

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
AUGUST 14, 2014

LEVI LINCOLN CHAMBERS

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

Commission Members Absent: None

Staff Present: Stephen Rolle, Planning & Regulatory Services
Deborah Steele, Planning & Regulatory Services
Alexandra Haralambous, Law Department
Lt. James Johnson, Worcester Police Department
Edward Saucier, Worcester Police Department
Richard Bonofiglio, Inspectional Services

Approval of the Minutes – Upon a motion the Commission voted 2-0 to approve the minutes of July 24, 2014.

OLD BUSINESS

1. Petition: Request for general on premises all alcohol license

Petitioner: G Bar, LLC, 62 Green Street

Petition: Request for entertainment license for TV, radio, dancing by patrons, recorded music, live music, amplification system, light show, karaoke, any other audio or visual show, whether live or recorded specifically

Petitioner: G Bar LLC, 62 Green Street

Attorney Jonathan Finkelstein along with Housep Yahmounian appeared on behalf of the applications. Attorney Finkelstein stated that they have amended the paperwork as requested by the police.

Upon a motion the Commission voted 2-0 to approve the general on premises and entertainment license for G Bar, LLC.

Exhibit A: Application for general on premises license received on July 8, 2014 and dated July 8, 2014.

Exhibit B: Application for entertainment license received on July 10, 2014 and dated July 10, 2014.

2. Petition: Request to transfer restaurant all alcohol license from Wonder Bar of Worcester, Inc.

Petitioner: One Pizza, Inc., 121 Shrewsbury Street

Petition: Request for entertainment license for jukebox, TV, dancing by patrons, recorded music, live music, amplification system, karaoke

Petitioner: One Pizza, Inc., 121 Shrewsbury Street

Attorney Don Peters along with the applicant appeared on behalf of the applications. Attorney Peters stated that the applications had been amended at the police's request.

Upon a motion the Commission voted 2-0 to approve the transfer of the restaurant all alcohol license and entertainment license for One Pizza, Inc.

Exhibit A: Application for transfer of restaurant all alcohol license received on July 7, 2014 and dated July 7, 2014.

Exhibit B: Application for entertainment license received on July 29, 2014 and dated July 29 2014.

NEW BUSINESS

One Day Liquor & Entertainment Requests:

3. Petition: Request for one day liquor license –
o October 19, 2014 – 5:30 p.m. - 9:00 p.m.

Petitioner: Holy Trinity Nursing & Rehabilitation Center, 30 Anna Street

Demitri Econmou appeared on behalf of the petition. He stated that this is for a festival at the church.

Upon a motion the Commission voted 2-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license received July 14, 2014 and dated July 14, 2014.

4. Petition: Request for one day liquor license
o October 18, 2014 – 5:00 p.m.- Midnight
o November 22, 2014 – 6:00 p.m.- Midnight
o December 13, 2014 – 6:00 p.m.- Midnight

Petitioner: St. Spyridon, 102 Russell Street

Demitri Economou appeared on behalf of the petitions. He stated that the first event is for a wedding for 300 people. The second event is for a church event for 150 people and the last event is for the 100th anniversary of the church.

Upon a motion the Commission voted 2-0 to approve the three one day liquor licenses.

Exhibit A: Application for one day liquor licenses received on July 21, 2014 and dated July 21, 2014.

5. Petition: Request for one day liquor license –
o August 21, 2014 – 5:00 p.m. - 7:15 p.m.

Petitioner: Crompton Collective, 138 Green Street

Derek Brillo appeared on behalf of the application. He stated that this is an event for the Chamber of Commerce.

Upon a motion the Commission voted 2-0 to approve the one day liquor license.

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

6. Petition: Request for wine-tastings –
o August 14, 21, 28, 2014 – 4:00 p.m.-7:00 p.m.

Petitioner: Aaranop Cellars LLC, Canal District Farmers Market, 138 Green Street

Noel Howard appeared on behalf of the petition. He stated that this will be for wine-tastings at the Canal District Famers Market.

Exhibit A: Application for wine-tasting permit received on July 16, 2014 and dated July 16, 2014.

