

**Board of Health Meeting Minutes
February 13, 2003**

PRESENT: David Osler, M.D., Chairman
Donald Norton, Member
Arnold Duclersaint, Member
Jack Vondras, Director
Cesar Pungirum, Tobacco Control Program
Cheryl Sbarra, Massachusetts Association of Health Boards
Eileen Sullivan, Massachusetts Department of Public Health
Stephen Mackey, Somerville Chamber of Commerce

The meeting was called to order 4:45 PM.

Dr. Osler made a motion to accept tabled minutes from the December 12, 2002 meeting. Mr. Duclersaint requested the following amendment be made to the December 12, 2002 meeting minutes before they are accepted. Mr. Duclersaint stated that he had requested that community people as well as business people, be present at that meeting, and requests this be reflected in the minutes. Tabled minutes were accepted, three to zero, vote unanimous.

Mr. Norton made a motion to approve the minutes from the January 15, 2003 meeting. Mr. Duclersaint (was not present for this meeting, but was in receipt of minutes) seconded the motion. Three to zero, vote unanimous.

Tobacco Update:

Mr. Pungirum stated that Chelsea passed its vote to approve Clean Air Works unanimously on February 4, 2003, to be implemented September 8, 2003. Cambridge passed for a second reading to happen the end of February. The Everett meeting is to occur March 12, 2003. Watertown has a hearing tonight February 13, 2003. Newton is moving forward.

Answers to Questions Proposed by Businesses:

Concerns and issues were raised that if Somerville adopted the smoking ban and required all restaurants, bars and nightclubs to be smoke-free there would be consequences in having patrons stand outside of establishments. Several consequences feared would be elevated noise levels due to crowds on sidewalks, sidewalk crowds spilling into traffic, re-entry/security issues, and cigarette litter on sidewalks.

To address these concerns the Tobacco Control Collaborative conducted a "Bar-Hop" survey. This survey entailed two staff members of the collaborative and five other volunteers entering 33 out of 42 establishments on December 12, 2002 from 9:30pm to 11:00pm. The members counted how many patrons at any given time were actively smoking compared to the number of patrons present in the establishment. The city of Boston and Cambridge have conducted similar surveys. This survey revealed 83 patrons actively smoking among 1325 total patrons, 6.3%. Boston's smoking population numbers were reported at 7%, and Everett's numbers were reported at 13%. This survey concluded that extremely small percentages of people would be outside smoking if establishments were smoke-free, leaving no concerns for noise disturbances. These

results indicate that crowds on sidewalks or crowds spilling off sidewalks into traffic are unlikely. At this time there were no security issues, including checking bags or pockets reported. Tobacco Control Collaborative passed out 2 different handouts concerning its results for the survey, and answers to questions raised by business owners.

Mr. Duclersaint questioned how much time was spent at each establishment. Mr. Pungirum stated that 2 – 3 minutes were spent at each establishment.

Next, Cheryl Sbarra wanted to address several of the business community concerns. Ms. Sbarra stated that the biggest general concern is the economic downfall, which is why a regional approach would be done in conjunction with Watertown and Cambridge, as well as other cities and towns, would be beneficial to Somerville. Somerville would adopt the smoking ban only as part of a regional approach. She feels Somerville has unique restaurants and bars, and people come from all over to experience the ambiance. She feels owners give these businesses an injustice when saying patrons will not dine or drink at these businesses if they are not allowed to smoke. Next, she addressed their concerns on money spent on “smoke-eaters”. She stated that the regulation read that smoke-eaters were not required, and the Board did not require businesses to install them. She went on to say that “smoke-eaters” are not ventilation systems, and do not get rid of smoke toxins in the air. Ms. Sbarra went on to repeat that people standing on the streets would not be a problem because the numbers indicate that so few people actually do smoke. Other cities and towns that have adopted this smoke-free ban have not shown an increase of people being disruptive outside, and it’s not an issue. They have also stated that clean-ups are easier in these establishments.

Private clubs would be exempt from this smoking ban if its members run and attend the club and bar, not employees or the general public. However, if the “private-club” operates with the general public or pays employees it would have to be smoke-free.

Ms. Sbarra stated that Somerville could pass the regulation and tie its implementation date to Cambridge. Mr. Norton asked why hasn’t Cambridge adopted yet or come to an agreement. Ms. Sbarra answered that Cambridge is more difficult because an ordinance committee rules it on. Mr. Norton then questioned whether Cambridge would actually pass. He stated that he is aware of the fact that they need 5 members to vote to pass the ban and presently only have 4. Ms. Sbarra stated that Cambridge has concerns as well as Somerville, but that also Boston had concerns that have been resolved and have adopted.

