

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

AUGUST 10, 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
Lt. James Johnson, Worcester Police Department
Edward Saucier, Worcester Police Department
Officer Glen Stout, Worcester Police Department
Officer Patrick Harrington, Worcester Police Department
John Biancheria, Inspectional Services
Lt. Bill Ekberg, Fire Prevention
Lt. Kevin Vescera, Fire Prevention

MINUTES

July 13, 2017– Held

Call to Order – 10:00 a.m.

OLD BUSINESS

I-1: Petitioner: M&S Entertainment, 41 Pleasant Street

Request to transfer general on premises all alcohol license from 336 Main Street

I-1a: Petitioner: M&S Entertainment, 41 Pleasant Street

Request for entertainment license for jukebox, tv, radio, dancing by patrons, recorded music, live music, amplification system, light show, karaoke, any other audio or visual show whether live or recorded specifically

Items #I-1 and I-1a were taken contemporaneously.

Mohan Prashad appeared upon behalf of the items.

Mr. Prashad stated that he wanted to transfer his alcohol license from his current location, and the new location at 41 Pleasant Street will have Jazz and soft music.

Lt. Johnson stated that he would request a condition that police details be on premises.

Lt. Vescera asked Mr. Mohan if the Fire Department had inspected the premises. Mr. Prasad stated that he met with the Fire Department and there is a list of things that need to be done prior to the opening of the premises.

Commissioner Haller asked about parking. Mr. Prashad stated that there is street parking and there is a parking lot up the street that he could rent.

The Commission stated that if parking becomes a problem that the Commission may add additional conditions to all three Licensed Premises located in the area regarding it.

Upon a motion the Commission voted 3-0 approve the transfer of location with the following conditions,

- On Thursday, Friday, and Saturday that a police detail be hired from 11:00 p.m. to 3:00 a.m.
- That establishment is 21 and older
- That promoted events will be emailed to the Police Department

Upon a motion the Commission voted 3-0 approve the entertainment license with following conditions,

- On Thursday, Friday, and Saturday that a police detail be hired from 11:00 p.m. to 3:00 a.m.
- That establishment is 21 and older
- That promoted events will be emailed to the Police Department

Exhibit A: Application for transfer of location dated May 15, 2017 and received May 15, 2017.

Exhibit B: Application for entertainment license dated May 15, 2017 and received May 15, 2017.

I-2: Petitioner: The Pint LLC, 58 Shrewsbury Street

Petition: Request for alteration of premises for sidewalk café

No one appeared for the item. This was second time the applicant did not appear.

Upon a motion the Commission voted 3-0 to deny the application.

Exhibit A: Application for alteration of premises dated June 28, 2017 and received June 28, 2017.

I-3: Petitioner: African Community Development Corporation, 336 Main Street

Petition: Request for entertainment license for tv, radio, dancing by patrons, dancing by entertainers, recorded music, live music, floor show, light show, theatrical exhibition, karaoke, any other audio or visual show, whether live or recorded specifically

Karpong Sapong appeared upon behalf of the application. He stated that this is for a cultural center.

Lt. Vescera asked if they had a crowd manager as the occupancy is 400 people for this premises. Mr. Sapong stated yes and this will be quiet as they do not plan any alcohol.

Upon a motion the Commission voted 3-0 to approve the entertainment license subject to the fire department inspection of premises for sprinkler and fire issues.

Exhibit A: Application for entertainment license dated June 26, 2017 and received June 26, 2017.

NEW BUSINESS

II Special One Day Liquor & Entertainment Requests

II-1: Assumption College Prep Reunion Committee, 500 Salisbury Street

Request for one day liquor license

- August 26, 2017-Noon-5:00 p.m. -100 people expected

Amy Logue appeared upon behalf of the application. She stated that this is for a reunion luncheon.

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

Exhibit A: Application for one day license dated July 11, 2017 and received July 11, 2017.

II-2: St. Spyridon Greek Orthodox Cathedral, 102 Russell Street

Request for one day liquor license

- August 12, 2017-7:00 p.m.-Midnight-200 people expected
- August 19, 2017-6:00 p.m.-11:00 p.m.-150 people expected
- August 26, 2017-4:00 p.m.-11:00 p.m.-325 people expected
- September 3, 2017-5:00 p.m.-Midnight-300 people expected

Michael Dionis appeared upon behalf of the application. He stated that all four events have TIPS bartenders and the first event will have a police detail.

