

MINUTES OF THE PROCEEDINGS OF THE  
LICENSE COMMISSION OF THE CITY OF WORCESTER  
NOVEMBER 10, 2016

ESTHER HOWLAND CHAMBER

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

**Commission Members Absent:**

**Staff Present:**

Deborah Steele, Planning & Regulatory Services  
Alexandra Kalkounis, Law Department  
James Foley, Inspectional Services  
Lt. James Johnson, Worcester Police Department  
Sergeant Thomas Needham, Worcester Police Department  
Officer Patrick Harrington, Worcester Police Department

**Call to Order** – 10:00 a.m.

**Approval of the Minutes** – October 13, 2016, October 27, 2016

Upon a motion the Commission voted 3-0 to approve the minutes of October 13, 2016. The October 27, 2016 minutes were not available.

**OLD BUSINESS**

**I-1** Proposed Amendments to Entertainment Rules & Regulations

**NEW BUSINESS**

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

Upon a motion the Commission voted 3-0 to postpone the item to the first meeting in January.

**II-1:** Petitioner: St. Joan of Arc Church, 570 Lincoln Street

Request for one day liquor license

- December 10, 2016-5:30 p.m.-10:00 p.m.

Upon a motion the Commission postponed the item to the December 1, 2016 License Commission meeting.

Exhibit A: Application for one day liquor license received October 27, 2016 and dated October 27, 2016.

**II-2:** Petitioner: Artists' Group of the Sprinkler Factory, 38 Harlow Street

Request for one day liquor license

- December 2, 2016 – 6:00 p.m.-10:00 p.m.
- December 10, 2016-5:00 p.m.-9:00 p.m.
- January 7, 2017-5:00 p.m.-9:00 p.m.
- February 14, 2017-6:00 p.m.-10:00 p.m.
- February 25, 2017-5:00 p.m.-9:00 p.m.
- March 3, 2017-5:00 p.m.-9:00 p.m.
- March 11, 2017-5:00 p.m.-9:00 p.m.
- April 7, 2017-6:00 p.m.-10:00 p.m.
- April 8, 2017-5:00 p.m.-9:00 p.m.
- April 15, 2017-5:00 p.m.-9:00 p.m.
- May 6, 2017-5:00 p.m.-9:00 p.m.
- May 13, 2017-5:00 p.m.-9:00 p.m.
- June 3, 2017-5:00 p.m.-9:00 p.m.
- June 24, 2017-6:00 p.m.-10:00 p.m.

Exhibit A: Application for one day liquor licenses received October 28, 2016 and dated October 28, 2016.

**II-2a:** Petitioner: Artists' Group of the Sprinkler Factory, 38 Harlow Street

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

- December 2, 2016 – 6:00 p.m.-10:00 p.m.
- December 10, 2016-5:00 p.m.-9:00 p.m.
- January 7, 2017-5:00 p.m.-9:00 p.m.
- February 14, 2017-6:00 p.m.-10:00 p.m.
- February 25, 2017-5:00 p.m.-9:00 p.m.

- March 3, 2017-5:00 p.m.-9:00 p.m.
- March 11, 2017-5:00 p.m.-9:00 p.m.
- April 7, 2017-6:00 p.m.-10:00 p.m.
- April 8, 2017-5:00 p.m.-9:00 p.m.
- April 15, 2017-5:00 p.m.-9:00 p.m.
- May 6, 2017-5:00 p.m.-9:00 p.m.
- May 13, 2017-5:00 p.m.-9:00 p.m.
- June 3, 2017-5:00 p.m.-9:00 p.m.
- June 24, 2017-6:00 p.m.-10:00 p.m.

Items II-2A were taken contemporaneously.

Luis Faire appeared on behalf of the items.

Mr. Faire stated that these are for monthly events at the Sprinkler Factory. He stated that the events that are from 5:00 p.m.-9:00 are public receptions for exhibitions and the 6:00 to 10:00 p.m. events are fundraisers for the organization.

Mr. Faire stated that for the fundraisers they will have the live music and for receptions it usually the recorded music.

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 received October 28, 2016 dated October 28, 2016.

**II-3:** Petitioner: Veterans Inc., 69 Grove Street

Request for one day liquor license

- November 12, 2016-10:00 a.m.-4:00 p.m.

Lisa Bousbouras appeared on behalf of the item. She stated that this is for fundraiser and there will be a 5k road race and they expect about 200 people and the event will be outside.