Ms. Sbarra stated that the Board of Health has the right to pass regulations, and suggests the Board regulate contingent that Somerville adopts when Cambridge adopts. If the Board passes that Somerville will adopt along with Cambridge, she believes that it would push Cambridge along.

Mr. Mackey requested that perhaps a hearing is not the best way to go. He also stated that business community needs to be recognized and heard from, and that there was an agreement that all questions would be answered.

Dr. Osler stated that its good to have information entered into public record. He feels that there is a need to have a meeting with the businesses and the community. Dr. Osler then questioned whether or not we are able to have hearing. Mr. Vondras stated that he has

been in contact with the City Solicitor Lisa Mead, and she stated the Board could conduct a hearing and set up their own guidelines. Dr. Osler and Mr. Vondras stated that they together would draft guidelines and run it by the City Solicitor and propose the need for the meeting.

Blue Sky Grill:

The Blue Sky Grill, located at 596-608 Somerville Avenue, Somerville, MA, submitted a request for two smoking variances. One variance was to allow smoking at the bar area during normal hours of operation. The other variance was to allow smoking at hours when the establishment operates more like a bar or nightclub. The kitchen closes at 9:30 PM, at which point the restaurant becomes a nightclub, 21 years of age and over. The establishment has 102 seats, with 12 or 13 seats at the bar for smoking during normal hours. The seats at the bar are six feet from the non-smoking area. Given the lay out of the restaurant, it meets the criteria for both variances. There was a slight error with the posting of a legal notice for this hearing last month. The Somerville Journal erroneously published the notice one week before the hearing and not two weeks as required by the regulation.

Mr. Pungirum had recommended that temporary variances be granted pending proper posting of the legal notice for a hearing on February 13, 2003, at which time the Board could make a final decision on the matter. Those temporary variances were granted, and Mr. Pungirum asked for the Board to make a final decision on the variance requests at this meeting.

Mr. Norton made a motion to grant the variances. Dr. Osler seconded the motion. Three to zero, vote unanimous.

As discussed at the November 14, 2002 & January 15, 2003 meetings, the smoking variances that would have expired on 1/31/03 were extended to March 1, 2003, because of the possibility of a public hearing on the smoking ban. Mr. Pungirum asked if the Board would like to stay with the March 1st date or grant another extension. Mr. Duclersaint questioned whether letter could be sent out stating that this process is currently under review and licenses will not stay effective for 2 years, and is there a possibility that the Board could set a date. The question was also brought up whether or not this coincides with Cambridge.

Mr. Norton made a motion to extend the date until April 1, 2003, to ensure applications are sent out and approved. Dr. Osler seconded the motion. Three to zero, vote unanimous.

Update on Budget:

Tobacco had another cut, which resulted in the lay-off of Michelle Cremmins. The Tobacco Department stands at 1 ½ equivalent employees. Tobacco will contract consultants, to work on a part-time basis. The use of these contractors could be cut or extended if needed.

The Enhanced School Health Grant was cut \$68,000.00 via fax. This cut resulted in the lay-off of 2 full time school nurses, and a decision needs to be made concerning the

Nurse Leader position. These changes have been implemented, and the department is unsure if money will be reestablished.

The City of Somerville took a cut of \$3,000,000.00 from the FY03 budget. The Health Department has taken a 15% cut for this Fiscal Year. This cut has been taken without layoffs to any staff of the Health Department. This cut was absorbed due to the elimination of a presently unfilled position in the Housing Unit, also other necessary adjustments have been made to the budget. Other departments within the city are expected to have lay-offs, which will be announced tomorrow. The Mayor has instated a hiring freeze throughout the city, with exception to “essential” positions. The Health Department’s Public Health Nurse position is considered an “essential” position, allowing us to still fill the vacant position. No expenditures will be allowed without approval from the Mayor. Enforcement of strict overtime caps and out of grade payments, these will only be approved and allowed on an as needed, necessary basis. Furlough (non-paid time off) are also being encouraged throughout the city as a measure to help decrease costs. Mr. Vondras has been requested, and has agreed to use “furlough” time, as a measure to help offset the budget issues.

Teen Connection Update:

Dr. Osler stated that the Cambridge Health Alliance has agreed to build a new site located at the Somerville High School. Construction is just about completed, minor details like licenses and permits are still needed. Dr. Osler assumes it will open in approximately 3-4 weeks. In this new structure 3 school nurses will be housed in the primary space. Mr. Vondras thanked Dr. Osler for Teen Connection.

