

**MINUTES OF THE PROCEEDINGS OF THE  
LICENSE COMMISSION OF THE CITY OF WORCESTER  
February 2, 2012**

**ESTHER HOWLAND CHAMBER – CITY HALL**

**Commission Members Present:** Peter Lukes, Chairman  
Karon Shea, Commissioner  
Paul Mullan, Commissioner

**Staff Present:** Joel Fontane, Planning & Regulatory Services  
Deborah Steele, Planning & Regulatory Services  
Attorney Jennifer Beaton, Law Department  
Attorney Alexandra Haralambous  
Lt. James Johnson, Worcester Police Department  
Jim Foley, Health Department

**REGULAR MEETING (10:00 AM)**

**CALL TO ORDER:**

Chairman Lukes called the meeting to order at 10:00 a.m.

**MINUTES:**

Upon a motion by Chairman Lukes and seconded by Commissioner Shea the Commission voted 3-0 to approve the meeting minutes of:

January 5, 2012  
January 19, 2012  
January 24, 2012

**Unfinished Business:**

1. Einhorn Road – Yarock Memorial Housing Inc.

Petition: Request for lodging house

Attorney John Shea and Leah Bradley from Yarock Memorial Housing, Incorporated appeared on behalf of the application.

Attorney Shea stated that this location has had a lodging house license since 1988 and had various owners over the years. In 2011 the property went into foreclosure and Yarock Memorial Housing bought the property and is now requesting to taking over running the lodging house operation.

Donald Bruek spoke on behalf of application. Mr. Bruek stated he does not feel the location is detrimental to the neighborhood and what is being proposed is simple change of ownership.

William Krikorian spoke against application. Mr. Krikorian asked whether Yarock Memorial Housing will be paying taxes to the City of Worcester.

Chairman Lukes stated that the Commission cannot take the tax issue into consideration when reviewing this matter.

Mr. Krikorian stated he has lived in area for over fifty three years and prior to location becoming a lodging house the property was well run but since it became lodging house the property has become run down.

Chairman Lukes asked whether improvements were planned for property.

Ms. Bradley stated they are working on improving property by replacing the steps, renovations to the porch and in the Spring they will be working on the roof and painting the location.

Chairman Lukes stated if location is approved he would request that the Property Review Team from Inspectional Services inspect property right away.

Upon a motion by Chairman Lukes and seconded by Commissioner Shea the Commission voted 3-0 to approve the lodging house license for 1 Einhorn Road.

Exhibit 1: Application for lodging house license. Received on December 14, 2011 and dated December 14, 2011.

Exhibit 2: Amended Application for lodging house license. Received on January 30, 2012 and dated January 30, 2012.

**New Business:**

2. 19 Temple Street – Ancient Order of Hibernians

Request for One Day Liquor Permit – March 3, 2012

Stephen Murphy appeared on behalf of application. Mr. Murphy stated this event is for the Irish Festival which would be held at St. George Cathedral. All the servers would be certified and tickets will be sold for event. Mr. Murphy also stated that two off duty police would be hired for the event.

Upon a motion by Chairman Lukes and seconded by Commissioner Shea the Commission voted 3-0 to approve the one day liquor permit for the Ancient Order of Hibernians.

Exhibit 1: Application for one day liquor permit. Received on January 19, 2012 and dated January 19, 2012.

3. 1 College Street – Paul Irish

Request for One Day Liquor Permit – May 24, 2012

Jeremy O'Connor appeared on behalf of application. Mr. O'Connor stated this is for the annual Baccalaureate Ball that is held each year at the college. All people in attendance will require identification to enter.

Upon a motion by Chairman Lukes and seconded by Commissioner Shea the Commission voted 3-0 to approve the one day liquor permit for Paul Irish.

Exhibit 1: Application for one day liquor permit received on January 17, 2012 and dated January 13, 2012.

4. 65 Water Street – Dzian Gallery

Request for One Day Liquor Permit – February 8, 2012, February 11, 2012, April 13, 2012

David Papazian appeared on behalf of the applications. Mr. Papazian stated the February 11, 2012 event is fundraiser for the Worcester Animal Shelter. The February 11, 2012 event is for a Valentine event and the April 13, 2012 event is an artist showing.

Upon a motion by Chairman Lukes and seconded by Commissioner Shea the Commission voted 3-0 to approve the three one day liquor permits February 8, 2012, February 12, 2012 & April 13, 2012.

Exhibit 1: Application for One Day Liquor Permit received via email on January 18, 2012 and dated January 18, 2012.

5. 102 Russell Street – St. Spyridon Cathedral

Request for One Day Liquor Permit – February 11, 2012

Charles Kyristy appeared on behalf of the application. Event will be for a Valentine's Day party which has been held for over twenty years.

Upon a motion by Chairman Lukes and seconded by Commissioner Shea the Commission voted 3-0 to approve the one day liquor license for February 11, 2012.

Exhibit 1: Application for One Day Liquor Permit received on January 26, 2012 and dated January 25, 2012.