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

Exhibit A: Application for one day liquor license dated July 11, 2017 and received July 11, 2017.

II-3: Oneail Fx Studios, LLC, 100 Barber Avenue

Request for one day liquor license

- August 19, 2017-7:00 p.m.-11:00 p.m.-400 people expected
- October 28, 2107-7:00 p.m.-11:00 p.m.-400 people expected

II-3a: Oneail Fx Studios, LLC, 100 Barber Avenue

Request for one entertainment license for dancing by patrons, dancing by entertainers, recorded music, floor show

- August 19, 2017-7:00 p.m.-11:00 p.m.-400 people expected
- October 28, 2107-7:00 p.m.-11:00 p.m.-400 people expected

Items #II-3 and II-3a were taken contemporaneously.

Jeremy O'Neil appeared on behalf of the applications.

Mr. O'Neil stated that he has six certified crowd managers.

Lt. Johnson asked if any police details were being hired for the events. Mr. O'Neil stated that they were not planning on that.

Lt. Johnson stated that he could have one of his officers go to the site and determine whether an officer would be needed.

Upon a motion the Commission voted 3-0 to approve the one day liquor license with the condition that police will review the site to determine if a police detail would be needed.

Upon a motion the Commission voted 3-0 to approve the entertainment license with the condition that police will review to determine if a police detail would be needed.

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

Exhibit B: Application for one day entertainment license dated July 17, 2017 and received July 17, 2017.

II-4: Paul Barber, Union Station Parking Garage, 225 Franklin Street

Request for one day liquor license

- August 19, 2017-7:00 p.m.-1:00 a.m.-150 people expected

II-4a: Paul Barber, Union Station Parking Garage, 225 Franklin Street

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

- August 19, 2017-7:00 p.m.-1:00 a.m.-150 people expected

Items #II-4 and II-4a were taken contemporaneously.

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

Mr. Barber stated that this is an on going series called “Worcester Underground” and stated that this will be held on the roof top parking area of Union Station which isn’t being utilized right now.

Mr. Giorgio stated that this is a request from millennials in the city to have a rooftop event and they went through and met with the Union Station garage manager and obtained the sign offs from city officials and there will be food and wine available.

Staff stated that they had received a call from Maxwell Silverman’s who is a tenant in the building who stated that they have a wedding the same evening. The Commission asked the applicant to explain how they would handle both events taking place at same time.

Mr. Giorgio stated that Union Station is a very large place and the garage can accommodate 500 people and if they are expecting about 100 people to bring cars, there is plenty of parking in the area.

Gus Giordano from Maxwell Silverman’s Banquet Center stated that this is crazy as there is no communication between the city and Union Station and consideration should be given to the tenant and they have a wedding that night and validation for cars is included in that. Mr. Giordano stated that he has no problem with them having the event but his concerns are the bathroom facilities and the disruption of a private wedding and reservations that they have for the restaurant the same evening and this event does not fit at the location.

Chair Salivdio asked how long has the wedding been booked. Mr. Giordano stated that it was booked three years ago and they have events booked for next five weekends.

Chair Salivdio asked Mr. Giorgio if they would have separate bathrooms. Mr. Giorgio stated that they will have separate bathrooms and they worked that out with the building manager. Also, they have met with the fire and police department and they will have private security and a paid detail.

Commissioner Shea asked Mr. Giorgio how long has this event been planned and would he be agreeable to changing to another date and the Commission would have special meeting.

Mr. Giorgio stated that they have already advertised the event and spent between \$3500 and \$4000 to promote it.

Mr. Giordano stated that the wedding could generate \$10,000 for the city.

Chair Salvidio stated that this event is in a parking garage and the applicant stated that this has been planned for three months but is just coming before the Commission a week and half before event is to take place, and why did no one think to check to see if a wedding was taking place the same day.

Mr. Giorgio stated that he met with the building manager who manages the building for the city of Worcester and this is not in union station. This is in the garage.

Mr. Giorgio stated that he could arrange for parking elsewhere and he did everything he did by city rules and regulations.

Chair Salvidio asked the applicants and Mr. Giordano to step back for a few minutes and discuss whether some type of arrangement can be made. Mr. Giordano stated that he was willing to do that but he cannot speak for the bride and does not understand why no one communicated with him regarding this event.

