

**STATE OF CONNECTICUT**

**DEPARTMENT OF CONSUMER PROTECTION**

***IN THE MATTER OF***

Half Time Sports Lounge  
Gary Picardi, Permittee  
Half Time Sports Lounge LLC, Backer  
Permit # LBA.178

Docket No. 15-745  
December 15, 2015

**MEMORANDUM OF DECISION**

This matter involves a bowling alley liquor permit issued to Half Time Sports Lounge, 122 Boston Post Road, Waterford, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on December 10, 2015. Despite proper notice, the Respondent failed to appear.

The alleged violations are the result of a special investigation by liquor control agents conducted on August 13, 2015. It is alleged that on or about August 13, 2015, the Respondent: 1) sold or delivered alcoholic liquor to an intoxicated person in violation of Sec. 30-86, Connecticut General Statutes; 2) permitted unlawful conduct in the form of smoking in violation of Sec. 30-6-A24(a) of the Regulations of Connecticut State Agencies, and 3) did not file the liquor permit with the Town Clerk as required by Sec. 30-53, Connecticut General Statutes.

The following facts are found based upon the direct testimony presented at the hearing. On the evening of August 13, 2015, Liquor Control Agent J. C. Lewis and Special Agent Phil Colla entered the premises to conduct undercover surveillance based upon a complaint the department had received about the location. They seated themselves at the bar and had a clear and unobstructed view of a female later identified as Marie E. Hooker. Ms. Hooker had a partially consumed beer in front of

her. Agent Lewis observed Ms. Hooker exhibit signs of intoxication. She observed Ms. Hooker swaying in her seat and her head bobbing up and down, as though she was falling asleep, while speaking with a patron seated next to her. Agent Lewis observed Ms. Hooker as she walked unsteadily towards the bathroom and leaned on the doorway and wall next to the bathroom door to steady her. When Ms. Hooker exited the bathroom, she steadied herself by sitting against a nearby wall. Ms. Hooker returned to the bar where she spoke with a male patron, expressing herself with slow arm movements. Agent Lewis then heard Ms. Hooker ask the bartender, in slow and slurred speech, to call her husband for a ride. Ms. Hooker appeared to be crying. The bartender walked away and then returned with a glass of ice water and a shot of Crown Royal liquor which he served to Ms. Hooker, who consumed the shot. During this time, the permittee, Gary Picardi, was seated at the end of the bar. Agents Colla and Lewis exited the premises. Thereafter, Liquor Control Agent Lanuza and Waterford police officers entered the premises. Agent Lanuza observed patrons smoking on a covered patio area. She also observed that the liquor permit had not been filed with the Waterford Town Clerk, as required, on the date of the investigation.

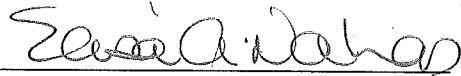
Based upon the substantial evidence and the documents presented at the hearing, we find the Respondent to be in violation of all counts as alleged. The Liquor Control Act grants the Liquor Control Commission a liberal discretionary power to determine factual matters with regard to liquor permits and to suspend or revoke the permit after a hearing. *Balog v. Liquor Control Commission*, 150 Conn. 473, 191 A.2d 20 (1963). This power to suspend or revoke a liquor permit is

exercised conservatively, but mindful that dispensing liquor is a privilege, not a right. *Beckanstin v. Liquor Control Commission*, 140 Conn. 185, 99 A.2d 119 (1953).


The Respondent's liquor permit is suspended for a period of four (4) days and for an additional seven (7) days. In lieu of the additional 7-day suspension, however, we will accept payment of a fine of \$525 in accordance with Sections 30-6-A8(i) and (k) of the Regulations of Connecticut State Agencies.

**DEPARTMENT OF CONSUMER PROTECTION**

**BY**



Elisa A. Nahas, Esq.  
Presiding Officer

  
Angelo Faenza, Commissioner  
David A. Scribner, Commissioner

**Parties:**

Gary Picardi, 299 Boston Post Road, Old Lyme, CT 06371-1313

**Non-parties:**

John Suchy, Director, Liquor Control Division  
Connecticut Beverage Journal, 2508 Whitney Ave., P.O. Box 185159, Hamden, CT  
06518  
Connecticut State Library, 231 Capitol Avenue, Hartford, CT 06106