the club's leadership. Two new individuals will be serving in both officer and director capacities. Mr. Karageuzian will remain as treasurer.

Sergeant Grady stated that the Police Department had no objection to the change of officers and directors.

The Licensing Board voted unanimously to approve a change in officers and directors as follows: Marcel Karian - president, Harout Karageuzian – treasurer, and Azad Kupelian – clerk; and Mr. Karian, Mr. Karageuzian and Mr. Kupelian as directors.

2. Jalapeno Enterprises, Inc. d/b/a
Ixtapa Mexican Grill & Cantina
177 Massachusetts Avenue
Lexington, MA 02420

The Watertown Licensing Board met to consider the application of Jalapeno Enterprises, Inc. d/b/a Ixtapa Mexican Grill & Cantina for a common victualler license to be exercised at 18 Mt. Auburn Street, for approval of a transfer to it of the all alcohol common victualler license held by New Rotary Grille, Inc. d/b/a Verona Restaurant for exercise at the same premises, and for approval of a pledge of the all alcohol common victualler license.

Attorney Nicholas Felici appeared in support of the application, together with Jose Brambila, president, and David E. Brambila. Attorney Felici stated that the applicant proposes to operate a family style Mexican restaurant. The restaurant motif will be changed, and the premises will be remodeled and updated. That work should take approximately four weeks. No live entertainment is being proposed for this location. In connection with seller financing for the transfer transaction, the all alcohol common victualler license would be pledged to the seller as part of the promissory note collateral. The note will secure repayment of \$150,000.

Attorney Felici noted that the Brambilas have established at least ten restaurants in the area over the last 12 years. Those include locations in Sudbury, Framingham, Needham, Holden, Franklin, Lunenburg, Worcester, Ware and Yarmouth, as well as sites in Connecticut and New Hampshire. The proposed manager, David E. Brambila, is TIPS certified and will work full time at the Watertown location, ending his current manager duties at the Holden location. In addition, all employees will be TIPS certified.

Attorney Felici stated that in the applicant's other restaurants' receipts are predominantly from food sales; therefore, the applicant is requesting approval for a seven-day license upon the proposed transfer. Board Chairman Doucette responded that she would like to see evidence of Watertown operations before considering approval of a seven-day license.

Sergeant Grady stated that the Police Department had no objection to approval of the transfer of the all alcohol common victualler license, provided the conditions stated in items 1 to 4 below were imposed. He also stated the Police Department had no objection to the proposed pledge of license.

The Health Department reported that the applicant has contacted the Department regarding the plan review process, but the Department has not yet received application materials. The Department also noted that there is considerable renovation required to bring the premises up to code.

The Building Department reported that all life safety equipment at the premises must be inspected, and a new certificate of inspection issued.

The Licensing Board voted unanimously to grant a new common victualler license, and to approve the transfer of the all alcohol common victualler license, for exercise Monday through Saturday, subject to the following conditions:

1. The hours of operation shall be 8:00 a.m. to 1:00 a.m. Monday through Saturday, and Sunday hours of no more than 8:00 a.m. to 12:00 midnight. No alcohol shall be served on Sundays.
2. The maximum seating capacity shall be 208, as shown on the plans submitted (“Ixtapa Mexican Grill & Cantina Project #140B, food service equipment schedule layout” by Crowell Consulting, Inc.).
3. The manager and all servers shall attend and successfully complete an alcohol awareness training program (e.g., TIPS) within 90 days of hire or expiration of certification.
4. Copies of all alcohol awareness training certificates shall be filed with the Town Clerk’s office.
5. Issuance of the licenses shall be subject to a new certificate of inspection from the Building Department and completion of the Health Department’s plan review process.
6. The applicant may request a seven-day license, for Sunday service of alcohol, six months after the premises are opened for business.

The Licensing Board also voted unanimously to approve a pledge of the license to J&L Realty Trust, and approved David E. Brambila as manager of the licensed premises.