Meeting was adjourned at 5:50 P.M.

Next meeting is scheduled for Wednesday, March 19, 2003 @ 4:30 PM.

Respectfully submitted,

Elizabeth Roche
Administrative Assistant

Concerns/Questions About CAW Raised By Restaurant Owners/Managers In Somerville

Presented by

Cheryl Sbarra, Senior Attorney

Mass. Association of Health Boards

1. Implementation of CAW would cause a loss of business.

Research indicates that this is not the case (Bartosh & Pope study). In addition, the smoking rate in Massachusetts is less than 20%. Nonsmokers greatly outnumber smokers. Smoke-free establishments will actually attract more of the 80% of people who don't smoke. (*Robert Elliot, owner of Tir Na Nog indicated as much in the Somerville Journal*).

2. Some restaurant owners have already spent money on "smoke eaters."

First, the current regulation DOES NOT require establishments to install smoke eaters. If restaurants have done so, they did it of their own volition as a business decision.

Second, smoke eaters are not ventilation systems. At best, they mask the smell of smoke. They do nothing to eliminate the toxins that are smaller in size than the particulates caught in a well-maintained smoke eater.

3. The smoking ban would cause smokers to gather outside establishments to smoke. That is not only a nuisance in terms of noise and litter, but once outside, the crowd cannot be controlled, and present a liability to restaurant owners. The problem becomes more significant for those businesses located in mixed-use areas.

This issue is really a red herring, or non-issue for the following reasons:

The entire restaurant or bar will not empty out onto the street to smoke at the same time. The smoking rate for 18-34 year olds in Mass. is approximately 22.8% and trending downward (Abt Associates, Inc.). The perception that everyone is smoking in a bar is simply not true.

In fact a group of volunteers tested this in Somerville on Thursday, December 12, 2002 between 9:30 and 11:30 p.m. Teams of 2 adults entered liquor licensed establishments in Somerville to measure, at any given time, how many patrons were actively smoking vs. how many patrons were in the establishment. 33 establishments were visited. Of the 1325 total patrons counted, 83 were smoking or 6.3%.

Some examples:

1. Johnny D's at 10:40 p.m. 1 out of 70

2. Mt. Vernon at 10:22 p.m. 1 out of 22
3. Tir Na Nong at 10:00 p.m. 4 out of 29
4. Good Times at 10:38 p.m. 17 out of 272

Clearly from these extremely low numbers, crowds on sidewalks or spilling off of sidewalks is highly unlikely.

During operation bar hop in Somerville, 26 people were waiting outside the Burren. Two people in line were smoking. Several were talking on cell-phones and others were in conversation with each other. There was no noticeable noise from the group.

In addition, there were no security issues reported by any team. There was no bag checking or pocket checking. This same study showed similar results in Boston and Cambridge.

These exact arguments were raised and rejected in Oak Bluffs on Martha's Vineyard.

The Board of Health overturned a 100% smoking ban claiming the smokers outside of bars were creating all sorts of noise and trash. Residents of Oak Bluffs felt differently and REJECTED THE ARGUMENT AT TOWN MEETING, REINSTATING THE 100% BAN.

Noise in mixed-use neighborhoods has always been an issue, even before tobacco control. Community efforts to minimize late-night disturbances will continue as they historically have.

Salem, which has a 100% ban on smoking and has many bars in mixed-use setting, has not experienced an increase in noise or litter complaints.

Amherst, which has more than 20,000 college students and many bars, has not experienced a problem with swarms of people on the sidewalks because of Amherst's smoking ban put into effect in 1998. There are always people on the sidewalks in Amherst, as in Somerville.

Brookline, which has had a ban in place for years and which has many restaurants and bars has not reported an increase in noise or litter complaints.

Dian Kiser, co-director of the California Smokefree Bars and Workplaces Communities Program reports that these issues have simply not panned out in CA. The ban has been in effect for more than 5 years and affects approximately 40,000 restaurants and bars. Her program is responsible for coordinating all of the enforcement and noise and litter have not been issues.

Specifically with respect to litter, bar owners tell her that they have always swept up in front of their establishments every day. Actually the clean up has been easier for staff because they no longer have to clean up the cigarette butts on the floor in the bar.

