

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
APRIL 24, 2014

ESTHER HOWLAND CHAMBERS

Commission Members Present: Karon Shea, Chairperson
Paul Mullan, Commissioner
Anthony Salvidio, Commissioner

Commission Members Absent:

Staff Present: Deborah Steele, Planning & Regulatory Services
Stephen S. Rolle, Planning & Regulatory Services
Lt. James Johnson, Worcester Police Department
Officer William Stout, Worcester Police Department
Alexandra Haralambous, Law Department
James Foley, Inspectional Services
Amanda Wilson, Department of Inspectional Services

APPROVAL OF THE MINUTES:

Upon a motion the Commission voted 3-0 to approve the April 3, 2014 minutes.

New Business

ONE DAY LIQUOR & ENTERTAINMENT REQUESTS:

- 1. Petition: Request for one day liquor license – May 22, 2014 – 9:00 p.m. – 1:00 a.m.**

Petitioner: Paul Irish, Kimball Dining Hall, 1 College Street

Paul Irish appeared on behalf of the item. He stated that this will be for an event Holy Cross College and beer and wine will be sold.

Upon a motion by Commissioner Salvidio and seconded by Commissioner Mullan, the Commission voted 3-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license received April 4, 2014 and dated April 4, 2014.

- 2. Petition: Request for one day liquor license – May 18, 2014 – 5:00 p.m.- 8:00 p.m.**

Petitioner: Daniel Kagdis, Hart Center, 1 College Street

Daniel Kagdis appeared on behalf of the item. He stated that this will be an event for seniors at Holy Cross College.

Upon a motion by Commissioner Mullan and seconded by Commissioner Salvidio, the Commission voted 3-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license received April 4, 2014 and dated April 4, 2014.

- 3. Petition: Request for one day liquor license – June 21, 2014 – 11:00 a.m. – 4:00 p.m.**

Petition: Request for entertainment license for DJ, live music, amplification system

Petitioner: Food Truck Festivals, June 21, 2014 – 11:00 a.m. – 4:00 p.m.

Meaghen Burno and Anthony Jeffries appeared on behalf of the items.

Ms. Burno stated this is for the food truck festival and it will be same set up as last year and one paid detail will be at the beer garden.

Upon a motion by Commissioner Mullan and seconded by Commissioner Salvidio, the Commission voted 3-0 to approve the one day liquor license and one day entertainment license.

Exhibit A: Application for one day liquor license and one day entertainment license received April 7, 2014 and dated April 7, 2014.

- 4. Petition: Request for one day liquor licenses:**

- **April 30, 2014 – 5:30 p.m.-6:30 p.m.**
- **May 30, 2014, 5:00 pm.-6:30 p.m.**
- **May 30, 2014, 6:30 p.m.-9:00 p.m.**
- **May 31, 2014, 7:00 p.m.-10:00 p.m.**

Petitioner: Kristi DeCisero, 25 Foster Street & 100 Institute Road

Kristi DeCisero appeared on behalf of the items. She stated that these will be for several college reunion events.

Upon a motion by Commissioner Mullan and seconded by Commissioner Salvidio, the Commission voted 3-0 to approve the one day liquor licenses.

Exhibit A: Application for one day liquor licenses received April 9, 2014 and dated April 9, 2014.

5. Petition: Request for one day liquor licenses

May 14, 2014, 5:00 p.m.-11:00 p.m.

May 15, 2014, 8:30 p.m.-Midnight

June 14, 2014, Noon-5:00 p.m.

June 14, 2014, 6:00 p.m.-1:00 a.m.

June 14, 2014, 6:00 p.m.-1:00 a.m.

Petitioner: Michael Rubino, 500 Salisbury Street

Michael Rubino appeared on behalf of the items. He stated that these events are for the senior weekend and the alumni reunion weekend.

Upon a motion by Commissioner Salvidio and seconded by Commissioner Mullan, the Commission voted 3-0 to approve the one day liquor licenses.

Exhibit A: Application for one day liquor licenses license received April 16, 2014 and dated April 16, 2014.

