

MINUTES OF THE PROCEEDINGS OF THE  
LICENSE COMMISSION OF THE CITY OF WORCESTER  
**SEPTEMBER 3, 2015**

LEVI LINCOLN CHAMBERS

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

**Commission Members Absent:** None

**Staff Present:** Stephen S. Rolle, Planning & Regulatory Services  
Deborah Steele, Planning & Regulatory Services  
Lt. James Johnson, Worcester Police Department  
Officer Edward Saucier, Worcester Police Department  
Jim Foley, Health Department

**Approval of the Minutes** – August 6, 2015

**NEW BUSINESS**

**One Day Liquor & Entertainment Requests:**

1. Petition: Request for one day liquor license
  - September 20, 2015 – 2:00 p.m.-10:00 p.m.
  - October 11, 2015 – Noon-9:00 p.m.
- 1a. Petition: Request for one day entertainment license for a band
  - September 20, 2015 – 4:00 p.m.-7:00 p.m.
  - October 11, 2015 – 2:00 p.m.-5:00 p.m.

Petitioner: Angela Padavano, 358 Shrewsbury Street

Items 1 and 1a were taken contemporaneously.

Commissioner Shea recused himself from this item.

Rose Padavano appeared on behalf of the item.

Ms. Padavano stated that she would like to change the band time on September 20, 2015 to 5:00 p.m. – 8:00 p.m.

Chair Shea asked Ms. Padavano to review the electronic communication received by Nikki Clemente.

Ms. Padavano stated that the September 21, 2015 event will be for their one year anniversary party and she would like to cordon off the parking lot and have a band and serve alcohol outside.

Chair Shea asked what date of the week it was. Ms. Padavano stated that it was a Sunday.

Ms. Padavano stated that the October 11, 2015 event would be the same set up and would be after the parade.

Mr. Rolle stated that he believed Ms Clemente could not attend the meeting and submitted the email regarding her concerns.

Ms. Padavano stated that this event is further away from Ms. Clemente's property line.

Ms. Padavano stated that the band would be set up at the furthest perimeter of the parking lot as to not bother the residents.

Commissioner Salvidio stated that he was inclined to approve the request but asked Ms. Padavano if on September 20, 2015 she would be willing to end the entertainment at 8:00 p.m. and the alcohol from to 2:00 p.m. to 9:00 p.m. Commissioner Salvdio asked Ms. Steele to review the dates.

Ms. Steele stated that what was being presented was as follows:

September 20, 2015 alcohol from 2:00 p.m. - 9:00 p.m.  
September 20, 2015 entertainment from 5:00 p.m. - 8:00 p.m.

October 11, 2015 alcohol from Noon-9:00 p.m.  
October 11, 2015 entertainment from 2:00 p.m. - 5:00 p.m.

Ms. Padavano stated that would work for her.

Commissioner Salvidio stated that Ms. Clemente raised some concerns in her emails and asked Ms. Padavano to address those issues while they are happening.

Ms. Padavano stated that the email was referring to the event with Dale LePage and that wasn't amplified. The previous event where there was someone playing an electric guitar, that guy doesn't play there anymore and stated that she was trying to be reasonable.

Commissioner Salvidio asked about the tables still on the lawn area. Ms. Padavano stated that they will be gone.

Upon a motion the Commission voted 2-0 to approve the one day liquor and entertainment requests as amended.

Exhibit A: Application for one day liquor license received August 17, 2015 and dated August 17, 2015.

Exhibit B: Application for entertainment license received August 17, 2014 and dated August 17, 2015.

Exhibit C: Electronic communication from Nikki Clemente received September 1, 2015.

2. Petition: Request for one day liquor license
- September 19, 2015 – 2:00 p.m.-6:00 p.m.
  - October 3, 2015 – 6:00 p.m.-11:00 p.m.

Petitioner: Holy Name High School, 144 Granite Street

Mike Derosier appeared on behalf of the petition.

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

Exhibit A: Application for one day liquor license received August 18, 2015 and dated August 18, 2015.

3. Petition: Request for one day liquor license
- September 26, 2015 – 9:00 p.m.-1:30 a.m.
  - October 10, 2015-6:00 p.m.-1:00 a.m.

Petitioner: St. Spyridon Cathedral, 102 Russell Street

No one appeared for the item.

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

Exhibit A: Application for one day liquor license received August 25, 2015 and dated August 25, 2015.

4. Petition: Request for one day liquor license
- September 11, 2015-7:00 p.m.10:00 p.m.

Petitioner: Chartwells, 10 Lincoln Square

No one appeared for the item.

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

Exhibit A: Application for one day liquor license received August 18, 2015 and dated August 18, 2015.