Ms. Bousbouras stated that the detail officers have been lined up for the event and they will serve in a beer garden and they will have TIPS certified bartenders.

Lt. Johnson stated that he would just need to just double check on the amount of detail officers needed for the event.

Upon a motion the Commission voted 3-0 to approve the one day liquor license subject to Worcester Police approving the details for the event.

Exhibits: Application for one day liquor license received October 31, 2016 and dated October 31, 2016.

### **III Common Victualer Requests**

**III-1** Petitioner: Choose and Mix Worcester, Inc., 3 E. Mountain Street

Request for common victualer license

Regina translated for applicant Bin Chin.

Mr. Chin stated that this will be a take-out restaurant for Korean food.

Upon a motion the Commission voted 3-0 to approve the common victualer license.

Exhibit A: Application for common victualer license received October 28, 2016 and dated October 28, 2016.

**III-2** Petitioner: Myazawa, 372 Chandler Street

Request for common victualer license

Exhibit A: Application for common victualer license received October 21, 2016 and dated October 21, 2016.

### **IV Alcohol & Entertainment Requests**

**IV-1:** Petitioner: Myazawa, 372 Chandler Street

Request for inside entertainment license for tv, radio,

Items III-2 and IV-1 were taken contemporaneously.

Attorney Jonathan Finkelstein along with the applicant Tsukuda Norihiko appeared on behalf of the applications.

Mr. Finkelstein stated that the location is about 650' of space and will open for lunch at around 11:00 a.m. and close by 11:00 p.m.

Mr. Finkelstein stated that the entertainment license will be for the same hours.

Upon a motion the Commission voted 3-0 to approve the common victualer license.

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

Exhibit A: Application for entertainment license received October 21, 2016 and dated October 21, 2016.

**IV-2:** Petitioner: Maan Tayeh dba Tarboush Hookah Lounge, 8 Blackstone River Road

Request for general on premises all alcohol license

Maan Tayeh appeared on behalf of the application.

Commissioner Shea stated that he was familiar with the location as had been in location previously under a different owner.

The Commission asked Lt. Johnson to view the premises to make sure everything would be acceptable to police.

Staff informed the Commission that a special permit from the Zoning Board of Appeals was issued for this location for the alcohol use and one of the conditions was that the drive thru could not be used for the use.

The Commission informed the applicant that he would also need to apply for an entertainment license.

Upon a motion the Commission voted 3-0 to approve the general on premises license with condition that it adhere to the conditions on the Special Permit issued by the Zoning Board of Appeals

Exhibit A: Application for general on premises all alcohol license received October 8, 2016 and dated October 8, 2016.

## **V      **Violations****

### **V-1:**    Leitrim's, Inc., 265 Park Avenue

Violations of Rules #7, #13, #14-Sale to person under 21, Sale to intoxicated person, Manager responsible for the premises

Rebecca Laramee appeared to answer to the violation and waived her right to counsel.

Lt. Johnson presented the following:

On September 15, 2016, Sergeant Thomas Needham was assigned to the Alcohol Enforcement Unit and heard a radio transmission from Officer T. Daly requesting an ambulance be sent to the Licensed Premises where he was working a paid detail.

Sergeant Needham proceeded to the Licensed Premises after hearing the call and located Officer Daly with an unidentified male who he was assisting at the doorway with standing up. The male was swaying side to side and appeared to be unsure of his balance. The male was unsteady on his feet and while conversing he slurred his speech and was incoherent. Sergeant Needham asked the male to step outside and requested his identification. The male stated that he did not have any. When questioned further he produced a NY identification card which clearly stated "Under 21 until December 29, 2018. He also presented a US passport containing the same information. Sergeant Needham asked the male how he was able to gain entrance to the Licensed Premises with these identifications and the male stated that he used a fake ID and showed Sergeant Needham a fake Connecticut Driver's License.

Sergeant Needham asked the male how he got in the condition he was in and the male stated that he had been in the Licensed Premises and had seven beers. The male was transported by ambulance to St. Vincent's Med City for examination.

Sergeant Needham then made contact with bartender and asked to speak to the manager and a Grace Carvajal identified herself as manager of the Licensed Premises. When questioned further she stated that she was not the manager and helped Rebecca Laramee.

Ms. Laramee stated that the man was in the bar and stated that it was very unlikely that the man got that intoxicated in one hour as they don't open until 10:30 p.m. but the officer is correct that the man did show a fake ID. She stated that the man didn't want to leave and was just sitting on chair outside and it technically impossible that the man had seven beers.

