



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

TEL. (617) 972-6486
FAX (617) 972-6595

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

ALTERNATE MEMBER
SANDRA KASABIAN HOFFMAN

Minutes September 19, 2013

1. ACCEPTANCE OF MINUTES: August 15, 2013
2. Kiz, LLC d/b/a Kiz Garden
485 Arsenal Street, Store #5767
New Common Victualler
3. Djano V. Keremian d/b/a
Timeless Jewelry
100 Main Street
Second Hand Dealer License
4. U.S. Autogroup of Massachusetts, LTD d/b/a
Boston Volkswagen
43 North Beacon Street
Change of Manager
Continued from August 15, 2013
5. New Rotary Grille, Inc.
d/b/a Verona Restaurant
18 Mt. Auburn Street
Status Hearing
Continued from June 18,s 2013
6. MJLK, Inc. d/b/a 21 Nickels
21 Nichols Ave.
a. Show Cause
b. Show Cause
Continued from August 15, 2013
Continued from August 15, 2013
7. Comments by Board Clerk and Police Department

Donna B. Doucette, Chairman

7:30 PM to 8:30 PM

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

1. Minutes from the August 15, 2013 hearing were approved by the Licensing Board.
2. Kiz, LLC d/b/a
Kiz Garden
88 Litchfield Street
Brighton, MA 02135

The Watertown Licensing Board has continued its hearing on the application of Kiz, LLC d/b/a Kiz Garden for a Common Victualler License to be exercised at 485 Arsenal Street, store space #5767 in the Arsenal Mall. The hearing was originally scheduled for September 19, 2013. At that time, Eui Choi, manager, appeared on behalf of the applicant and acknowledged that no hearing notices had been sent to the listed abutters. He also stated that with the recent sale of properties at the Arsenal Mall, the rights of the originally designated lessor of the proposed space had ended. He explained that he had begun discussions with the new owner regarding a lease.

The continued hearing on this application will be held on October 17, 2013 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

3. Djano V. Keremian d/b/a
Timeless Jewelry
100 Main Street
Watertown, MA 02472

The Watertown Licensing Board has continued its hearing on the application of Djano V. Keremian d/b/a Timeless Jewelry for a Second Hand Dealer License to be exercised at 100 Main Street. The hearing was originally scheduled for September 19, 2013. At that time, Mr. Keremian appeared in support of the application. The Board acknowledged receipt of a report from the Police Department referencing a department report concerning the application. The Board voted to continue the matter in order for a member of the Police Department to be present for consideration of the application.

The continued hearing on this application will be held on October 17, 2013 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

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

The Watertown Licensing Board had scheduled a status hearing for September 19, 2013 on the all alcohol common victualler license issued for exercise at 18 Mount Auburn Street by New Rotary Grille, Inc. d/b/a Verona Restaurant. The hearing was scheduled following a report by the licensee to the Board, at its June 20, 2013 hearing, regarding plans and activity in connection with a possible sale of the restaurant business for which the license is issued. The matter is under review because the restaurant has been closed for business, with the approval of the Board, since December 23, 2012.

By its Notice of Action issued after the June 20 hearing and dated July 10, 2013, the Board informed the licensee that it would expect additional information and details regarding the proposed transfer of the license and operation of a business at the premises. It also informed the licensee that the

Board would consider whether a Show Cause Hearing should be scheduled to consider any further action with respect to the license.

No one appeared on behalf of the licensee for the September 19 status hearing. The Board voted to continue the matter to October 17, 2013 and to schedule a Show Cause Hearing for that date to consider what action to take in connection with the licensee's failure to operate a business at the licensed premises.

In the event the Licensing Board finds there is no good cause for the continued failure to operate the licensed premises it may take disciplinary action, which may include suspension, cancellation or revocation of the license for your premises.

The Show Cause Hearing will take place on October 17, 2013 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 concerning your 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: your failure to submit an annual report for 2012. The matter had been continued from June 20, July 18, and August 15, 2013, 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, and August 23, 2013.

Attorney Paul Rufo appeared on behalf of the licensee, and presented a letter to the Board dated September 19, 2013. That letter described the licensee's efforts in finding a purchaser for the restaurant business.

Attorney Rufo reported that annual reports to the Secretary of the Commonwealth for years 2010 to 2012 have been filed. However, records of food and beverage sales are still being compiled in order to complete the annual sales report required to be submitted to the Board.

The Licensing Board voted to continue the matter to October 17, 2013.

The continued hearing will be held on October 17, 2013 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

6. 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, and August 15, 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, and August 23, 2013.

Attorney Paul Rufo appeared on behalf of the licensee, and presented a letter to the Board dated September 19, 2013. That letter described the licensee's efforts in finding a purchaser for the restaurant business. There have been discussions with three prospective purchasers, but to date there has been no written purchase offer. The licensee intends to apply for renewal of the license regardless of whether a sale has been arranged. Annual reports to the Secretary of the Commonwealth for years 2010 to 2012 have been filed and are available on the state website.

Attorney Rufo stated his understanding that the portion of the Superior Court litigation in Robert J. Ryan v. Paula Moran, et al., Middlesex Superior Court C.A. No. 10-CV4650-F, that had an impact on the license had been resolved. According to court records, the plaintiff's request for an attachment of the license has been denied; and, according to Attorney Rufo's discussion with counsel for one of the defendants, Shaun Moran, a settlement has been reached.

Board Chairman Doucette noted that if the license is rescinded or lapses, it will be lost because Watertown is over its statutory quota of licenses of this type. In response to a question from the Board, Attorney Rufo stated he has told his client that an alternative plan needs to be developed in the event there is no transfer of the license. Board member Newman stated there needs to be a definitive plan.

The Licensing Board voted to continue the matter to October 17, 2013, and informed Attorney Rufo that unless the licensee has presented a buyer name and a transfer application by that time Michael Moran will need to appear on that date to explain what will be done to re-open the premises for business.

The continued hearing will be held on October 17, 2013 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.