5. Petition: Request for one day liquor license
- September 20, 2015 – 11:00 a.m.-6:00 p.m.

Petitioner: Dino Singas, 257 Park Avenue

Dino Singas appeared on behalf of the application. He stated that this event is for Start on the Street.

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

Exhibit A: Application for one day liquor license received July 31, 2015 and dated July 31, 2015.

6. Petition: Request for one day liquor license
- September 5, 2015

Petitioner: Joba Calle, 11 Sycamore Street

Joba Calle appeared on behalf of the application. She stated that this is for a family event and she expects about 100-150 people and that the hours would be 8:00 p.m.- Midnight.

Exhibit A: Application for one day liquor license received August 11, 2015 and dated August 11, 2015.

7. Petition: Request for one day liquor license
- November 21, 2015 – 7:00 p.m.-11:00 p.m.

Petitioner: Brazilian Catholic Community, 30 Anna Street

Sandra Lema appeared on behalf of the application. She stated that she expects about 400 people and that they will be hiring police details 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 received August 13, 2015 and dated August 13, 2015.

8. Petition: Request for one day liquor license
- October 15, 2015 – 5:00 p.m.-9:00 p.m.

Petitioner: Holy Trinity Nursing and Rehabilitation Center, 102 Russell Street

Chris Liazos appeared on behalf of the petition.

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

Exhibit A: Application for one day liquor license received August 25, 2015 and dated August 25, 2015.

9. Petition: Request for one day liquor license
- September 25, 2015 – 6:00 p.m.-10:00 p.m.

Petitioner: Worcester Historical Museum, 138 Green Street

Barbara Cotter from Struck Catering appeared on behalf of the petition. She stated that she would like to amend the hours to 5:30 p.m. - 10:30 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 received August 31, 2015 and dated August 31, 2015.

10. Petition: Request for one day entertainment license
- October 10, 2015 – 11:30 a.m.-4:30 p.m.

Petitioner: Webster Square Business Association, Webster Square Plaza

No one appeared for the item. Item was postponed until September 17, 2015.

Exhibit A: Application for entertainment license received August 31, 2015 and dated August 31, 2015.

### **Common Victualer License Requests:**

11. Petition: Request for common victualer license

Petitioner: Tedeshi Food Shops #37364, 1040 Belmont Street

No one appeared for the item.

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

Exhibit A: Application for common victualer license received August 12, 2015 and dated August 12, 2015

12. Petition: Request for common victualer license

Petitioner: H&D Bakery, 830 Main Street

- 12a. Petition: Request for entertainment license for tv, radio

Petitioner: H&D Bakery, 830 Main Street

Items 12 and 12A were taken contemporaneously

Ramano Diaz, through a translator, stated that she was looking to run a bakery and the hours would be 7:00 a.m. to 9:00 p.m.

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

Exhibit A: Application for common victualer license received August 17, 2015 and dated August 17, 2015.

Exhibit B: Application for entertainment license received August 17, 2015 and dated August 17, 2015.

**13.** Petition: Request for common victualer license

Petitioner: Vietnam Café, 148 Chandler Street

Benjamin Yuen appeared on behalf of the item. He stated that the hours will be 8:00 a.m. to 9:00 p.m.

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

Exhibit A: Application for common victualer license received August 26, 2015 and dated August 2, 2015.

**Alcohol & Entertainment Permit Applications:**

**14.** Petition: Request for change of manager

Petitioner: Price Chopper Operating Co. of Massachusetts, 72 Pullman Street

Amanda Terencio appeared on behalf of the application. She stated that she had been working at Price Chopper for over 15 years and the last three as a manager.

Upon a motion the Commission voted 3-0 to approve the change of manager.

Exhibit A: Application for change of manager received July 24, 2015 and dated July 24, 2015.

**15.** Petition: Request for change of manager

Petitioner: 99 Restaurants of Boston, LLC, 50 Southwest Cutoff

Krenar Jaupaj appeared on behalf of the item.

Upon a motion the Commission voted 3-0 to approve the change of manager.

Exhibit A: Application for change of manager received August 6, 2015 and dated August 6, 2015.

**16.** Petition: Request for package store malt & wine license

Petitioner: JK Mart, 209-211 Chandler Street

Attorney Jonathan Finkelstein appeared on behalf of the item and requested to postpone the item until the September 17, 2015 License Commission meeting

Exhibit A: Application for package store malt and wine license received June 29, 2015 and dated June 29, 2015.

**17.** Petition: Request for restaurant all alcohol license

Petitioner: The Calabash Enterprises, 33 Canterbury Street

**17.a** Petition: Request for entertainment license for jukebox, tv, radio, dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, play, moving picture show floor show, light show, theatrical exhibition, karaoke, any other audio or visual show, whether live or recorded specifically.

