



CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

BOARD OF LICENSE COMMISSIONERS' MEETING MINUTES

For Friday, July 12, 2019

Michael J. Lombardi Building
831 Massachusetts Avenue
Carmelia M. Vicente Conference Room (Basement Level)
Cambridge, Massachusetts

Meeting started at approximately 8:36 a.m.

Board of License Commissioners Board Members: Nicole Murati Ferrer (present), Branville G. Bard (present), and Gerard Mahoney (present).

Staff Member Present: Elizabeth Y. Lint, Executive Director.

Public Session

- 1) The Board will meet in public session in order to vote to go into executive session for the purpose of discussing litigation strategy with respect to an appeal currently pending before the Alcoholic Beverages Control Commission (the "ABCC") brought by La Fabrica Central, LLC d/b/a La Fabrica (License # 11593) ("La Fabrica") from a July 11, 2018 decision of the Board to issue a four (4)-day suspension to La Fabrica (the "Appeal"), as a discussion in public session would have a detrimental impact on the litigating position of the Board.

Summary: Executive session requested as discussing in an open forum the litigation strategy for the appeal would be detrimental to the Board's litigating position in this case.

Decision: By roll call vote (3-0), the Board voted to move into Executive Session.

Executive Session

- 2) The Board will meet in executive session to discuss litigation strategy with respect to the above-referenced matter for the above-stated reasons.

Decision: By roll call vote (3-0), the Board voted to end Executive Session.

Administrative Matter

- 3) The Board will return to public session to discuss the Board's July 11, 2018 decision in the above-referenced matter.

Summary: There was discussion as to whether the number of days the license was suspended for the July 11, 2018 violation should stand. The Board agreed that the violation was serious. Commissioner Bard proposed reducing the suspension to two days considering that on the date of the incident that gave rise to the violation (5/5/19) the licensee had not received the Board's

vote on the 2/9/18 incident. Discussion ensued that even if the "notice" of the Board's position or suspension as to the 2/9/18 incident had not been received and even if not considered as a factor in determining the suspension for the 7/11/18 incident, the four days suspension was still appropriate, not punitive and commensurate to the facts of the 7/11/18 violation.

Decision: No change (2-1) to the Board's vote of 7/11/18, the license will be suspended for four days (Commissioner Bard dissented – voted to reduce the suspension to 2 days).

Board's Approval of Minutes:

NME 
BGB 
GEM 

Date Minutes Approved: JUL 31 2019

Date Approved Minutes Posted: AUG 05 2019