

MINUTES OF THE PROCEEDINGS OF THE  
LICENSE COMMISSION OF THE CITY OF WORCESTER  
SEPTEMBER 7, 2017  
ESTHER HOWLAND CHAMBER

**Commission Members Present:** Anthony Salvidio, Chair  
Walter Shea, Commissioner  
Barbara Haller, Commissioner

**Commission Members Absent:**

**Staff Present:** Stephen Rolle, Planning & Regulatory Services  
Deborah Steele, Planning & Regulatory Services  
Alexandra Kalkounis, Law Department  
Sergeant Thomas Needham, Worcester Police Department  
Edward Saucier, Worcester Police Department  
Officer Glen Stout, Worcester Police Department  
Officer Patrick Harrington, Worcester Police Department  
Officer Shane Marcotte, Worcester Police Department  
John Biancheria, Inspectional Services

**Minutes**

August 10, 2017 & August 16, 2017

Upon a motion the Commission voted 3-0 to approve the minutes of August 10, 2017 and August 16, 2017.

Call to Order – 10:00 a.m.

**NEW BUSINESS**

**Common Victualer Requests**

Walter Shea recused himself from items I-1, II-1, II-2, II-2a and left meeting room.

**I-1:** Asian Supermarket, 50 Mill Street

Request for common victualer license

Amy Heung Ha & Mung Phong 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 August 31, 2017 and received August 31, 2017.

### **Special One Day Liquor & Entertainment Requests**

#### **II-1: Chartwells, 100 Institute Road, Recreation Center**

Request for one day liquor license

- September 9, 2017 – Noon-3:00 p.m.-600 people expected

Kathy Columbo appeared upon behalf of the application and stated the event is for a homecoming weekend.

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

Exhibit A: Application for one day liquor license dated August 15, 2017 and received August 22, 2017.

#### **II-2: Angela Padavano, 358 Shrewsbury Street**

Request for one day liquor license outside

- September 10, 2017-2:00 p.m.-9:00 p.m.-80+ people expected
- October 8, 2017-Noon-8:00 p.m.-80+ people expected

Exhibit A: Application for one day liquor license dated August 21, 2017 and received August 21, 2017.

#### **II-2a: Angela Padavano, 358 Shrewsbury Street**

Request for one day entertainment license for live music outside

- September 10, 2017-3:00 p.m.-7:00 p.m.
- October 8, 2017-2:00 p.m.-6:00 p.m.

Items II-2, II-2a were taken contemporaneously.

Angela Padavano appeared upon behalf of the items.

Ms. Padavano stated that the September 10, 2017 event is their third anniversary party and the October 9, 2017 is for Columbus Day Parade.

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 entertainment license dated August 21, 2017 and received August 21, 2017.

Commissioner Shea returned to the meeting room.

**II-3:** Paul Hanlon, 16 Cambridge Street

Request for one day liquor license outside

- September 16, 2017-6:00 p.m.-Midnight-100 people expected

Exhibit A: Application for one day liquor license dated August 21, 2017 and received August 21, 2017.

**II-4:** Paul Hanlon, 16 Cambridge Street

Request for one day entertainment license for live music outside

- September 16, 2017-6:00 p.m.-Midnight

Items #II-3, II-4 were taken contemporaneously.

Paul Hanlon appeared upon behalf of the items.

Upon a motion the Commission voted 3-0 to approve the one day liquor license.

Upon a motion the Commission voted 3-0 to approve the one day entertainment license.

Exhibit A: Application for one day entertainment license dated August 21, 2017 and received August 21, 2017.

**II-5:** The Armenian Churches of Worcester County, 34 Boynton Street

Request for one day liquor license

- October 14, 2017 – 7:30 p.m.-1:00 a.m.-250 people expected

Bob Bohihian appeared upon behalf of the application. He stated that this is for a dance at the church and they have a police detail hired for the event.

Upon a motion the Commission voted 3-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license dated August 17, 2017 and received August 17, 2017.

**II-6:** Hanna Demirjian, Mercantile Center, 100 Front Street-500 people expected

Request for one day liquor license outside

- September 28, 2017-4:30 p.m.-9:00 p.m.

Exhibit A: Application for one day liquor license dated August 18, 2017 and received August 18, 2017.

**II-6a:** Hanna Demirjian, Mercantile Center, 100 Front Street

Request for one day entertainment license for dancing by patrons, radio, recorded music, live music, amplification system

- September 28, 2017-4:30 p.m.-9:00 p.m.