6. 233 Chandler Street – Al Razaq Grocery & Halal Meat

Abdinoor Hassan Abdille appeared on behalf of the application.

Mr. Abdille stated he had bought the store last month and would be selling groceries and meat.

Upon a motion by Chairman Lukes and seconded by Commissioner Shea the Commission voted 3-0 to approve the common victualer license for Al Razaq & Halal Meat.

7. 503 Plantation Street – Colwen Management Inc.

Request for Change of manager.

Shawn Rodriquenz appeared on behalf of the application. Mr. Rodriquenz stated he will be taking over the management duties at the Residence Inn on Plantation Street.

Upon a motion by Chairman Lukes and seconded by Commissioner Shea the Commission voted 3-0 to approve the change of manager for Colwen Management, Inc.

Exhibit 1: Application for change of manager. Received on January 24, 2012 and dated January 9, 2012.

8. 241 Southbridge Street – AA Brothers, Inc. dba Emperors Club

Request to transfer common victualer all alcohol license & entertainment license from Platinum Club Enterprises, Inc.

Attorney Devon Kinnard, Levon Terzian & Alex Guidorola appeared on behalf of the application.

Attorney Kinnard stated that this was second time this application had appeared before License Commission. At the December meeting applicant was told that process would go smoother if they were to find a disinterested third party to finance the business and that is what the applicant has done by working out the financing agreement with a Karen Chin.

Chairman Lukes asked if a list of all employees would be given to the police.

Lt. Johnson stated that could be done.

Attorney Kinnard asked for clarification as to whether a background check was going to be required to be done on every employee.

Chairman Lukes stated no the background would be limited to managers and security staff but a list of all employees must be given to the Police every thirty days.

Commissioner Mullan asked if licenses are approved when would the six month status hearing begin.

Mr. Fontane stated that it would be up to the Commission whether they would like to bring back license holder either on a quarterly basis or six month basis.

Attorney Kinnard stated that on the list of conditions letter that they had received there was a listing regarding hours of operation. Attorney Kinnard asked whether those hours would be permanent or could license holder request change of hours on certain days.

Commissioner Mullan stated that the applicant is free to request to come back before the License Commission at any time and request an amendment to conditions and the Commission would take under consideration.

Upon a roll call the Commission voted 3-0 to approve the common victualer all alcohol license, common victualer license and entertainment license for AA Brothers Inc. dba Emperors Club subject to the following conditions:

1. ***Entrance / Exit Control.***

- a. *General.* The establishment's entrance / exit shall be staffed with a doorman at all times.
  - i. Doormen shall monitor occupancy through use of counters as needed to ensure compliance with maximum rated occupancy.
  - ii. All patrons shall enter and exit the premise through a single clearly marked location that is monitored.

- b. *Patron Identification Required.* All guests will be required to produce one of the following forms of identification to the Doormen:
    - i. Massachusetts driver's license or other valid State issued identification.
    - ii. Massachusetts Registry of Motor Vehicles liquor identification card.
    - iii. Passport issued by the United States or a country recognized by the United States, or valid military identification card (the green, active service card).
  - c. *Equipment.*
    - i. The establishment shall provide and use age verification and identification fraud prevention scanning devices at all public entrances to the premises.
  - d. *Identification Verification.*
    - i. Doormen shall request and scan (using the above equipment) the identification of all patrons.
- 2. Operations.**
- a. Licensees must disperse patrons from the establishment and away from the premises in a safe, orderly and timely fashion.
- 3. Personnel Training.**
- a. All personnel having serving or distributing alcohol shall undergo TIPS, or equivalent training in the controlled serving of alcohol beverages.
- 4. Rooms.**
- a. Each room in establishment must be illuminated sufficiently to allow occupants to be easily visible by police and security details.
  - b. The use of booths, stalls or enclosures of any type or kind whatsoever which are closed by curtains, screens or any other devices so that persons therein cannot be seen by security personnel and staff are not permitted within the licensed premises. – See Rule 12 of Alcohol Rules and Regulations.
  - c. Licensed entertainment shall not be allowed in the “Sky Box” Room, which is located directly above main dance hall.
- 5. Security.**
- a. A private security detail shall circulate throughout the establishment during all hours of operation to ensure that all license conditions and other club policies are monitored for compliance, as well as the rules and regulations of the License Commission.
  - b. The establishment shall employ one (1) paid detail (City of Worcester Police Officer) Wednesday, Thursday, Friday and Saturday from 10pm-3am.

**6. *Video Monitoring.***

- a. The entire parking lot shall be monitored by video surveillance 24 hours a day, seven (7) days per week.
- b. Parking areas shall be equipped with sufficient lighting to allow effective video surveillance of the entire parking area.
- c. The interior of the premises and all ingress / egresses shall be monitored by closed circuit video surveillance system 24 hours a day, seven (7) days per week.
- d. All video surveillance recordings shall be saved for ten (10) calendar days and made available to the Police / License Commission immediately upon request.