3. New Rotary Grille, Inc.
d/b/a Verona Restaurant
c/o Agostino Farese
20 Fayette Street
Watertown, MA 02472

A Watertown Licensing Board status hearing regarding New Rotary Grille, Inc. d/b/a Verona Restaurant, holder of an all alcohol common victualler license issued for exercise at 18 Mount Auburn Street, was scheduled for a continued hearing session on March 20, 2014. On that same date, the Licensing Board considered, and approved, an application for transfer of the license to another entity. Therefore, a further status hearing was determined to not be necessary, and the Licensing Board deemed the status hearing matter resolved.

4. MJLK, Inc.
d/b/a 21 Nickels
c/o Michael J. Moran
67 Burton Street
Brighton, MA 02135

The Watertown Licensing Board has continued the show cause hearing concerning a violation of Section IV.C.1.b of the Rules and Regulations of the Watertown Licensing Board, which requires that a restaurant authorized to sell alcohol on Sundays submit an annual report, by May 1 of each year, confirming that the licensed establishment derives 60% or more of its gross revenues from the sale of food, to wit: the failure to submit an annual report for 2012. The matter had previously been continued from June 20, July 18, August 15, September 19, October 17, November 21, December 19, 2013, and January 16 and February 20, 2014, and the proceedings from the sessions held on those dates are described in the Board's Notices of Action and Continuance dated July 10, August 7, August 23, October 4, and November 1, 2013 and the Notices of Continuance dated December 2, 2013, and January 7, January 31 and March 10, 2014.

The continued hearing will be held on April 17, 2014 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

5. MJLK, Inc.
d/b/a 21 Nickels
c/o Michael J. Moran
67 Burton Street
Brighton, MA 02135

The Watertown Licensing Board held a continued session of a show cause hearing on the matter of the closure of the premises at 21 Nichols Avenue licensed for all alcohol common victualler service and the failure to comply with the conditions of the Board's approval of that closure. The matter had been continued from June 20, July 18, August 15, September 19, October 17, November 21, December 19, 2013, and January 16 and February 20, 2014, and the proceedings from the sessions held on those dates are described in the Board's Notices of Action and Continuance dated July 10, August 7, August 23, October 4, November 1, December 2, 2013, January 7, January 31 and March 10, 2014.

Attorney Paul Rufo appeared on behalf of the licensee, together with Michael Moran, president. Attorney Rufo presented a letter to the Board dated March 19, 2014. That letter stated that the licensee had entered into a letter of intent for sale of the license, and included a copy of the letter of intent. Attorney Rufo reported that the plan for a transfer to the so-called Gurdal group, which was discussed at the hearing session of February 20, had not materialized because the prospective transferee was not able to file a transfer application by the beginning of March. In the meantime, the licensee was approached by Gerald Caico, part owner of Joey's Sports Bar in Brighton, who is looking for new premises. Mr. Caico is in the process of selling his City of Boston license, but Attorney Rufo stated that transaction is not a contingency to purchase of the MJLK, Inc. license. The one contingency of the MJLK transaction is a purchase of the real estate at Nichols Avenue. Mr. Caico will seek financing and will submit an application to both the current mortgage holder and another lender.

In response to a question from the Board, Attorney Rufo stated that if a purchase of the real estate cannot be arranged, the parties would entertain a long term lease arrangement. He added that Mr. Caico is a highly motivated buyer, and Mr. Moran stated that there has been a great deal of activity with respect to the Caico offer in the last seven days, noting that Joey's Sports Bar has been in operation for 30 years.

Board Member Newman expressed his concern that, given the amount of time that has transpired, a formal transfer application be acted upon by the Board's May meeting date, May 15.

The Licensing Board voted to continue the matter to April 17, 2014, subject to the condition that if the ABCC transfer application has been filed by April 2 the licensee need not appear.

The continued hearing will be held on April 17, 2014 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.