The group and Mr. Giorgio stated that they could not come to an agreement and Mr. Giorgio stated that he does not know how this will disrupt the wedding. They have security and police and don't know what other accommodations they can make and they apologize that the city did not notify him.

Commissioner Shea stated that he wished this application had been in three months ago and then they wouldn't have this problem.

Mr. Barber stated that it took a number of months of running around to get the city to sign off on the event and their event would not start until all the wedding guests are settled. The guests for this event will come in a different way and have different bathrooms. He apologizes for Mr. Giordano not being informed, but they did speak with management of Union Station.

Mr. Giordano stated that it's being advertised as 150 people but as it's being publicized on Facebook and other media, so there's no guarantee for only 150 people; you could wind up with up to 500 people.

Commissioner Haller stated that she cannot support this event.

Upon a motion the Commission voted 3-0 to deny the one day liquor and entertainment license.

Exhibit A: Application for one day liquor license dated July 19, 2017 and received July 19, 2017.

Exhibit B: Application for one day entertainment license dated July 19, 2017 and received July 19, 2017.

II-5: Ecotarium, 222 Harrington Way

Request for one day liquor license-350 people expected

- September 30, 2017 – 5:00 p.m.-10:00 p.m.

Cathryn Gillespsie appeared on behalf of the application. She stated that this is for a food truck festival and they like to amend the dated to September 23, 2017.

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

Exhibit A: Application for one day liquor license dated July 25, 2017 and July 25, 2017.

II-6: Squares Squared, Inc.

Request for one day liquor license

- August 26, 2017-9:00 p.m.-2:00 a.m.-200 people expected
201 Commercial Street & Plaza
- September 2, 2017-9:00 p.m.-2:00 a.m.-200 people expected
90 Front Street & Plaza
- August 31, 2017-6:00 p.m.-10:00 p.m.-150 people expected
38 Harlow Street

Attorney Mark Bornstein along with Jessica Walsh, Luis Faire and Charlotte Holdberry appeared upon behalf of the application.

Staff stated that ta 4:30 p.m. on August 9, 2017 staff received and amended the application changing the first venue location to 142 Commercial Street.

Attorney Bornstein stated that they apologize for that but they are moving venue locations. They reviewed the location and security for the event and stated that two police details will be hired for the August 26, 2017 Pow Wow event.

Attorney Bornstein stated that the second event is at the Mercantile Center and they will have security and two police details.

Attorney Bornstein stated that the last event is at the Sprinkler Factory.

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

Exhibit A: Application for one day liquor license dated July 26, 2017 and received July 16, 2017.

II-7: Mr. Soloe Dennis, 30 Anna Street

Request for one day liquor license

- September 1, 2017-6:00 p.m.-Midnight-150 people expected

Soloe Dennis appeared upon behalf of the application and stated that this is for a wedding.

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

Exhibit A: Application for one day liquor license dated July 26, 2017 and received July 26, 2017.

II-8: Hanna Demirjian, Mercantile Center, 100 Front Street

Request for one day liquor license

- August 17, 2017-4:30 p.m.-7:30 p.m.-500 people expected

II-8a: Hanna Demirjian, Mercantile Center, 100 Front Street

Request for one day entertainment license for live music, amplification system

- August 17, 2017-4:30 p.m.-7:30 p.m.-500 people expected

Items #II-8 and II-8a were taken contemporaneously.

Hannah Demirjian appeared upon behalf of the application. She stated that they have a beer garden and an acoustic player.

Lt. Johnson asked if there was a detail at the last event they had. Ms. Dermijian stated that they did hire one but no one showed so they used Mercantile security.

Lt. Johnson asked if she'd try again for this event and she stated that she would but Commissioner Shea stated that they would not put it as condition on the license.

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.

Chair Salvidio recused himself from the item.

II-9: Luke DeWolfe, 152 Shrewsbury Street

Request for one day liquor license

- October 15, 2017-11:00 a.m.-9:00 p.m.-100 people expected

II-9a: Luke DeWolfe, 152 Shrewsbury Street

Request for one day entertainment license for live music

- October 15, 2017-11:00 a.m.-9:00 p.m.-100 people expected

Items #II-9 and II-9a were taken contemporaneously.

