

April 14, 2011

Copy to: City Manager
City Clerk

Time: 10:00 a.m.
Room: Esther Howland

Staff Present:

Pete Lukes, Chairman
Karon Shea, Commissioner
Paul Mullan, Commissioner
Lt. James Johnson, Worcester Police
Officer Robert Belsito, Worcester Police
Officer Mark Jolin, Worcester Police
Jennifer Beaton, Law Department
Deborah Steele, License Commission

Views: 9:15 a.m. Sakura Tokyo, 640 Park Avenue
9:30 a.m. – Blackstone Pizza & Grill, 102 Green Street

Approval of minutes of License Commission meeting of March 17, 2011
Motion made by Peter Lukes to approve. Seconded by Paul Mullan.
Approval of minutes of License Commission meeting of March 31, 2011
Motion made by Peter Lukes to approve. Seconded by Paul Mullan

Special All Alcoholic
License requested by:

Dress for Success
724 Southbridge Street
April 28, 2011
5:30 p.m. – 8:30 p.m.

Carol Baker and Rhonda Cormier were present. Carol stated event was fundraiser for Dress for Success for Worcester. Items are donated and event is sponsored by Rotman's of Worcester. Tips certified bartenders will serve. Details officers will be at event. Items will be sold to raise money. About 200 people are expected to attend.
Peter Lukes made motion to approve. Seconded by Karon Shea

Elizabeth Champi
Conchagua & Inke's Restaurant
118 Cambridge Street
April 16, 2011
7:00 p.m. – 2:00 a.m.
April 23, 2011
7:00 p.m. – 2:00 a.m.

Elizabeth Champi was present. Elizabeth stated that the April 16, 2011 event is for the grand opening of the restaurant and about 25 people will be in attendance. The April 23, 2011 event is for a small party for a soccer team and about 25 people expected. Elizabeth stated ID's will be checked and servers are TIPS certified and that she is aware that she needs to buy alcohol through a wholesaler.
Peter Lukes made motion to approve. Seconded by Karon Shea

Paul Barber
278 Shrewsbury Street
April 16, 2011

Noon – 11:00 p.m.

Paul Barber was present. Paul stated that time will be Noon – 11:00 and it is their anniversary party. Open deck barbeque. A police detail will be their from 5:00 to 11:00 p.m. Area alcohol will be served will be fenced off and someone will be there to check identifications.

Peter Lukes made motion to approve. Seconded by Karon Shea

The Bartending Service of New England LLC
Higgins Armory
100 Barber Avenue
May 5, 2011
6:00 p.m. – 10:00 p.m.
Continued at request of applicant

Special Malt & Wine
license requested by:

Centro Las Americas
2011 Latin American Festival
Downtown Worcester Front side of City Hall
August 20, 2011
Noon – 9:00 p.m.

Dolly Vazquez & John Cortez. The event will be run the same as it has been done for past five years with two police details as well as security personnel. Anyone who will be selling alcohol is TIPS trained. Beer garden will be set up on front side of City Hall near the bus terminal.

Peter Lukes made motion to approve. Seconded by Karon Shea

Juan A. Gomez
Centro Las Americas
11 Sycamore Street
April 16, 2011
April 30, 2011
8:00 p.m. – Midnight

Juan Gomez was present. Juan stated event for April 16, had been canceled. The April 30, event will be a benefit for a family with a child in need. There will be TIPS certified personnel and a security detailed will be hired. 100 people are expected.

Peter Lukes made motion to approve. Seconded by Karon Shea

Assumption College Senior Week Committee
500 Salisbury Street
May 11, 2011
3:00 p.m. – 8:00 p.m.
May 13, 2011
7:00 p.m. – 11:00 p.m.

Michael Rubino and Eric Swindle were present. 300 people expected at each event. Sodexo will be bartending and are TIPS certified. Campus police are present.