COMMON VICTUALER – FOOD ONLY:

6. Petition: Request for common victualer license

Petitioner: Wing Time Pizzeria, 153 Stafford Street

Jennifer DiLiddo appeared on behalf of the application. She stated that she is taking over an existing pizza restaurant.

Upon a motion by Commissioner Salvidio and seconded by Commissioner Mulla,n the Commission voted 3-0 to approve the common victualer license.

Exhibit A: Application for common victualer license received April 8, 2014 and dated April 8, 2014.

7. Petition: Request for common victualer license

Petitioner: Food Works, 120 Stafford Street

Applicant appeared on behalf of application. He stated he is taking over existing restaurant.

Upon a motion by Commissioner Salvidio and seconded by Commissioner Mullan, the Commission voted 3-0 to approve the common victualer license.

Exhibit A: Application for common victualer license received April 3, 2014 and dated April 3, 2014.

8. Petitioner: Request for common victualer license

Petitioner: Latin Meats, 891B Main Street

Jose Pillco appeared on behalf of the application. He stated that he will be selling prepared food at establishment and is requesting a license.

Upon a motion by Commissioner Salvidio and seconded by Commissioner Mullan, the Commission voted 3-0 to approve the common victualer license.

Exhibit A: Application for common victualer license received April 8, 2014 and dated April 8, 2014.

9. Petition: Request for common victualer license

Petitioner: Fratelli's Corner Crust Pizzeria, 186 Stafford Street

Gregory Pappo appeared on behalf of application. He stated that he plans to open a pizza restaurant.

Upon a motion by Commissioner Salvidio and seconded by Commissioner Mullan, the Commission voted 3-0 to approve the common victualer license.

Exhibit A: Application for common victualer license received April 4, 2014 and dated April 4, 2014.

10. Petitioner: Request for common victualer license

Petition: J.C. Plaza, 6A Boylston Street

Julie Abrea appeared on behalf of the application. She stated she will be selling food and is requesting a license.

Upon a motion by Commissioner Salvidio and seconded by Commissioner Mullan, the Commission voted 3-0 to approve the common victualer license.

Exhibit A: Application for common victualer license received April 7, 2014 and dated April 7, 2014.

11. Petition: Request for common victualer license

Petitioner: Tineo Market, 117 Lovell Street

Guirnalda Tineo appeared on behalf of the item. He stated that this petition is to open for a Spanish restaurant.

Upon a motion by Commissioner Salvidio and seconded by Commissioner Mullan, the Commission voted 3-0 to approve the common victualer license.

Exhibit A: Application for common victualer license received April 7, 2014 and dated April 7, 2014.

12. Petition: Request for common victualer license

Petitioner: Catugno Enterprises Inc dba King Cone, 9 Hammond Street

Raymond Catugno appeared on behalf of the application. He stated this will be establishment that will sell ice cream.

Upon a motion by Commissioner Mullan and seconded by Commissioner Salvidio, the Commission voted 3-0 to approve the common victualer license.

Exhibit A: Application for common victualer license received March 29, 2014 and dated March 29, 2014.

ALCOHOL & ENTERTAINMENT PERMIT APPLICATIONS:

13. Petition: Request for alteration of premises

Petitioner: Colwen Management dba Residence Inn, 503 Plantation Street

Petition: Request for change of officers & directors

Petitioner: Colwen Management dba Residence Inn, 503 Plantation Street

Petition: Request for change of officers & directors

Petitioner: Colwen Management dba Residence Inn, 72 Gove Street

Petition: Request for change of manager

Petitioner: Colwen Management, Inc., dba Residence Inn by Marriott, 503 Plantation Street

Representatives from Colwen Management appeared on behalf of the items.

The Commission reviewed the alteration of premises proposal, the change of officers/directors, and the change of manager with the applicant.

Upon a motion by Commissioner Mullan and seconded by Commissioner Salvidio, the Commission voted 3-0 to approve the alteration of premises, the change of officers & directors and the change of manager.

Exhibit A: Application for alteration of premises, change of officers & directors and change of manager received April 8, 2014 and dated April 8, 2014.