Ms. Laramee stated that after last violation she had fired all the staff and she hired new staff and this incident happened on their third night. She stated that Lt. Johnson had come in and did a seminar after that violation to review rules and it was a positive thing for that staff and since the incident she has been on site making sure the staff understands the requirements.

Mr. Laramee stated that as much as she has had issues in the past she is currently working with the police department and new staff things are much better.

Commissioner Shea stated that he is concerned that Ms. Carval has twice identified herself as a manger. Ms. Laramee stated that Ms. Carval is in management position but not for the liquor license.

Commissioner Salvidio stated that as Ms. Laramee is the manager so can't pass her management duties off to someone else and Ms. Laramee is expected to be there and if someone else is manager that Ms. Laramee needs to go through the proper channels to change the manager.

Commissioner Salvidio stated that the License Commission is progressive with discipline and if the license holder is back before the Commission it will be a quite severe suspension He reminded her to take two forms of ID for out of state with birth dates on it for her own protection.

Upon a motion the Commission voted 3-0 to find the violation occurred.

Upon a motion the Commission voted 3-0 to suspend the liquor license for December 8, 29, 30, 2016

Exhibit A: Police report dated October 14, 2016.

**V-2:** Maywood Associates, Inc. dba Blarney Stone, 77-79 Maywood Street

Violations of Rule #7, #14-Sale to person under 21, Manager responsible for the premises

Tom McCabe and Anthony Piazza appeared to answer to the violation and waived their right to counsel.

Lt. Johnson presented the following:

Fire Marshal Office along with Worcester Police were conducting compliance checks at liquor establishments within the city.

At 11:50 p.m. Officer Pat Harrington along with members of the team entered the Licensed Premises and Officer Harrington observed a female who did not appear to be 21 holding a clear plastic cup half full of liquor. Officer Harrington approached the female and asked what she was drinking and she stated a vodka and tonic. Officer Harrington requested her for an ID and she told Officer Harrington that she did not have it on her and when she was asked how old she was she stated 23. Officer Harrington ran a checked through the CJIS terminal which showed that the

female was only 20 years old. Officer Harrington asked how she had entered the Licensed Premises and she stated that she used friends Connecticut ID and when Officer Harrington asked to see it she stated that her friend had it and took it upon seeing the police.

Mr. Piazzo stated that he was there the evening in question and did not know the ID was fake and did not believe that a fake ID was used to get in and thinks she presented a real ID to gain entrance.

Commissioner Shea asked if they use a machine to check ID's. Mr. Piazzo stated no that they just use a black light to check.

Mr. Piazzo asked if the girl was given a fine. Officer Harrington stated no that she was given a warning.

Mr. Piazzo stated that they employ an older staff and they make sure that ID's are real.

Commissioner Salvidio asked what steps have been taken since the incident. Mr. Piazzo stated not many. He stated that the ID's are checked under the black light.

Commissioner Salvidio asked why don't they just ask for second ID when the ID is from out of state.

Commissioner Shea stated that moving forward that would be best option.

Mr. McCabe stated that she told the police she didn't have any ID on her but they check all ID's at door and they can't strip search everyone that comes in and the underage can just lie.

Mr. Piazzo stated that there is no way she could get in without ID.

Mr. McCabe stated that he feels that they are being targeted as considered a college bar as they had three visits from Commission representatives this year.

Lt. Johnson stated that every bar is going to see a lot more as Police and Fire are working on initiatives for compliance.

Commissioner Salvidio stated that the problem seems to be the out of state ID and they are hearing similar stories so licensees should just ask for the second back up ID.

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

Upon a motion the Commission voted 3-0 to issue a one day suspension on December 5, 2016.

Exhibit A: Police report dated September 28, 2016.

## **V1-Other Business**

Commissioner Salvidio recused himself and left the meeting room.

### **V1-1: Showcase North, 135 Brooks Street – Request to amend condition on liquor license**

John MacDonald appeared on behalf of the petition. He stated that they would like to change condition on the license to have police detail changed to 6:00 p.m. to 11:00 p.m.

Upon a motion the Commission voted 2- 0 to change the condition on the liquor license that the police detail be from 6:00 p.m. to 11:00 p.m.

Commissioner Salvidio returned to the meeting room.

## **Communications**

None

**ADJOURNMENT**

Upon a motion the Commission voted to adjourn the meeting at 11:00 a.m.