Peter Lukes made motion to approve. Seconded by Karon Shea

Worcester Detachment Marine Corps League
181 Lake Avenue

Request for change of manager to
John Edward Zwirblia

Peter Lukes made motion to approve. Seconded by Karon Shea

Main South Post #341
1023 Main Street

Request for change of manager to

William A. Sylvester

Peter Lukes made motion to approve. Seconded by Karon Shea
Sakura Tokyo, Inc
dba Sakura Tokyo Restaurant
640 Park Avenue

Request for alteration of premises &
transfer of stock

Attorney Dennis Pojani and Anna Szeto were present. Transfer of stock to Anna and her brother Frank. Alterations will include renovations of the bathrooms as well as front desk and kitchen. The bar will receive two new waiter stations and the stage area will be enlarged for band. The main dining room will receive a new sushi bar. Four teppanyaki tables will be removed and a permanent buffet area will be installed as well as Korean barbecue grills in the garden area.

Peter Lukes thanked Sakura Tokyo for their investment in the City.

Peter Lukes made motion to approve alteration of premises. Seconded by Karon Shea

Peter Lukes made motion to approve transfer of stock. Seconded by Karon Shea

Lisa Tiscione Rodriguez
Blackstone Pizza & Grill
102 Green Street

Request for alteration of premises

Lisa Rodriguez. Leasing 4 spaces from City of Worcester in municipal lot. Area will be enclosed with fencing for outside dining area. All employees are TIPS certified and security will be present to monitor area.

Peter Lukes stated that patrons must come through the restaurant to access the patio area. Applicant stated they were aware of that.

Peter Lukes made motion to approve. Seconded by Karon Shea

City Cyber Café LLC
120 Stafford Street

Request for entertainment license to
include tv, radio, audio, visual show
Continued to April 28, 2011

Bravo Café
57 Highland Street

Status hearing on entertainment license

Peter Stathopoulos was present. For the last four years the establishment has been run as upscale steak house with entertainment lounge.

Officer Jolin of the Worcester Police went to establishment when police saw a flyer showing establishment was having a promoter at location which is not allowed on entertainment license. Officer Jolin went to 57 Highland Street on March 31, 2011 relative to the promoter flyer and explained to Mr. Stathopoulos that entertainment is limited to what is on the license. Officer Jolin went to establishment at later date when event promoted in flyer was taking place and event did take place.

Officer Jolin suggested that Mr. Stathopoulos come in for a status hearing before License Commission in order to get clarification as to what is allowed under the entertainment license.

Mr. Stathopoulos stated that all the events at location are geared to an older crowd.

The current entertainment license includes background music, tv, pianist, jazz singer/duets

Paul Mullan stated that license holder must adhere to what is on the entertainment license and if things are going to change then license holder needs to come back before License Commission to request additional items be placed on license.

Emerald Ale Corporation
dba Belmont Liquors
108 Belmont Street

Violations of Rules #6, #21, 204 CMR 2.05 (2)
G.L. c. 138, §34

Transcript attached

UMA Group
dba Kelly Square Liquors
7 ½ Kelley Square

Violations of Rules #6, #21, 204 CMR 2.05 (2)
G.L. c. 138 §34
Continued to 4/28/ 2011

1 Exchange Place Inc
dba Michael's Cigar Bar
1 Exchange Place

Violations of Rules #14, 204 CMR 4.03
Continued to 4/28/2011

Communications:

College of Holy Cross – relative to allowing pub to open extra hour with last call at 1:30 a.m. & allowing students over 18 access to the pub- Edward Augustus representing Holy Cross. The pub will now stay open to 1:30 a.m. Campus police will be present as well as staff. The staff on duty will be adult staff of the college and not college students. Everyone who enters the pub will be carded. Students over 21 will get one color wristband and under 21 a different color. It will be only on Friday and Saturday evenings. Food and entertainment will be provided. The License Commission will monitor the situation and in September 2011 Holy Cross will come back before Commission to provide an update.

Executive Session

Peter Lukes:

Belmont Liquor violation hearing. Violation of rule number 21 of the rules and regulations of the License Commission which occurred on July 18, 2010.

Okay who is going to testify please raise your right hand. Lieut. Johnson please read the report.