Items # II-6, II-6a were taken contemporaneously.

Hanna Demirjian appeared upon behalf of the events. She stated that they have Mercantile security as well as police details for the event.

Upon a motion the Commission voted 3-0 to approve the one day liquor license.

Upon a motion the Commission voted 3-0 to approve the one day entertainment license.

Exhibit A: Application for one day entertainment license dated August 18, 2017 and received August 18, 2017.

**II-7:** Robyn Caruso, 346 Shrewsbury Street

Request for one day liquor license outside

- September 9, 2017-Noon-8:00 p.m.- 100 people expected
- September 30, 2017-1:00 p.m.-5:00 p.m.-600 people expected
- October 14, 2017-Noon-8:00 p.m.-100 people expected
- October 8, 2017-Noon-8:00 p.m.100 people expected

Exhibit A: Application for one day liquor license dated August 8, 2017 and received August 8, 2017.

**II-7a:** Robyn Caruso, 346 Shrewsbury Street

Request for one day entertainment license for live music outside

- September 9, 2017-Noon-8:00 p.m.
- September 30, 2017-1:00 p.m.-5:00 p.m.
- October 14, 2017-Noon-8:00 p.m.
- October 8, 2017-Noon-8:00 p.m.

Items #II-7, II-7a were taken contemporaneously.

Robyn Caruso and Paul Giorgio appeared upon behalf of the applications.

Mr. Giorgio stated that the September 30, 2017 event is for a chili/chowder festival.

Ms. Caruso stated that September 9, 2017 and October 8, 2017 are for fundraisers for a local animal shelter and October 14, 2017 is for the Columbus Day Parade.

Upon a motion the Commission voted 3-0 to approve the one day liquor licenses.

Upon a motion the Commission voted 3-0 to approve the one day entertainment licenses.

Exhibit A: Application for one day entertainment license dated August 8, 2017 and received August 8, 2017.

**II-8:** Worcester Historical Museum, 30 Elm Street

Request for one day entertainment license for dancing by patrons, recorded music, live music, amplification system

- October 5, 2017-4:30 – 6:30 p.m.- 8:30 p.m.-10:00 p.m.

Diana Laska Nixon appeared upon behalf of the application. She stated that this is for a block party for the Harvey Ball and part of the event will be outside and the evening portion will be inside.

Upon a motion the Commission voted 3-0 to approve the one day entertainment license.

Exhibit A: Application for one day entertainment license dated August 17, 2017 and received August 17, 2017.

**II-9:** Frank Peace, Portland Street

Request for one day liquor license

- September 9, 10, 2017-1:00 p.m.-9:00 p.m.-500 people expected

Exhibit A: Application for one day liquor license dated August 16, 2017 and received August 16, 2017.

**II-9a:** Frank Peace, Portland Street

Request for one day entertainment license for live music

- September 9, 10, 2017-1:00 p.m.-9:00 p.m.-500 people expected

Items #II-9, II-9A were taken contemptuously.

Frank Peace appeared upon behalf of the applications. He stated that this is for a beach party weekend on Portland Street and the street will be shut down at 6:00 a.m. to set up for the party and two off duty police have been hired for the event.

Upon a motion the Commission voted 3-0 to approve the one day liquor license.

Upon a motion the Commission voted 3-0 to approve the one day entertainment license.

Exhibit A: Application for one day entertainment license dated August 16, 2017 and received August 16, 2017.

**II-10:** Kristen Dyer, 1 College Street

Request for one day liquor license

- September 30, 2017-3:00 p.m.-7:00 p.m.-150 people expected

Kristen Dyer appeared upon behalf of the item. She stated that this event is for a homecoming weekend.

Upon a motion the Commission voted 3-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license dated August 29, 2017 and received August 29, 2017.

**II-11:** St. George Orthodox Cathedral, 30 Anna Street

Request for one day liquor license

- September 29, 2017-8:00 p.m.-1:30 a.m.-400-500 people expected

Judy Shaughnessy appeared upon behalf of the application. She stated that the event is a fundraiser and they have a licensed bartender and two police details for event.

Upon a motion the Commission voted 3-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license dated August 29, 2017 and received August 29, 2017.

**II-12:** Sean Woods, 20 Franklin Street

Request for one day liquor license

- September 26, 2017-hours TBD-50 people expected

Sean Woods appeared upon behalf of the application. He stated that this event is for a WPI alumni gathering and asked that the hours be 5:00 p.m.-11:00 p.m.