Common Victualer – Food Only:

7. Petition: Request for common victualer license

Petitioner: Ecuva Columbia Bakery, 53 Chandler Street

A representative from Ecuva Columbia Bakery appeared on behalf of the petition.

Upon a motion the Commission voted 2-0 to approve the common victualer license.

Exhibit A: Application for common victualer license received on July 21, 2014 and dated July 21, 2014.

Alcohol & Entertainment Permit Applications:

8. Petition: Request for change of manager to Michael Faucher

Petitioner: Faucher & Masson, Inc, 817 Main Street

The applicant did not appear. Lt. Johnson stated that the proposed manager passed the background check.

Upon a motion the Commission voted 2-0 to approve the change of manager.

Exhibit A: Application for change of manager received on August 5, 2014 and dated August 5, 2014.

9. Petition: Request to transfer package store all alcohol license & pledge of license from Deptula's, Inc., 191 Stafford Street

Petitioner: Jay Brahmani Mataji Corporation dba Stafford Discount Liquor

Attorney Joseph Devlin appeared on behalf of petition and asked that it be held.

Exhibit A: Application for transfer of package store license received on July 28, 2014 and dated July 28, 2014.

10. Petition: Request for entertainment license for TV, radio, live music, karaoke

Petitioner: Antonio's Pizza Worcester, Inc, 266 Chandler Street

William Kitsillis appeared on behalf of the petition and stated that this will be for entertainment at the new restaurant.

Upon a motion the Commission voted 2-0 to approve the entertainment license.

Exhibit A: Application for entertainment license received on July 24, 2014 and dated July 24, 2014.

11. Petition: Request for Carnival – September 4-7, 2014

Petitioner: Fiesta Shows, Greendale Mall, & Neponset Street

Ms. Steele stated that the item has been withdrawn.

Exhibit A: Application for entertainment license received on July 31, 2014 and dated July 31, 2014.

OTHER BUSINESS

Hearings

12. Martwi, Inc., 187 Washington Street – Reinstatement of license

Ms. Steele stated that the ABCC approved the change of manager and Lt. Johnson has met with the license holder.

Upon a motion the Commission voted 2-0 to reinstate the license.

- 13.** Meze, 156 Shrewsbury Street- Rule #14 - Operating Sidewalk Dining violations, Alcohol allowed to leave licensed premises

Sotirios Georgiadis appeared to answer to the complaint and waived his right to counsel.

Lt. Johnson presented the following report:

On June 7, 2014 at 12:30 a.m. Officer Edward Saucier drove past Meze, located at 156 Shrewsbury Street, and observed a large group of people standing and sitting outside on the sidewalk patio area. Several people were observed drinking from beer bottles. Officer Saucier was unable to stop at the time but returned at 1:15 a.m.

At 1:15 a.m. Officer Saucier observed a large crowd of people drinking what appeared to be mixed drinks. Several staff personnel were outside as well.

Officer Saucier asked to speak to the manager and a male who stated he was the owner's son came out to speak with Officer Saucier. Officer Saucier explained that the sidewalk patio needed to be closed and he stated that he thought he had until midnight. Officer Saucier pointed out that it was well past midnight and all outside service was to cease at 11:30 p.m.

As Officer Saucier was speaking with the owner's son a female exited the business with a bottle of beer. She walked in front of staff and Officer Saucier and began drinking the beer. Officer Saucier pointed this out to the owner's son, who just shrugged. Officer Saucier informed him to have staff escort the female back inside with the beer.

Mr. Georgiadis stated that a lot of people had shown up that evening and he did not have sufficient staff on duty to cover.

Chair Shea stated that Mr. Georgiadis is responsible for his premises and needs to make sure he knows the rules for the liquor establishment.

Upon a motion the Commission voted 2-0 that violation had occurred.

Upon a motion the Commission voted 2-0 to issue a one day suspended suspension.

Exhibit A: Police reported dated April 19, 2014.

- 14.** Electric Haze, 23 Millbury Street – Rule #1- Allowing patrons to remain on licensed premises after 2:00 a.m., Alcohol being consumed after hours, Manager Violation

Item postponed until September.