4. Private clubs are not included. This would cause an uneven playing field.

Private clubs, if they are operating within the bounds of their Section 12 "Club" liquor license, cannot operate like public bars and, therefore should not be able to take customers away from bars. A section 12 liquor license is only given to nonprofit, charitable organizations that are truly private. If anyone can enter a private club, then the club is in violation of its liquor license, and should be reported to the licensing commission.

5. Surrounding cities have not yet adopted the smoking ban. If Somerville adopts it first, establishments would lose money to establishments in these surrounding towns.

Historically, we have not seen a vast migration of patrons to another community with the adoption of a smoking ban. Patrons visit an establishment because of its good food or ambiance, not because it allows smoking.

In addition, Boston has adopted the ban, effective May 5th. Cambridge is considering adopting the ban. Medford and Arlington are already smokefree. Saugus will be smokefree on May 1st. Everett will be holding a hearing in March. Watertown and Newton also intend to hold hearings on a 100% smoking ban in near future and Chelsea held a hearing on 01/21/03 and passed the smoking ban on 02/04/03, effective 09/08/03.

Clean Air Works is a campaign that was established specifically to foster a regional approach. Boston has become the 70th community to adopt the smoking ban and more and more cities and towns are following their lead.

Somerville could pass a regulation, making the effective date the same date as neighboring communities such as Boston and Chelsea.

6. If Cambridge, particularly, doesn't adopt the ban, Somerville establishments would certainly lose business to establishments there. Especially because they have 2 am licenses.

See first answer, as well as answer to # 5 above. We understand that Cambridge is of particular concern to Somerville; and Clean Air Works is working closely with the Cambridge Public Health Commissioner to that end. The Somerville Board of Health and Somerville business owners might want to contact the Cambridge Public Health Commissioner and voice support for a ban in Cambridge.

Anyway, Somerville could pass its regulation but include language in it tying its implementation date to Cambridge's.

7. Surrounding communities should adopt the ban first. Perhaps a 30-mile radius with Somerville at the center should be established. Once all the cities and towns within this radius go smoke free, Somerville will too.

Again, see above responses too first and fifth. Clean Air Works represents intent to act regionally.

8. Some establishments have already booked their function rooms for events during which smoking would have been allowed.

People that have already booked function rooms have implicitly and explicitly agreed to abide by all rules and regulations in the city of Somerville, even if they change before their event occurs. Historically, the City has the authority to amend its laws at any time.

9. Statewide approach is better because it would really level the playing field, and prevent patrons from jumping city borders.

Most of us clearly understand the benefits of a statewide ban; however, the only piece of statewide legislation to affect smoking in business that has made it through both the House and the Senate dealing with smoking bans in the past 9 years is a ban on smoking in all indoor flea markets.

The legislature will focus almost all of its energy and efforts on budget issues during this legislative session.

In addition, the Mass. Restaurant Association, which supported statewide legislation in the past, testified in writing against it two years ago when it was proposed by former Representative Cahill. The MRA testified that smokefree legislation should be passed city by city and town by town by their Boards of Health.

10. Enforcement of similar regulation presents a problem because it's not evenly enforced at every workplace, particularly when the violator is the local government (police, fire department, and other municipal buildings).

This has simply not been a problem. The department head is usually responsible for seeing that the regulation is adhered to. In addition, the regulation is largely self-enforcing and complaint driven.

Once entities are aware of the regulation, rarely do they overtly violate it, partly because customers will want the regulation followed. Especially when the Board of Health leaves plenty of time between the date of enactment and the effective date of the regulation. This time is best used to familiarize the city with the terms of the regulation.

11. Instead of the local government come into private businesses and tell them what to do, it should let patrons vote with their feet.

Exposure to secondhand smoke is a serious health issue. According to the U.S. Environmental Protection Agency (EPA), secondhand smoke is a Class A carcinogen, a known human carcinogen with no safe level of exposure. In addition, it causes respiratory and cardiovascular disease. This argument would not hold water with the citizens of Somerville if we were talking about asbestos, or arsenic, other Class A carcinogens.

When minute amounts of asbestos have been found in school buildings across the commonwealth, the outcry by citizens has been fast and loud, and local officials have responded quickly to prevent exposure to this Class A carcinogen.

What if just a few particles of arsenic existed in food at a restaurant? Would we be making the same argument that the customers could vote disapproval of the practice by “voting with their feet” and leaving the restaurant?

12. All licenses have gone up in Somerville, raising the cost of doing business here. Such a smoking ban would add to this cost and drive some establishments out of business.

The proposed ban would not cost restaurants or bars anything to implement. Other arguments are in number 1 and 5 above.