Upon a motion the Commission voted 3-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license dated August 31, 2017 and received August 31, 2017.

**II-13: Paul Wengender/Joe Solais, 455 Main Street**

Request for one day liquor license

- September 8, 2017-4:00 p.m.-9:00 p.m.- 100-200 people expected

Che Anderson from the City Manager's Office appeared upon behalf of the application. He stated that this is a fundraiser, Worcester Care Events, which will be held on the left side of City Hall plaza and nine police officers will be on hand to help with the event.

Upon a motion the Commission voted 3-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license dated September 1, 2017 and received September 1, 2017.

**Alcohol & Entertainment Requests**

**III-1 La Terraza Corporation, 591 Park Avenue**

Request for entertainment license for tv, dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, play, light show, karaoke-Inside only

Blaca Guerrero and Alberto Alvarez appeared upon behalf of the application and stated that he's looking to add entertainment to the premises. The Commission asked what would be the hours of entertainment and Mr. Guerrero stated from 9:00 p.m. to 1:30 a.m.

The Commission reminded Mr. Guerrero that entertainment was inside only and informed Mr. Guerrero that he would also need inspection from the Fire Department to determine their approval for the type of entertainment requested.

Upon a motion the Commission voted 3-0 to approve the entertainment license subject to an inspection being done by the Worcester Fire Department.

Exhibit A: Application for entertainment license dated August 11, 2017 and received August 11, 2017.

**III-2: Anokye Krom LLC, 687 Millbury Street**

Request for entertainment license for jukebox, tv, radio, dancing by patrons, recorded music, karaoke

Richard Boateng along with his wife appeared upon behalf of the application and stated that he'd like to expand his entertainment license.

Ed Wall stated that he is an abutter to the property and opposes the request because every Saturday night there over 200 people there and they only have parking for nine vehicles for the establishment and the patrons are blocking his driveway and there are fights outside the premises.

Matt Hemmingway stated that he opposes the request as this is a primarily residential area and his street has been blocked by patrons cars and there have been problems with public urination in the street.

Priscilla Rodriguez stated that she lives near the premises and has seen an increase in disturbances from the premises and people are urinating and defecating outside. She believes the situation will become more volatile and presented some letters from neighbors who were unable to attend opposing the application.

Mr. Boateng stated that they have been at the premises for nine years and the people outside are not his patrons.

Chair Salvadio stated that he like the Worcester Police to investigate the situation and would like to hold the item for two meetings and requested the Worcester Police investigate the number of calls to the premises.

Upon a motion the Commission voted 3-0 to continue the item until the October 19, 2017 License Commission meeting.

Exhibit A: Application for entertainment license dated August 11, 2017 and received August 11, 2017.

Exhibit B: Letters of opposition from neighbors presented at the September 7, 2017 License Commission meeting.

**III-3:** Colwen Management, LLC, 72 Grove Street

Request for change of manager

Item was postponed to September 28, 2017.

Exhibit A: Application for change of manager dated August 11, 2017 and received August 11, 2017.

**III-4:** 99 West LLC, 50 Southwest Cutoff

Request for new officer/director

Exhibit A: ABCC communication regarding application dated July 25, 2017.



**III-5:** 99 West LLC, 11 E. Central Street

Request for new officer/director

Exhibit A: ABCC communication regarding application dated July 25, 2017.

**III-6:** 99 Restaurants of Boston, LLC, 900 West Boylston Street

Request for new officer/director

Exhibit A: ABCC communication regarding application dated July 25, 2017.

Items # III-4, III-5, III-6 were taken contemporaneously.

Upon a motion the Commission voted 3-0 to approve the three requests for new officer/director.

**III-7:** JEM Hospitality, LLC, 242 Mill Street

Request for restaurant all alcohol license

Attorney Sean Murray and Howard Sobel appeared upon behalf of the application.

Chair Salvidio stated that the Commission had viewed the premises prior to the meeting.

Upon a motion the Commission voted 3-0 to approve the restaurant all alcohol license.

Exhibit A: Application for restaurant all alcohol license dated August 16, 2017 and received August 16, 2017.

**III-8:** Shisha Room, LLC, 86 Shrewsbury Street

Request to transfer general on premises all alcohol license which includes sidewalk seating area

Osama Jweda and Rosemarie Melkion appeared upon behalf of the application. Mr. Jweda stated that he had been working at the establishment for several years and now would like to buy the business.

