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MINUTES OF THE PROCEEDINGS OF THE  
LICENSE COMMISSION OF THE CITY OF WORCESTER

MAY 24, 2018

ESTHER HOWLAND CHAMBERS

**Commission Members Present:**

Walter Shea, Commissioner  
Barbara Haller, Commissioner

**Commission Members Absent:**

Anthony Salvidio, Chairman

**Staff Present:**

Jennifer Beaton, Law Department  
Lt. James Johnson, Worcester Police Department  
Sergeant Thomas Needham, Worcester Police Department  
Officer Edward Saucier, Worcester Police Department  
Officer Glenn Stout, Worcester Police Department  
Lt. Jeffrey Dubeau, Worcester Fire Department  
Deborah Steele, Planning & Regulatory Services

Call to Order – 10:00 a.m.

**Minutes**

May 10, 2018

**NEW BUSINESS**

**Common Victualer Requests**

**I-1:** Auntie Anne at WPI, 100 Institute Road

Request for common victualer license

Joe Kraskoukas appeared upon behalf of the application.

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

Exhibit A: Application for common victualer license dated May 5, 2018 and received May 5, 2018.

**I-2:** Fratelli's Corner Crust Pizzeria, 186 Stafford Street

Request for common victualer license

Bia Khayung appeared upon behalf of the application.

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

Exhibit A: Application for common victualer license dated May 8, 2018 and received May 8, 2018.

**I-3: Dunkin Donuts, 640 Park Avenue**

Request for common victualer license

No one appeared for hearing.

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

Exhibit A: Application for common victualer license dated May 17, 2018 and received May 17, 2018.

**Special One Day Liquor & Entertainment Requests**

**II-1: Terra Brasilis, 480 Shrewsbury Street**

Request for one day entertainment license for live music - outside

- June 19, 2018 – 5:00 p.m.-9:00 p.m.

NeUber Rossi appeared upon behalf of the application. He stated that this event is for the Taste of Shrewsbury Street. The Commission stated that they would like all the entertainment events for Taste of Shrewsbury to end at same time so approved application to 10:00 p.m.

Upon a motion the Commission voted 2-0 to approve the one day entertainment license to 10:00 p.m.

Exhibit A: Application for entertainment license dated May 5, 2018 and received May 5, 2018.

**II-2: Paul Barber, 278-282 Shrewsbury Street**

a. Request for one day liquor license - outside

- June 15, 2018, 2:00 p.m.-6:00 p.m.
- June 19, 2018, 5:00 p.m-11:00 p.m.
- July 2, 3, 2018, 5:00 p.m.-Midnight

b. Request for one day entertainment license for live music, amplification system-outside

- June 15, 2018, 5:00 p.m.-10:00 p.m.
- June 19, 2018, 5:00 p.m.-10:00 p.m.
- July 2, 3, 2018, 5:00 p.m.-10:00 p.m.

Items a and b were taken contemporaneously.

Paul Barber appeared upon behalf of the application.

He stated that the first event is a golf event, second is for the Taste of Shrewsbury Street and last event is for the fireworks. He requested to amend times as follows,

Liquor:

- JUNE 15, 2018 – 2:00 P.M.-6:00 P.M.
- JUNE 19, 2018-5:00 P.M.-11:00 P.M.
- JULY 2, 2018-5:00 P.M.-MIDNIGHT

Entertainment:

- JUNE 14, 2018-2:00 P.M.-5:00 PM.
- JUNE 19, 2018-5:00 P.M.-10:00 P.M.
- JULY 2, 2018-5:00 P.M.-11:00 P.M.

Upon a motion the Commission voted 2-0 to approve the one day liquor with amended times.

Upon a motion the Commission voted 2-0 to approve the one day entertainment license with amended times.

Exhibit A: Application for one day liquor license dated May 15, 2018 and received May 15, 2018.

Exhibit B: Application for one day entertainment license dated May 15, 2018 and received May 15, 2018.

**II-3:** Paul Barber, 120 Front Street

- Request for one day liquor license - outside
  - June 1, 2018, 8:00 p.m.-1:00 a.m.
- Request for one day entertainment license for live music, amplification system-outside
  - June 1, 2018, 8:00 p.m.-1:00 a.m.

Items a and b were taken contemporaneously.

Paul Barber and Paul Giorgio appeared upon behalf of the applications.

Mr. Giorgio stated that this is for the Democratic Convention event.

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

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

Exhibit A: Application for one day liquor license dated May 15, 2018 and received May 14, 2018.

Exhibit B: Application for one day entertainment license dated May 15, 2018 and received May 15, 2018.

**II-4:** John Travaglio, Humboldt Avenue

Request for one day liquor license – outside

- June 3, 2018 – 10:00 a.m. -5:30 p.m.

John Travaglio appeared upon behalf of the application. He stated that this is for the firefighter's road race.

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

Exhibit A: Application for one day liquor license dated May 11, 2018 and received May 11, 2018.