14. Petition: Request for restaurant all alcohol license

Petitioner: Paesano Pizzeria, LLC, 1121 Grafton Street

Anthony Luzzao and Nancy Bianco appeared on behalf of the application. Mr. Luzzao stated that this is restaurant that was established last year and they would like to add alcohol.

Upon a motion by Commissioner Salvidio and seconded by Commissioner Mullan, the Commission voted 3-0 to approve the restaurant all alcohol license.

Exhibit A: Application for restaurant an all alcohol license received April 1, 2014 and dated April 1, 2014.

15. Petition: Request for transfer of restaurant all alcohol license

Petitioner: G&G Investments, Inc. dba Beatniks, 433 Park Avenue

Attorney Dan Cotton appeared on behalf of the application. He stated that this is transfer of an existing license.

Upon a motion by Commissioner Salvidio and seconded by Commissioner Mullan, the Commission voted 3-0 to approve the transfer of restaurant all alcohol license.

Exhibit A: Application for restaurant an all alcohol license received April 7, 2014 and dated April 7, 2014.

16. Petition: Request for transfer of restaurant all alcohol license

Petitioner: Kenichi Two 168, Inc. dba Saki Bomb, 258 Park Avenue

Attorney Stephen Gaudette appeared on behalf of the item. He stated that this is a transfer of an existing license.

Upon a motion by Chair Shea and seconded by Commissioner Salvidio, the Commission voted 3-0 to approve the transfer of restaurant all alcohol license.

Exhibit A: Application for restaurant an all alcohol license received April 7, 2014 and dated April 7, 2014.

17. Petition: Request for entertainment license for: jukebox, tv, radio, dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, play, floor show, theatrical exhibition, karaoke

Petitioner: The Saloon, LLC, 715 West Boylston Street

Ms. Steele stated that the applicant had requested to postpone the item.

VIOLATION HEARINGS:

18. International Lounge, 27 Pleasant Street, Violation of Rule #14, #29

Roland Georges appeared on behalf of the item and waived his right to counsel.

Lt. Johnson presented the following:

On April 5, 2014, Worcester Police responded to a large fight at the International Lounge at 12:50 a.m. Upon arrival the police observed a male suffering from a single gunshot wound to his lower extremity inside the licensed premises. The male stated that a large fight had broken out inside the International Lounge and as he exited the bar he was struck.

A female patron was found outside the premises suffering from an injury to her right ear. She stated that she was struck by a glass bottle inside the premises.

Later that evening, police received a call from U-Mass Memorial Medical Center that a male had walked into the emergency room suffering from a stab wound. Police went to the emergency room and spoke with a male victim who alleged that he was inside the International Lounge when he was jumped by several males and was stabbed.

Within the past 6 months officers have responded to 27 Pleasant Street, 15 times for calls of fights, assaults involving weapons, disorderly behavior and liquor law violations.

The police have observed that this location has become problematic and the nature of the crimes being report has become more violent.

Mr. Georges admitted to the fight inside and testified that security attempted to escort the parties outside and even made the decision to shut down the Licensed Premises at that point. He denied that the girl was hit with a glass bottle inside because he testified that they do not sell bottles or drinks in glasses. Mr. Georges further testified that there were mistakes made that night and that the fight inside did occur but that he has taken steps to avoid such problems. He stated he has 5 security guards for a 1300-1400 square foot establishment; he has taken out all the couches so there is more room on the floor for patrons; they only serve in plastic cups, and; they did call for a police detail after this incident. Additionally, Mr. Georges stated that he has increased his own security staff and has put a police detail on Friday nights.

Lt. Johnson testified that there are too many police officers from the bar impact unit in the area of the Licensed Premises and the Licensed Premises needs to have their own police detail to ensure safety. Further, Lt. Johnson testified that in the past year there have been 15 calls for the location and it is becoming a very dangerous place. Mr. Georges responded that he was only aware of two (2) incidents and he did call the police. Officer Stout told Mr. Georges that his establishment is problematic and it attracts certain types of people that are known to be involved with gangs and he is concerned that there will be a murder there if Mr. Georges does not control the crowd. Lt. Johnson suggested that there is a police detail to help Mr. Georges and the staff better control the crowd and ensure the safety of the people inside.