Upon a motion the Commission voted 3-0 to approve the transfer of the general on premises all alcohol license.

Exhibit A: Application for transfer of general on premises all alcohol license dated August 21, 2017 and received August 21, 2017.

**Violations**

**IV-1:** Thien Anh LLC dba Kyoto Japanese Restaurant, 535 Lincoln Street

Thien Phan appeared to answer to the violation and waived his right to counsel  
Violation of Rules #7, 14, 204 CMR. 2.05 - Sale to underage person

Sergeant Needham presented the following,

On April 15, 2017 members of the Alcohol Enforcement Team were conducting compliance checks throughout the City of Worcester.

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

At 12:16 p.m. Officer Patrick Harrington and the underage male entered the Licensed Premises and both ordered a Miller Lite. Both were served the Miller Lite bottles by a female bartender.

Neither one was asked to provide identification.

Mr. Phan stated that he has been in business 12 years and this has never happened before and he reminded staff that they always need to check for ID.

Upon a motion the Commission voted 3-0 that the violation had occurred.

Upon a motion the Commission voted 3-0 to issue a warning.

Exhibit A: Police report dated April 28, 2017.

**IV-2:** Peppercorns Park Avenue Grille and Bar, Inc., 455 Park Avenue

Violation of Rules #7, 14 204 CMR 2.05-Sale to underage person

Thomas Oliveri appeared upon behalf of the violation and waived his right to counsel.

Sergeant Needham presented the following,

On April 15, 2017 members of the Alcohol Enforcement Team were conducting compliance checks throughout the City of Worcester.

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

At 1:06 p.m. Officer Shane Marcotte and the underage male entered the Licensed Premises and both ordered a Miller Lite. Both were served the Miller Lite bottles by a male, with dark hair, wearing black clothing. Neither one was asked to provide identification

Mr. Oliveri stated that he did not dispute the facts and has been in business over 22 years and this is the first violation and stated that another violation would not occur.

Upon a motion the Commission voted 3-0 that the violation had occurred.

Upon a motion the Commission voted 3-0 to issue a warning.

Exhibit A: Police report dated April 19, 2017.

**IV-3:** Bahn Thai Corporation, 2 Coes Square

Violation of Rules #7, 14 204 CMR 2.05-Sale to underage person

Suhap Leelaudomwarakul appeared to answer to the violation and waived his right to counsel.

Sergeant Needham presented the following,

On April 15, 2017 members of the Alcohol Enforcement Team were conducting compliance checks throughout the City of Worcester.

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

At 1:25 p.m. Officer Patrick Harrington and the underage male entered the Licensed Premises and both ordered a Coors Light. Both were served Coors Light bottles by a female bartender. Neither one was asked to provide identification.

Mr. Leelaudomwarakul did not dispute the facts at presented and stated that before he starts the day now he reminds all the staff that they need to card anyone who looks 30 years or under.

Upon a motion the Commission voted 3-0 that the violation had occurred.

Upon a motion the Commission voted 3-0 to issue a warning.

Exhibit A: Police report dated April 19, 2017.

**IV-4:** Kobe Enterprises, Inc. dba 7 Nana Japanese Steakhouse, 60 Shrewsbury Street

Violation of Rules #7, 14 204 CMR 2.05-Sale to underage person

Attorney Chung Le along with Laurel Guihau Xie appeared to answer to the violation.

Sergeant Needham presented the following,

On April 15, 2017 members of the Alcohol Enforcement Team were conducting compliance checks throughout the City of Worcester.

A nineteen year old male 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 1:53 p.m. Officer Patrick Harrington and the underage male entered the Licensed Premises and both ordered a Bud Light. Both were served the Bud Light Bottles by a male bartender. Neither one was asked to provide identification.

Attorney Chung Le stated that the incident did happen and stated that the main bartender had to leave abruptly to handle a personal problem and they didn't have a backup bartender there yet so they asked a waiter to take over for the bartender and thought that everyone had already been carded. He stated that the waiter was demoted for two months and the staff of the premises took the police training classes being offered on liquor laws.

Chair Salvidio stated that this seems to be a management issue. Mr. Le stated that Ms. Xie was vacation on the main bartender was supposed to be in charge. They now have a premises located next door with residential units and a backup bartender will live on that premises so they shouldn't have that problem again.

Upon a motion the Commission voted 3-0 that the violation had occurred.

Upon a motion the Commission voted 3-0 to issue a warning.

Exhibit A: Police report dated April 28, 2017.