**II-5:** Wormtown Brewery, 72 Shrewsbury Street - outside

Request for entertainment for radio, recorded music, live music

- Wednesday nights – 6:00 p.m.-9:00 p.m.
- Sunday afternoons – 1:00 p.m.-3:00 p.m.
- July 12, 19, 26, 2018-6:00 p.m.-9:00 p.m.
- July 28, 2018, October 13, 2018-1:00 p.m.-9:00 p.m.

Jamie Chapman appeared upon behalf of the application.

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

Exhibit A: Application for one day entertainment license dated May 11, 2018 and received May 11, 2018.

**II-6:** Ken Nicolas, 404 W. Boylston Street - outside

Request for one day liquor license

- August 18, 2018-2:00 p.m. – 10:00 p.m.

Ken Nicholas appeared upon behalf of the application. He stated that this will be for a fundraiser.

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

Exhibit A: Application for one day liquor license dated May 15, 2018 and received May 15, 2018.

**II-7: Massachusetts Brewers Guild, Worcester Common**

a. Request for one day liquor license

- October 6, 2018 – 1:00 p.m.-5:00 p.m.

b. Request for one day entertainment license for amplification system

- October 6, 2018 – 1:00 p.m.-5:00 p.m.

Katie Stinchon appeared upon behalf of the application.

She stated that this is for the Massachusetts Brewers Guild and they have TIPS certified bartenders and have hired police details for the event.

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

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

Exhibit A: Application for one day liquor license dated May 11, 2018 and received May 11, 2018.

Exhibit B: Application for one day entertainment license dated May 11, 2018 and received May 11, 2018.

**II-8: Food Truck Festivals of America, 455 Main Street**

Request for one day liquor license

- June 2, 2018-11:00 a.m.-5:00 p.m.

Artemis Fredette appeared upon behalf the application.

She stated that this will be for a food truck festival on the Worcester Common and they have about 21 trucks expected for the event.

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

Exhibit A: Application for one day liquor license dated May 16, 2018 and received May 16, 2018.

**II-9:** Wootown Wakefest, LLC, 10 Lake Avenue North

Request for one day liquor license

- July 14, 2018-1:00 p.m-5:00 p.m.

Mark Portuando appeared upon behalf of the application. He stated that the event will be at 10 Lake Avenue North and police and TIPS certified bartenders will be present for the event.

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

Exhibit A: Application for one day liquor license dated May 6, 2018 and received May 6, 2018.

**II-10:** Gerald Azzarone, 104 Shrewsbury Street

a. Request for one day liquor license-outside

- June 19, 2018-4:00 p.m.-11:00 p.m.

b. Request for one day entertainment license for radio, dancing by patrons, recorded music, live music, amplification system, light show-Outside

- June 19, 2018-4:00 p.m.-11:00 p.m.

Items a and b were taken contemporaneously.

Gerald Azzarone appeared upon behalf of the applications. The Commission stated that they would amend the ending time of entertainment to 10:00 p.m.

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

Upon a motion the Commission voted 2-0 to approve the one day entertainment license with ending time of 10:00 p.m.

Exhibit A: Application for one day liquor license dated May 8, 2018 and received May 8, 2018.

Exhibit B: Application for entertainment license dated May 8, 2018 and received May 8, 2018.

**Alcohol & Entertainment Requests**

**III-1:** Great Walk, Inc. dba Great Wall, 521 Main Street

Request for restaurant malt and wine license-**Leave to Withdraw**

Exhibit A: Application for restaurant malt and wine license dated October 3, 2017 and received October 3, 2017.

**III-2:** 99 West, LLC, 50 Southwest Cutoff

Request for change of manager

Anthony Deciccio appeared upon behalf of the application.

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

Exhibit A: Application for change of manager dated May 7, 2018 and received May 7, 2018.

**Violations**

**IV-1:** P Derrico and Sons Co., Inc. 141 E. Central Street

Violation of Rule #6 – Sale to minor

Joseph Evangelista and Rodrigo Carlos Deoliveria appeared to answer to the violation and waived their right to counsel.

Lt. Johnson presented the following,

On March 18, 2017, Officers of the Worcester Police Department Alcohol Unit were conducting compliance checks at various package stores throughout the city of Worcester. An underage male accompanied the officers and was instructed to enter a package store and attempt to purchase alcohol without providing identification.

At around 11:50 a.m. the underage male entered the premises and purchased a six pack of Bud Light. The male was able to purchase the alcohol without being asked for identification.

Mr. Evangelista stated that the incident did happen.

The Commission noted that last violation at the premises was in 1997.

Mr. Deoliveria stated that he has changed the POS system and alcohol cannot be entered without ID going through the register properly and he also changed the focus of the market to wine instead of beer.

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

Upon a motion the Commission voted 2-0 to issue a warning.

Exhibit A: Police report dated March 18, 2017.