Commissioner Mullan stated that it seems as if every time the Commission establishes a parameter, or lifts a condition on the License, the Licensee ends up coming back in with problems. Further, he stated that this is Mr. Georges' establishment and he can and should better control what goes on.

Commissioner Salvidio stated that the Commission has been working with Mr. Georges and this establishment for a while and there seems to be an escalation of problems, and safety is the number one concern of the Commission. Chair Shea added that the police detail is a requirement; if a detail is not available the establishment may not open. Commissioner Mullan added that this is not a debate; someone will die if the proper steps are not taken.

Upon a roll call the Commission voted 3-0 that the violations occurred. Commissioner Mullan asked Mr. Georges what his busiest day is and Mr. Georges responded Fridays. Commissioner Mullan then suggested that the Commission impose a two (2) day suspension that would be served on either a Thursday or a Saturday. Deborah Steele noted that Mr. Georges would receive a letter with the dates of the suspension and the decision and Mr. Georges could appeal the decision of the Commission to the ABCC

On a roll call the Commission voted 3-0 to place a condition on the License that effective April 24, 2014, International Lounge is required to have one (1) off-duty police officer on Thursday and Saturday from 9:00 p.m. to closing and two (2) off-duty police officers on Friday from 9:00 p.m. to closing.

19. Lodging House – 765 Main Street

Attorney Jonathan Finkelstein along with Richard Madgis and Clea Blair appeared on behalf of the item.

Amanda Wilson from the Department of Inspectional Services provided update regarding the property stating that there have been numerous problems at the location from bed bugs to a murder that occurred at the property earlier this year.

The Commission stated that they had only just received the information and would prefer that the city department's sit down with the property owner and discuss the problems and work on resolutions and then come back before Commission.

The Commission voted 3-0 to extend the lodging house license until June 5, 2014 which is the date that the lodging house matter will be brought back before the Commission.

Barbara Haller, William Breault and Cindy Starr spoke briefly about the problems occurring at the property and stated that a resolution needs to be made to fix problems at this property.

OTHER BUSINESS

Status Hearings

20. Jak's Pub, 536 Main Street

Ms. Steele stated she had received a letter from the license holder that he plans to re-open in June.

21. Johnny Fugata, 394 Belmont Street

Ms. Steele stated that the license holder had contacted her and is in the process of selling the business.

22. Ritual, 279 Main Street – Commissioner Salvido recused himself

A change of manager application will be filed for the next meeting.

23. Convenience Plus, 65 James Street

Ken Do appeared on behalf of the item. He stated he is still trying to work out problem with Department of Revenue.

The Commission stated they will allow for three more months and then applicant will need to come back before Commission.

24. San Ventures LLC dba Café Dolce, 154 Shrewbury Street

Ms. Steele stated Mr. Evangelista had contacted her and requested a postponement. A new date for status hearing will be scheduled.

25. Worcester Entertainment, 90 Commercial Street

The establishment has been closed since January and the Commission is unaware of what is going to happen to the location. Commission asked staff to have the license holder come in.

COMMUNICATIONS

ABCC communications

26. Foodworks violation hearing - May 6, 2014

Ms. Steele stated this is an A.B.C.C. hearing for Foodworks. In January 2014, the establishment was cited by the A.B.C.C. for serving minors. Upon receipt of the A.B.C.C. decision a copy will be provided to the License Commission.

27. Keiko Bar & Lounge, Appeal hearing – June 11, 2014

Ms. Haralambous stated that Keiko Bar & Lounge has appealed the revocation of their license to the A.B.C.C. and she will need a Commission member to attend the appeal hearing with her.

28. Price Chopper notice to appeal License Commission decision

Ms. Haralambous stated that the appeal was sent to A.B.C.C. but they do not have authority to hold second appeal hearing but believes Price Chopper will be appealing to superior court and Commission will be notified if that happens.

Other Business

Approval of new checklists of new liquor, transfer and change of manager applications.

Commission voted 3-0 to approve.

ADJOURNMENT

Commission voted 3-0 to adjourn the meeting at 11:35 a.m.