**IV-5: Café Neo, Inc., 97 Millbury Street**

Violation of Rule #14, 204 CMR 2.05-Manager responsible for premises

Katherine and Peter Tsigas appeared to answer to the violation and waived their right to counsel.

Sergeant Needham presented the following,

On June 28, 2017 Officer Edward Saucier observed Peter Tsigas from the Licensed Premises remove shopping bags from his vehicles and enter the Licensed Premises. Officer Saucier believed that Mr. Tsigas was bringing in liquor that he had purchased from a package store and went to investigate.

Officer Saucier had a discussion with Mr. Tsigas who stated that he did sometimes purchase liquor from the package store for the Licensed Premises if he ran out of something and did not have time to order it through the distributors.

Other Officers arrived to assist Officer Saucier and they observed alcohol in the back seat of Mr. Tsigas's truck. The officers removed the alcohol and Mr. Tsigas stated that he had bought the liquor a few weeks ago.

Mr. Tsigas retrieved a 1.75 liter bottle of Absolut vodka and 1.75 bottle of Jack Daniels from behind the bar and stated that he had bought the bottles from a package store.

Ms. Tsigas stated that she was unaware until yesterday that this incident had occurred and they have four liquor vendors and asked her husband why he did this and he told her he was afraid they were going to run out of this particular liquor and stated from now on they will do more frequent inventory so there would never be question that they will run out.

Mr. Tsigas stated that he did go to the liquor store and buy the bottles.

Commissioner Haller stated that the Commission is glad that steps are being taken so it does not happen again.

Sergeant Needham stated that the police do not believe this is a recurring practice by the establishment.

Upon a motion the Commission voted 3-0 that the violation had occurred.

Upon a motion the Commission voted 3-0 to issue a two day suspended suspension.

Exhibit A: Police report dated June 30, 2017.

**IV-6:** The Usual Corporation, 81 Water Street

Violation of Rule #14, 204 CMR 2.05-Manager responsible for premises

No one appeared to answer to the violation.

Sergeant Needham presented the following,

On June 14, 2017 Officers from the Alcohol Enforcement Unit were on Water Street when they observed the outdoor dining set up outside the Licensed Premises. There were barriers set up but there were no tables or chairs within the barriers. The Officers observed people inside the barrier drinking alcohol and there were alcoholic beverages on an open window sill and no staff from the Licensed Premises was monitoring the outdoor area.

Sergeant Needham presented photos of the area.

Chair Salvidio asked if there had ever been any tables outside. Sergeant Needham stated that the establishment had been notified almost weekly about the issue and stated that there has never been any tables outside in the sidewalk dining area and the establishment had been notified previously by the Police about the problem and nothing had been done so the police wrote up the violation.

Chair Salvidio stated that the establishment seems to have a disregard for the privilege of sidewalk dining.

Upon a motion the Commission voted 3-0 that the violation had occurred.

Upon a motion the Commission voted 3-0 to suspend sidewalk dining.

Exhibit A: Police report dated June 16, 2017.

Exhibit B: Photos presented by Sergeant Needham at September 7, 2017 License Commission meeting.

**IV-7:** Bull Mansion, LLC, 55 Pearl Street

Violation of Rule #14, 17, 204 CMR – Manager responsible for premises, no alcoholic to be consumed except in areas specified

No one appeared for item and item was postponed.

Exhibit A: Police report dated August 8, 2017.

**IV-8:** Noamesco, LLC, 43 Pleasant Street

Violation of Rule #14, 17, 204 CMR-Manager responsible for premises, Premises shall conform to occupancy permits

Julius Kumah appeared to answer to the violation and waived his right to counsel.

Sergeant Needham presented the following,

On July 9, 2017 Officer Pat Harrington was assigned to the Alcohol Enforcement Unit when he received a call that there was a large crowd gathering outside the Licensed Premises.

Officer Harrington along with other police officers responded to the location and upon arrival they observed a large group trying to enter the Licensed Premises through the main entrance and Officer Harrington observed at the emergency side entrance a promoter was collecting money for an event inside the Licensed Premises and was not checking any identification.

Officer Harrington tried to obtain access to the Licensed Premises and was delayed from entering due to the amount of people standing in the foyer waiting to pay the cover fee.

Officer Harrington and other officers obtained entrance to the Licensed Premises and observed well over 300 people inside. The occupancy for the premises is 273.

Officer Harrington spoke with the owner, Julius Kumah, who stated that he was not expecting this amount of people and things got a little out of hand.