- 15.** M&S Entertainment dba Venue, 336 Main Street- Rule #14- Manager Violation, Rule #17- Alcohol taken from licensed premises, Rule #20 - Window Obstruction

Mohan Prashad appeared on behalf of violation and waived his right to counsel.

Lt. Johnson presented the following report:

On April 20, 2014 at around 1:21 a.m. officers assigned to the Bar Impact Unit called out with a possible fight/gun shots at the club Venue. Gang Unit and Bar Impact officers responded to the Venue to assist.

Officer Edward Saucier was assisting with other operations nearby and was able to respond within five minutes. Upon his arrival the club was pretty well cleared out and officers were still attempting to clear the street and sidewalk of club patrons. Detective Joe Ford advised Officer Saucier that he had observed a Hispanic male in his early 20's walk out the front door of the club with a bottle of Hennessy Cognac in his hand. The male walked by club staff and made no attempt to conceal the bottle of liquor. Detective Ford had attempted to stop the male but lost him in the crowd.

Officer Saucier entered the club to try and locate the manager but was informed by staff that he wasn't on the premises. Officer Saucier advised a staff bouncer what Detective Ford had observed and the bouncer stated they did sell a bottle of Hennessey at a VIP table but they lost track of things in all the pandemonium.

On April 20, 2014, one patron was arrested inside of the club and charged with assault and battery on a police officer, assault and battery with a dangerous weapon committed upon a police officer and resisting arrest.

It is believed the gun shots heard were actually a large metal door being slammed.

A responding officer's report states that Officer Solomon Obeng was working the detail assignment for Club Venue by himself and there were an estimated 150-200 people inside the club. The responding Officer was with Officer Johanson, stationed in front of Club Venue in a cruiser, when they heard two loud bangs and glass bottles shattering. The Officers could not see inside the club as the windows to the front of the club are completely tinted.

The officers began to approach the entrance way to the club and observed several patrons quickly exiting the club and two patrons informed the police that there were gun shots inside the club. The officers immediately radioed in that they were entering the club.

Once inside the club, the officers observed 10-15 males inside of the club fist fighting on the floor and Officer Obeng deployed OC Spray in an effort the quell the fight. After a short period of time, the OC spray began to take effect and the group of males stopped their behavior and began to exit the club.

One male, in particular, Jorge Cardoza, continued fighting and the officer observed that Jorge was continually punching an unidentified male, knocking him to the ground and kicked this male in his body with a shod foot. An officer grabbed onto Jorge's arms and he began to wildly throw punches at the officer and the club security guards. At the time, the floor was saturated from all the spilled drinks on the floor and the altercation ended up on the floor. While on the ground, Jorge repeatedly threw punches at the officer and kicked his shod feet at the officer.

Mr. Prashad stated that he was not there on the night in question as his cousin passed away but his sister and manager were there and a detail officer was present.

Mr. Prashad stated that at around 1:13 a.m. a few individuals came to the door and insisted on coming in and once they came in they got into an altercation with other patrons and the officer came in to assist.

With regards to the bottle of Hennessy sold, Mr. Prashad stated that they don't sell bottles and he could not explain how it got sold and he looked at his security cameras and didn't see anyone leaving with a bottle.

Lt. Johnson stated that the police need to be able to see into the establishment and they cannot. Mr. Prashad showed photographs taken at establishment showing that a person could see in. Lt. Johnson stated that those were taken during the day and at night one cannot see through the window.

The Commission suggested Mr. Prashad and Lt. Johnson meet that evening and they could discuss that matter and the Commission would not vote on Rule #20 until they heard back from the Lieutenant.

Upon a motion the Commission voted 2-0 that violation of Rule #14 and #17 did occur.

Upon a motion the Commission voted 2-0 to issue a two day suspended suspension.

Exhibit A: Police report dated April 22, 2014.

Communications

14. ABCC communication-Piccadilly's Bar and Grille, Inc. ABCC hearing-No comment.

ADJOURNMENT

The Commission adjourned the meeting at 10:46 a.m.