Petitioner: The Calabash Enterprises, Inc. dba The Calabash, 33 Canterbury Street

Items 17, 17A were taken contemporaneously.

The item was requested to be postponed until the September 17, 2015 License Commission meeting.

Exhibit A: Application for restaurant all alcohol license received August 18, 2015.

Exhibit B: Application for entertainment license received August 18, 2015.

**18.** Petition: Request for transfer of restaurant all alcohol license & entertainment license

Petitioner: Tenglong Corporation 1121 Grafton Street

Attorney Wei Jia along with Tengfei Chen appeared on behalf of the application.

Attorney Jia stated that Mr. Chen is taking over the business from the existing owner.

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

Exhibit A: Application for transfer of restaurant all alcohol license and entertainment license received August 17, 2015.

**19.** Petition: Request for transfer of a restaurant all alcohol license, entertainment license

Petitioner: SRG Restaurant of Worcester, Inc., 229 Grove Street

Attorney Todd Brodeur along with Jeffrey Charloff appeared on behalf of the application. Attorney Brodeur stated that SRG will be taking over the existing Tweed's restaurant and it will be closed for a few months while they do renovations but it will be similar restaurant concept.

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

Exhibit A: Application for transfer of restaurant all alcohol license and entertainment license received August 17, 2015 and dated August 17, 2015.

20. Petition: Request to transfer restaurant all alcohol license and entertainment license

Petitioner: Warsaw, Inc., 116-120 Green Street

Louis Jachimczyk appeared on behalf of the application.

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

Exhibit A: Application for transfer of liquor license and entertainment license received July 23, 2015 and dated July 23, 2015

### **Violation Hearings**

Commissioner Salvidio recused himself from item #21.

21. Fusion Entertainment, LLC dba Byblos Lounge, 2 Washington Square Violation of Rule #14 – manager responsible for all violations on the premises

Attorney Todd Brodeur along with Selim Lahoud appeared to answer to the violation. Lt. Johnson read the following report:

On May 15, 2015, a police officer working an off duty assignment at Byblos Lounge observed a male load up a shopping cart with cases of beer and bring them to the side door of Union Station. The officer contacted the Licensing Division with that information.

On May 15, 2015, Officer Edward Saucier from the Licensing Division responded to the location and entered the building through the same door the officer observed the cases of beer being delivered.

Officer Saucier observed that the business appeared to be closed but the owner, Selim Lahoud, and two other people were present. There were 5 cases of beer and 2 liquor case boxes on the bar. Officer Saucier asked Mr. Lahoud where the beer and liquor came from and he stated that he just got them from his other bar, the Boiler Room. Officer Saucier was aware that the Boiler Room had been closed for quite some time and questioned Mr. Lahoud



again as to where the beer and liquor came from. Mr. Lahoud stated that they weren't planning to open that evening but booked a last minute party and just picked up the beer and liquor from the package store. Mr. Lahoud stated that he didn't have time to place an order with distributors so he purchased what he needed from Austin Liquor and provided a receipt for the purchase.

Mr. Lahoud apologized and stated that this was the first time he had done this.

Mr. Brodeur stated that Mr. Lahoud stated that he understood what happened and what he should have done and will not do that again and Mr. Lahoud was behind with the vendors during that time.

Commissioner Shea stated that he was a little confused since Mr. Brodeur just stated that Mr. Lahoud was behind with vendors but according to the police report Mr. Lahoud told police that he didn't have time to place an order with distributors.

Mr. Lahoud stated that the vendors require a cash account when they are behind and that time it was 7:00 p.m. and they had an event and he pulled in front of Union station and the officer was there and officer told him he couldn't park there.

Mr. Brodeur stated that the restaurant is not open seven days a week so the alcohol on hand is somewhat limited so Mr. Lahoud had a last minute event and did not have enough alcohol serve them so he went to the package store.

Commissioner Shea stated that he understood that but what bothered him was that Mr. Lahoud wasn't truthful with the police officer in the beginning.

Mr. Brodeur stated that he believed that people have been in that situation and made a mistake but a few minutes into conversation with police Mr. Lahoud explained everything.

Chair Shea and Commissioner Shea both stated that Mr. Lahoud should have just been truthful and told the officer that he just ran out and this is a violation.

Upon a roll call the Commission voted 2-0 to find a violation and voted to impose a five day suspension with three days suspended and two days served, September 10, 2015 and September 17, 2015.

Exhibit A: Police report dated May 1, 2015.

## **ADJOURNMENT**

The commission adjourned the meeting at 10:45 a.m.