Mr. Kumah stated that he takes full responsibility for what happened. There was a performer at Hanover Theater and when the crowd got out at 12:30 a.m. they all come over to the establishment and they didn't have enough stations. Since the incident they have added some extra stations and this is first violation in six years of business.

Chair Salvidio stated that promotable events attract larger crowd.

Commissioner Haller asked how Mr. Kumah is handling capacity now. Mr. Kumah stated that they track as they come in but they were overwhelmed that night and turned into a stampede and people were trying to knock over doorman to get in.

Commissioner Haller asked about the promoter. Mr. Kumah stated that someone from inside opened that exit and started collecting money but he did not receive any of the money.

Sergeant Needham stated with the new places there have been growing pains but reminded Mr. Kumah that if a promoter causes a problem that it falls back on the Licensed Premises.

Upon a motion the Commission voted 3-0 that that violation had occurred.

Upon a motion the Commission voted 3-0 to issue a one day suspended suspension.

Exhibit A: Police report dated July 26, 2017.

#### **IV-9** Jasmal Corporation dba Mahoney's, 413 Park Avenue

Violation of Rules #1, 14, 204 CMR 2.05-Hours violation, manager responsible for premises –May 16, 2017, June 3, 2017, June 8, 2017.

Attorney Richard Kalonwski and Richard Bartosiewicz appeared to answer to the violation.

Sergeant Needham presented the following

On May 16, 2017 and June 3, 2017 Worcester Police Officers from the Alcohol Enforcement Unit observed patrons inside the Licensed Premises consuming and in the possession of alcohol after 2:00 a.m.

On June 8, 2017 Officer Edward Saucier along with members of the Alcohol Enforcement Unit went to investigate the Licensed Premises.

Officer Saucier spoke with the bartender who told him that the manager does not come in on Thursdays. Officer Saucier observed in a back room two empty bottles of alcohol on the floor and a yellow plastic funnel on the shelf and from experience this is a sign of alcohol being poured from one bottled into another bottle.

Officer Saucier asked the bartender to open the alcohol storage closet and observed all the bottles were open and full and two were fuller and sticky to the touch which is an indicator that they had been refilled from different bottles.

Officer Saucier asked the bartender to contact the manager and manager John Bartosiewicz responded and Officer Saucier questioned him about the bottles. Mr. Bartosiewicz admitted that he pours alcohol into other bottles and stated that he pays the same for the bottles so he thought he could do that.

Attorney Kalonwski stated that they do not dispute the facts and they have a purchase and sale agreement signed to transfer the license and the sale will only pay off bills. On behalf on Mahoney's he apologizes and is embarrassed to be here.

Attorney Sean Murray stated that he standing in for Attorney for Don O'Neil and they represent the buyer.

The Commission stated that they have run out of patience with the application not being filed.

Attorney Kalonwski stated that it reasonable to suspend the license pending a sale.

Upon a motion the Commission voted 3-0 that the violations on May 16, 2017 and June 3, 2017 did occur.

Upon a motion the Commission voted 3-0 that the violation of June 8, 2017 did occur.

The Commission stated that they did not want this establishment open until the transfer is filed.

Upon a motion the Commission voted 3-0 to suspend the license for a period of 60 days or until such time the transfer application is filed and approved; and they voted 3-0 to suspend the license for an additional 60 days or the transfer being filed and approved for the June 8, 2017 violation and if the transfer does not occur within that time another hearing will be held for further sanctions and does not recommend that the owner not purchase another bar.

Exhibit A: Police report dated June 6, 2017.

Exhibit B: Police report dated June 8, 2017.

### **Other Business**

Proposed new License Commission rule:



When providing bottle service a licensed establishment must provide a “bottle host” who is responsible for handling the alcohol at all times. A “bottle host” is defined as an employee of the licensed liquor establishment, who is TIPS certified, and that handles the alcohol for a specific table. A bottle host may not leave alcohol unattended at any time.

Item was postponed to the October 19, 2017 License Commission meeting.

### **Communications**

- a. Electronic communication from John Paul Bellerose Stevens dated August 20, 2017 re: Bull Mansion, 55 Pearl Street-Filed

Commissioner Haller requested that the Commission get a report on a lodging house on 39-41 Irving Street. Mr. Rolle stated that staff is investigating the matter and will report back to the Commission.

### **Adjournment**

Upon a motion the Commission voted 3-0 to adjourn the meeting at 11:55 a.m.