



*Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3  
Chelsea, Massachusetts 02150-2358*

**Jean M. Lorizio, Esq.**  
*Chairman*

NOTICE OF SUSPENSION

March 9, 2023

**GALWAY INC. D/B/A THE HARP  
85 CAUSEWAY STREET  
BOSTON, MA 02114  
LICENSE#: 00638-RS-0116  
VIOLATION DATE: 12/10/2022  
HEARD: 1/31/2023**

After a hearing on January 31, 2023, the Commission finds Galway Inc. d/b/a The Harp violated M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). The Commission **suspends the license for a period of two (2) days to be served.**

**The suspension shall commence on Monday, May 1, 2023, and terminate on Tuesday, May 2, 2023.** The license will be delivered to the Local Licensing Board or its designee on Monday, May 1, 2023, at 9:00 A.M. It will be returned to the licensee on Wednesday, May 3, 2023.

You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio  
Chairman

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ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Kyle E. Gill, Esq., Associate General Counsel  
Melissa Anderson, Investigator  
David Bolcome, Investigator  
Sean Fleming, Investigator  
Nicole Terasconi, Investigator  
Stephen V. Miller, Esq.  
Administration, File



*Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
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**DECISION**

**GALWAY INC. D/B/A THE HARP  
85 CAUSEWAY STREET  
BOSTON, MA 02114  
LICENSE#: 00638-RS-0116  
VIOLATION DATE: 12/10/2022  
HEARD: 1/31/2023**

Galway Inc. d/b/a The Harp (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, January 31, 2023, regarding an alleged violation of M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Anderson's report.

The following documents are in evidence:

1. Investigator Anderson's Report;
2. ABCC Form 43 License Transfer approved, 11/10/1992;
3. ABCC Decision, 5/11/2015;
4. ABCC Decision, 4/4/2007;
5. ABCC Decision, 8/20/2001;
6. ABCC Decision, 8/24/1995;
7. ABCC Decision, 7/5/1995;
8. Licensee's Stipulation of Facts.

There is one (1) audio recording of this hearing.

**FINDINGS OF FACT**

1. On Saturday, December 10, 2022, Investigators Bolcome, Fleming, Terasconi, and Anderson ("Investigators") inspected Galway Inc. d/b/a The Harp to determine the way its business was being conducted.
2. At approximately 4:34 p.m., Investigators Fleming and Terasconi ("Investigators") entered the licensed premises in an undercover capacity and observed an unknown male

individual ("UM"), dressed in a Santa suit who appeared to be intoxicated. Investigators observed that UM's eyes were glassy and bloodshot and his speech was slurred. After a brief conversation with Investigators, UM leaned on Investigator Fleming for support. Investigators made these observations while UM was standing at the bar in the direct line of vision of employees.

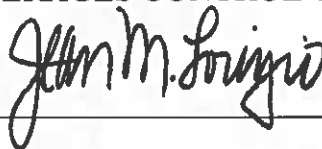
3. At the bar, Investigators conversed with UM, who leaned against the bar with his head in his hands. UM stated to Investigators that he was messed up.
4. At approximately 5:42 p.m., UM offered to purchase alcoholic beverages for the Investigators. Investigators observed that UM was leaning heavily on his girlfriend and his eyes had a glazed look.
5. Based on their training and experience, Investigators determined that UM was intoxicated.
6. At approximately 5:56 p.m., Investigators observed UM ask his friends what they would like to drink. UM then approached the bar and ordered several Moscow Mules and vodka Red Bull mixed drinks. Investigators observed UM's speech was thickly slurred. The bartender on duty informed UM that he had ordered too many drinks and would need to bring his friends over to the bar area, which he did.
7. At approximately 5:59 p.m., Investigators observed the bartender deliver the alcoholic beverages to UM and his friends. UM took possession of a vodka Red Bull.
8. UM had difficulty calculating and signing the bill, and he asked Investigator Terasconi for assistance.
9. At approximately 6:01 p.m., Investigators Bolcome and Anderson entered the licensed premises to make observations. They confirmed that UM appeared to be intoxicated.
10. Investigators spoke to the manager on duty and the bartender, informed them of the violation, and that a report would be filed with the Chief Investigator for further review.
11. Jamey Roberts, Manager of Record, appeared at the Commission hearing and testified as to the Licensee's policies and procedures. In addition, he stated that all bartenders are Serve Safe certified prior to working behind a bar, and he is in the process of ensuring all certifications are up to date.
12. The Licensee has held a license under M.G.L. c. 138, § 12 since 1992.

#### CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). Therefore, the Commission **suspends the license for a period of two (2) days.**

#### ALCOHOLIC BEVERAGES CONTROL COMMISSION

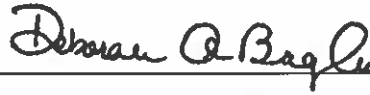
Jean M. Lorizio, Chairman \_\_\_\_\_



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: March 9, 2023

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

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2022-000208-ad-enf

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