**IV-2: Ifendu Enterprises, LLC dba Moynihan's Pub, 895 Main Street**

Violation of Rule #7 - Sale to minor

Terengo Argaw along with her husband appeared to answer to the violation and waived their right to counsel.

Lt. Johnson presented the following,

On March 17, 2018 members of the Alcohol Enforcement Team were conducting compliance checks throughout the City of Worcester.

A twenty year old female was instructed to enter the Licensed Premises and sit with an accompanying officer and sit at the bar area and attempt to order an alcoholic beverage without providing identification.

At 1:56 p.m. Officer Glenn Stout and the underage female entered the Licensed Premises and both ordered a Bud Lights. Both were served by the male bartender. Neither one was asked to provide identification.

Mrs. Argaw stated that they apologized for the incident and since the incident they have met with the police and they will be more careful. Mrs. Argaw stated that they are going to be applying for a change of manager as her husband can be on the premises for more hours during the week than she can be.

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

Upon a motion the Commission voted 2-0 to issue a warning.

Exhibit A: Police report dated March 21, 2018.

**IV-3: Kobe Enterprises, Inc., 60 Shrewsbury Street**

204 CMR 2.05 (2) – Permitting an illegality on the licensed premises  
MGL Ch. 138 ¶34 C- Possession of an alcoholic beverage by a person under twenty one (3 counts), Rule #28-All persons involved in the service of liquor are required to attend a server training program (1 count)

Attorney Carol Conway, William Brown, Hao Wang as well Kah Peng Soon appeared to answer to the violation.

Lt. Johnson presented the following,

On May 10, 2018, Officers assigned to the Alcohol Enforcement Unit were working with ABCC Investigators throughout the city.



At 10:40 p.m. the Alcohol Enforcement Unit was advised by the ABCC Investigators that they observed a group of youthful appearing females sitting at a high top table in the premises. The group of females were drinking from what appeared to be a scorpion bowl.

The Officers questioned the girls and determined that one was 18 years old and stated that she presented a false Rhode Island Driver's license to the bartender. A second and third female presented MA drivers licenses that did not bear reasonable resemblances to themselves. One of the females stated that she left her false ID on the table for the bartender to check while she used the restroom. This was also confirmed by the bartender, William Brown, who served the three underage females.

The bartender stated that he had worked at the premises for four years and has never attended a server training program and this was also verified by co-owner, Kah Peng Soon, who told the investigators that they do not mandate any training in the safe service of alcoholic beverages for bartenders.

It was also noted that Hao Wang, who had been approved as the new manager early in the day by the License Commission was also present.

Attorney Conway stated that she would have liked to be able to subpoena the girls involved to see if they did have a reasonable resemblance to the IDs used as Mr. Brown will testify that he believed they were girls in the IDs'.

Mr. Brown stated that he did check the IDs' and believed that they were all the girls were the ones in the photo IDs'. Mr. Brown stated that he did have training about ten years ago in liquor training.

Attorney Conway presented to the Commission the new employee manual for the premises and if employee violates the manual the employee will be terminated. Ms. Conway stated that liquor server training will begin next week and they will give the License Commission copies of all the training certificates. Ms. Conway stated that the premises will also be installing a scanner which has an automatic update of the software and all IDs' will have to be scanned and the scanner will be connected to the cloud.

Commissioner Shea stated that the new manager said at the last meeting he said he was going to be pro-active and that same night a violation occurred.

Lt. Johnson stated that the police have going to the premises several times and done liquor server training for staff and the violations are still occurring.

The Commission noted in the file that there had been three previous violations in the past year.

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

Upon a motion the Commission voted 2-0 to impose a 30 day suspension – June 1-30, 2018.

The Commission stated that food would be allowed to be sold during the suspension.

Upon a motion the Commission voted 2-0 to impose the following conditions,

- All employees must be sever trained (no online training) and copy of certificates provided to Worcester Police Department
- On-line scanner be utilized at the premises

Exhibit A: Police report dated May 15, 2018.

Exhibit B: Employee Training Manual

### **Other Business**

**V-1:** Christopher Besaw, 20 Exchange Street Parking Lot request to amend time for one day liquor license and entertainment license

Request for one day liquor license

- August 25, 2018-2:00 p.m.-8:00 p.m. Request to amend to 10:00 p.m.

**V-2** Request for one day entertainment license live music

- August 25, 2018-2:00 p.m.-8:00 p.m.-Request to amend to 10:00 p.m.

Upon a motion the Commission voted 2-0 to amend the one day liquor license to 10:00 p.m.

Upon a motion the Commission voted 2-0 to amend the one day entertainment license to 10:00 p.m.

### **Communications**

- a. ABCC Notice of Hearing- V&E LLC, Leitrim, 265-269 Park Avenue-No comment
- b. ABCC Notice of Suspension-Maywood Associates Inc. dba Blarney Stone, 77-79 Maywood Street-No comment

### **Adjournment**

Upon a motion the Commission voted 2-0 to adjourn the meeting at 10:55 a.m.