**7. *Notice to the Commission***

- a. The Licensee shall notify the License Commission in writing should any of the following events occur:
  - i. "Event of Default" under the Lease Agreement between A & A Brothers, Inc. and Bridgesouth Real Estate Development, LLP relative to the licensed premises;
  - ii. "Event of Default" under the Liquor License Pledge and Security Agreement or Promissory Note between A & A Brothers, Inc. and Karin Chin;
  - iii. Bridgesouth Real Estate Development, LLP acquires possession of the licensed premises for any reason or;
  - iv. Karin Chin acquires possession of the License for any reason. Said notice shall be provided within seven (7) calendar days of the occurrence of said event.

**8. *Other***

- a. No alcohol or beverage containers shall leave the licensed premises.
- b. No security, alcohol server or management employee shall consume alcoholic beverages while performing of their job duties.
- c. All security staff and bar staff must pass same background check by Worcester Police as required for management and disclosed parties.
- d. Hours of operation be limited to 11AM to 2AM.

Exhibit 1: Letter to License Commission dated February 1, 2012 from Joel Fontane, Director, Planning & Regulatory Services.

Exhibit 2: Application for liquor license & entertainment license. Dated January 6, 2012 and received on January 9, 2012.

9. 363 Chandler Street – Star Dollar & More LLC

Commission members stated they have not had chance to view the premises and requested Lt. Johnson review the premises and item would be continued.

Exhibit 1: Application for liquor license, dated December 30, 2011 and received on January 6, 2012.

10. 70 Winter Street – Universal Entertainment I dba Boiler Room

Request to remove police detail condition from license.

Paul Aboody and Attorney Joe Lussier appeared on behalf of petition.

Mr. Aboody stated that they had been before the License Commission two weeks ago to discuss the removal of the police details and now have officially put in writing their petition.

Lt. Johnson stated things have been going well at establishment and stated they would not have problem with removal of restriction as long as police details are hired at promoter events that business may sponsor.

Mr. Aboody stated that would not be a problem.

Upon a motion by Chairman Lukes and seconded by Commissioner Shea the Commission voted 3-0 to removal the police detail condition at Universal Entertainment I dba Boiler Room.

Exhibit 1: Letter from Attorney Joseph Lussier dated January 19, 2012 and received on January 19, 2012 requesting removal of condition on liquor license.

11. 27 Pleasant Street – International Lounge

Request to be allowed to be 18+ seven days a week.

Roland Georges appeared on behalf of petition. Mr. Georges stated that the License Commission has placed a restriction on their liquor license and they are only allowed to be 18+ on Thursday evenings. Mr. Georges stated this restriction has hurt the business and they are only a small lounge with a capacity of barely sixty and they would like the opportunity to be 18+ seven days a week.

Chairman Lukes stated the Commission always tries to be pro-business but would only vote for a little expansion at a time and not for a full seven days.



Commissioner Shea stated that she agrees with Chairman Lukes and would not approve a full seven days but maybe one or two more additional days.

Mr. Georges stated that if they are not allowed to be 18+ they may not be in business within six months.

Lt. Johnson stated he would be okay with additional one or two nights but not seven days.

Mr. Georges stated that if they could not have the seven days as requested that they would request Friday and Saturday.

Chairman Lukes reminded license holder that this will be probationary period and that if any violations occur the 18+ would no longer be allowed.

Upon a roll call the Commission voted 3-0 to approve 18+ on Thursday, Friday and Saturday.

Exhibit 1: Email from Roland Georges dated January 13, 2012 and received on January 13, 2012 requesting for change of condition on liquor license.

12. 118 Cambridge Street – Conchaguas Restaurant

Rescinding License Commission voted of July 28, 2011.

Ms. Steele informed the Commission that on July 28, 2011 the License Commission voted to approve a liquor license for Conchaguas Restaurant at 118 Cambridge Street. The application was sent to the Alcoholic Beverages Control Commission (A.B.C.C.) for final approval. The A.B.C.C. returned the application to the local Commission requesting that applicant provided them additional information. As of February 1, 2012 the applicant did not provide the required information.

On a roll call the Commission voted 3-0 to rescind their July 28, 2011 vote to approve a common victualer all alcoholic license for Conchaguas Restaurant.

A.B.C.C. Communications

Ms. Steele updated the Commission on recent A.B.C.C. Communications regarding upcoming violation hearings that A.B.C.C. would be holding on Moynihan's Restaurant, Club Kas Bar and Salty Dog. Ms. Steele stated after the A.B.C.C. have held these hearings the local Commission would be notified of results and she will provide update at that time.

13. Home Brewer event

Commissioner Mullan stated that a group of local artists are looking to hold an event in the Spring where they would create a home brew based on the art they have created. Commissioner Mullan stated he is not sure how this request would come before Commission. It would be either a request for one day liquor request or wine tasting permit but he wanted the Commission to be aware that item would be on an upcoming agenda.

Upon a motion by Chairman Lukes and seconded by Commissioner Mullan the Commission voted 3-0 to adjourn the meeting at 11:25 to go into Executive Session and to immediately adjourn after Executive Session.