James Johnson:

The undersigned License Commission investigator request that the License Commission notify Belmont Street which is located at 108 Belmont St., Frank Jordan manager to appear before hearing of the License Commission to answer to local police complaint that a violation of rule number six and rule number 21 of the rules and regulations of the License Commission which occurred on July 18, 2010.

Rule six sales to persons under 21 a punishable by fine or imprisonment or both chapter 138 section 34.

Rule 21 managers of all licensed liquor establishments shall be responsible for all violations or infractions of the law occurring on the premises whether present or not. The licensee is responsible for any disorder, disturbance or even legality of any kind taken place on licensed premises whether present or not.

On July 18, 2010 Officer Robert Belsito and the undercover minor were conducting and alcohol sting on license liquor establishments. At approximately 1400 hrs. Officer Robert Belsito instructed the undercover minor to purchase a 40 ounce Budweiser without producing identification. Officer Belsito gave him five dollars and at that time he entered the Belmont Liquors that is located at 108 Belmont St. he observed him enter Belmont Lake is in approximately 5 min. later he exited holding a paper bag which appear to have a bottle and it. He then produced a 40 ounce Budweiser. He stated that the clerk did not ask for identification. He also stated that the alcohol cost \$3.18. Lieut. James Johnson notified the establishment of the violations and informed them that they would have to appear in front of the License Commission.

Peter Lukes:

Okay you are?

Frank Jordan:

Frank Jordan

Peter Lukes:

Okay, what happened?

Frank Jordan:

He got by. We've been in business for 25 years and this is the first time. I talked to everyone who works for me. Everyone who works for me. All my employees. Good people. We check IDs. He got away.

Peter Lukes:

Okay. You have talked to them. Have you done anything else?

Frank Jordan:

Yes I have. I reviewed it with every employee individually. This is not tolerable. This just can't happen.

Peter Lukes:

Besides checking IDs, do you have any other system used to track?

Frank Jordan:

Well, usually what happens is whoever runs the register I stand back and I just double checked. We have two people except on Sunday. I take Sundays off. I work six days a week and I have two people in there and I always say, it is a neighborhood store and really there is no excuse because they know most of the people in the neighborhood.

Peter Lukes:

Even when they know. These guys are out there.

Frank Jordan:

I know.

Peter Lukes:

If they don't catch you, the ABCC will. So you've got to make sure your employees will and I know you're not there. It's a tough business and if you're not on top of everyone all the time I know things can slip by but you just go to reiterate what the rules are.

Frank Jordan:

We have called the police department many times. People hanging out. You know, we don't want them there.

Peter Lukes:

You have a long record of no violations and you have been in business a long time which is impressive. So you have that to be proud of. They are going to slip through.

Frank Jordan:

I know. Police stop by, Joe Vigliotti stops by I have a good working relationship with them. Things go on and we talked to them.

James Johnson:

Stay away from Vigliotti.

Peter Lukes:

In light of, any questions?

Karon Shea:

No.

Peter Lukes:

In light of your perfect record for being in business a long time. The fact that you took some action. Make sure your employees know how important it is to card.

Frank Jordan:

I know. Believe me I work very closely with the police. When they come out in the car, we will talk to them and tell them what's going on in the neighborhood and ask questions. Not necessarily alcohol but other things

Peter Lukes:

I know we appreciate that. So I am going to recommend that we just give you a warning

Deborah Steele:

Mr. Chairman, you need to vote on the violation.

Peter Lukes:

Okay the violation first let's take a roll call?

Deborah Steele:

Karon Shea?

Karon Shea:

Yes

Deborah Steele:

Paul Mullan?

Paul Mullan

Yes

Deborah Steele:

Peter Lukes?

Peter Lukes :

Yes

Peter Lukes:

The violation has been found and I recommend that we find a warning and hopefully we don't see you again for another 20 years.

Frank Jordan:

You better not.

Peter Lukes:

So moved?

Karon Shea:

So moved.

Frank Jordan:

Thank you very much.