13. Gargoyles’ owner specifically claimed that he spent \$200,000 to move his establishment two doors over, so he could have a separate bar. He argues that if the ban is passed, he’ll never see that money back.

The current regulation did not require Gargoyles to spend money on structural modifications. It was his voluntary business choice to create a separate bar during a period when local advances to make restaurants and bars smoke-free had been in the Massachusetts media and restaurant trade publications for years.

14. Gargoyles’ owner also argues that he competes directly with Waltham, and since they are not moving on with CAW, his establishment is bound to lose a lot of business.

Waltham does not border Somerville. Two similarly situated Waltham restaurants likely to attract the same clientele as Gargoyles are voluntarily smoke free.

15. Gargoyles’ owner also claimed that the he did an experiment at one of his establishments in Boston, where he made an entire room smoke-free to see what

would happen. His findings were that the smoke-free room was virtually empty and the smoking room packed.

This anecdotal story is not consistent with the low smoking rates in Massachusetts. In addition, this argument will be moot on May 5, 2003 when Boston's restaurants will become 100% smoke free.

16. There are already more smoke-free establishments in Somerville than smoking ones. Non-smokers have many more choices than smokers do.

Again, this is about health. The asbestos and arsenic arguments outlined above address this argument. The board of health has an obligation to protect the health of its community members.

17. Drinking and smoking go hand in hand. That's why people go to bars. If you ban smoking it will certainly have a negative impact upon the drinking clientele.

This argument was made about movie theaters and airplanes as well. Everyone thought that no one would go to the movies or fly on airplanes. This hasn't panned out to be true.

In addition, no one is saying smokers can't have a cigarette. They will just have to stand outside for a couple of minutes.

18. The smoking ban, if passed, will cause restaurant and bar owners to lay off their staff.

This is based on the mistaken perception that people go to restaurants and bars only to smoke. Somerville restaurants and bars offer food, drink, ambiance, good service, and sometimes entertainment, to their patrons. If all bars and restaurants in Somerville are smoke free, smokers will still seek out food, drink, ambiance, good service and entertainment in smoke-free establishments.

19. Why not focus attention to banning smoking in automobiles while transporting children, instead of trying to ban smoking in bars and restaurants?

Family vehicles, like family homes, are neither public places where the public is invited and where goods and services are provided nor worksites with paid employees. The regulation focuses on public places and worksites. However, given the significant health risk posed by second-hand smoke, smokers should be encouraged to not smoke in their cars while transporting children.

20. "Regulars" make up a significant percentage of restaurants and bars patronage. If they cannot come to have a drink and smoke, they'll buy their drinks at a liquor store and enjoy them at home where they can smoke.

As per question # 18, restaurants, bars and clubs offer more than just a drink to their customers. They offer ambiance, friendship, entertainment and food. These all add up to why “regulars” become “regulars” and will continue to be “regulars” even when the establishment is smoke free because those benefits will not be available to smokers if they are sitting at home.

21. Somerville is really unique in that its economics rely heavily on the restaurant industry. The smoking ban would hurt the business and consequently affect the economy of the entire city.

Other cities and towns also uniquely rely on their restaurant and bar industry. Martha’s Vineyard, Nantucket, Plymouth and eleven Cape Cod towns rely heavily on tourism and their hospitality industry for their livelihood and they are all smoke free. Salem also relies heavily on tourism, income from local college students and their hospitality industry and it, too, is smoke free.

22. Other surrounding communities are allowed to have 18 + shows. Somerville is subjected to more restrictive rules like only 21+ shows, which limits its ability to compete with other communities.

This is an issue that would be more appropriately addressed by the City Council, not the Board of Health.

Boston Area Tobacco Control Coalition

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SURVEY PURPOSE

Concerns have been raised that if communities were to require all restaurants, bars and nightclubs to be smokefree, there would be consequences in having smoking patrons stand outside of smokefree establishments to smoke. The feared potential consequences put forth thus far are (1) Elevated noise due to crowds on sidewalks, (2) sidewalk crowds spilling into traffic, (3) re-entry/security issues, and (4) cigarette litter on sidewalks.

This survey intends to assess the likelihood of the potential consequences mentioned above by collecting data pertaining to the number of smokers who would potentially be outside smoking if establishments went smokefree.

DATA COLLECTION METHOD

Teams of two adults entered liquor-licensed establishments in the city of Somerville to measure, at a given time, how many patrons were actively smoking compared to the total number of patrons present in the establishment. Although Somerville's current ETS regulation limits smoking to the bar area of the restaurant, the surveying teams counted smokers found anywhere in the establishment to account for possible smokers in nonsmoking areas.

This survey does not measure smoking rates but the number of people, who at a given time, would be outside smoking if the establishment went smokefree.

All visits were made Thursday evening, December 12, 2002. The weather was dry and temperature was in the low 40's. All numbers provided are for the entire establishment. Visits began shortly after 9:30 p.m. and ended shortly before 11:00 p.m.

FINDINGS

33 out of 42 establishments were visited.

83 patrons actively smoking were found among 1325 total patrons, or 6.3%. This would be the estimated percentage of people outside smoking if establishments were smokefree.

No security issues, including checking bags or pockets, were reported by any team.

FINDINGS CONT.

Results suggest that crowds on sidewalks or crowds spilling off of sidewalks into streets in front of smokefree restaurants, bars, and nightclubs is unlikely.

A maximum number of projected smokers may be calculated by using establishments' data herein with their occupancy permit data from the city of Somerville if an establishment believes the "total number" count is unusually low.

Highest percentage of actual smokers = 50% at Irish Eyes. (2 smokers out of 4 total patrons)

Highest number of smokers = 17 at Good Times Emporium (total patrons = 272)

Lowest percentage of actual smokers = 0% at eight locations.

SOMERVILLE BAR HOP RESULTS

Conducted: Thursday, December 12, 2002

9:30-11:00pm

NAME	ADDRESS	TIME	Total # Smokers	Total # patrons	% Smoke
99 Restaurant	Middlesex Ave.	10:48pm	3	18	16.7%
Canty's	Medford St.	9:52pm	3	11	27.0%
Casey's	Broadway	10:13pm	2	51	3.9%
Dali's	Washington St.	10:12pm	0	54	0.0%
EAT	Washington St.	10:20pm	0	16	0.0%
Gargoyles	Elm St.	10:34pm	2	28	7.1%
Genoa Restaurant	Broadway	9:53pm	2	19	10.5%
Good Times	Sturtevant St.	10:38pm	17	272	6.3%
Hanna's	Broadway	9:49pm	2	36	5.5%
Irish Eyes	Washington St.	10:10pm	2	4	50.0%
Johnny D's	Holland St.	10:40pm	1	70	1.4%
Jon's Place	Somerville Ave.	10:20pm	1	7	14.3%
Joshua Tree	Elm St.	10:53pm	6	107	5.6%
Khoury's State Spa	Broadway	10:20pm	1	6	16.6%
Kirkland Café	Washington St.	10:13pm	0	61	0.0%
La Hacienda	Medford St.	10:01pm	0	2	0.0%
Mount Vernon	Broadway	10:22pm	1	22	4.5%
Mulligan's Tavern	Broadway	9:43pm	5	38	13.2%
Orleans	Holland St.	11:05pm	4	68	5.9%
O'Sullivan's	Beacon St.	10:15pm	1	20	5.0%
Paddock Café	Pearl St.	10:09pm	0	16	0.0%
Papa's Lounge	Somerville Ave.	9:55pm	0	12	0.0%
PJ Ryan's	Holland St.	9:40pm	6	50	12.0%
Powderhouse Pub	Broadway	9:45pm	3	42	7.1%
Redbones	Chester St.	10:50pm	3	84	3.6%
Rose Bud	Summer St.	10:37pm	0	4	0.0%
Sabur Restaurant	Holland St.	9:37pm	3	20	15.0%
Sky Bar	Somerville Ave.	9:55pm	0	30	0.0%
Sligo's	Elm St.	10:44pm	3	40	7.5%
The Independent	Union Sq.	10:05pm	3	24	12.5%
Thirsty Scholar	Beacon St.	10:00pm	4	61	6.6%
Tir Na Nong	Somerville Ave.	10:00pm	4	29	13.8%
Virgie's Rendezvous	Highland Ave.	9:55pm	1	3	33.0%
TOTALS			83	1325	6.3%

ESTABLISHMENTS NOT SURVEYED

608	Closed	9:54 p.m.
Burren	Couldn't get in. Long line outside.	
Choices	Not an operating business	
Coleman's Café	Unable to get to it.	
Continental Café	Unable to get to it.	
Hometown: Japanese	Unable to get to it.	
Mike's Bar	Unable to get to it.	
Night Games/Holiday Inn	Closed	10:27 p.m.
Sally's O'Briens	Closed	9:50 p.m.