Gary DeWolfe appeared upon behalf of the applications and stated that the request is for the Columbus Day Parade and will be held in an adjacent parking lot.

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 July 31, 2017 and received July 31, 2017.

Exhibit B: Application for one day entertainment license dated July 31, 2017 and received July 31, 2017.

Chair Salvidio returned to the meeting room.

III Common Victualer Requests

III-1: Jubba Hallal Market, 256 Grafton Street

Request for common victualer license

Hussein Barkae appeared upon behalf of the application and stated that it was for a change of location.

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

Exhibit A: Application for common victualer license dated July 19, 2017 and received July 19, 2017.

III-2: Bida Hoang Entertainment, 118 Cambridge Street, Unit #6

Request for common victualer license

III-2a: Bida Hoang Entertainment, 118 Cambridge Street, Unit #6

Request for entertainment license for tv

III-2b: Bida Hoang Entertainment, 118 Cambridge Street, Unit #6

Request for two pool tables

Items # III-2, III-2a- III-2b were taken contemporaneously.

Attorney Glen Matheson along with the applicants appeared upon behalf of the application. He stated that this is a request for a transfer of location.

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.

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

Exhibit A: Application for common victualer license dated July 24, 2017 and received July 24, 2017.

Exhibit B: Application for entertainment license dated July 24, 2017 and received July 24, 2017.

Exhibit C: Application for pool table license dated July 24, 2017 and received July 24, 2017

III-3: Crown Bakery and Café Corporation, 133 Gold Star Boulevard

Request for common victualer license

Jennifer and Ed Lapoint appeared upon behalf of the application.

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

Exhibit A: Application for common victualer license dated July 28, 2017 and received July 28, 2017.

III-4: Glamour Bombonier, 153 Stafford Street

Request for common victualer license

Rayanne Sabara appeared upon behalf of the application.

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

Exhibit A: Application for common license dated August 3, 2017 and received August 3, 2017.

IV Alcohol & Entertainment Requests

IV-1: Worcester BBC, LLC, 225 Shrewsbury Street

Request for change of manager

Michael Cockcraft. He stated that this is for a change of manager.

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

Exhibit A: Application for change of manager dated July 6, 2017 and received July 6, 2017.

IV-2: Worcester Country Club, 2 Rice Street

Request for change of manager

Kimberly Chartier appeared upon behalf of the application.

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

Exhibit A: Application for change of manager dated July 20, 2017 and received July 20, 2017.

IV-3: Mambo Drinks, 105 Water Street

Request for change of manager, change corporate officer

Jonathan Pena and Maxim Nunez appeared upon behalf of the application.

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

Exhibit A: Application for change of manager dated August 4, 2017 and received August 4, 2017.

IV-4: Asian Supermarket, LLC, 50 Mill Street

Request for package store malt & wine license

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

Attorney Robert Rice along with Amy Ha appeared upon behalf of the application.

Attorney Rice stated that they have done a geographic survey of the area and discovered that there are 16 off premises licenses within 1.5 miles and nine within 2.5 miles and they feel that this particular location is different than the other licensees in the area.

Attorney Rice stated that Ms. Ha has entered into long term lease at this plaza and has invested over \$100,000 in the location and plans to open the first large Asisan Supermarket in Worcester and the addition of beer and wine will be an accommodation for her customers and sales of beer and wine will be less than 10% of the store.

Attorney Rice stated that there is adequate parking and no noise will be generated as the store is located in a commercial space. Attorney Rice stated that the applicant is a very experienced operator of markets.

Commissioner Shea stated that he believed the area is already well served with beer and wine and full package stores.

Attorney Rice stated that this would not compete with the full package stores and the other stores are small convenience stores but this one distinguishes itself from the others as this

store will be providing Asian products and this license would serve an underserved population.

Commissioner Haller stated that she did not think there was a need for beer and wine inside a market.

Chair Salvidio stated that the applicant has not brought before a need, that they viewed the area prior to the meeting and he feels the area is already well served and they cannot limit what the store sells for alcohol and cannot just limit it to Asian wine.

Attorney Rice stated that he believes the applicant has provided a legitimate business plan and will be serving a need to her community.

Upon a roll call the Commission voted 3-0 to deny the package store malt and license based on the fact that the density of the area does not support a need for an additional license in the area.

Exhibit A: Application for package store malt & wine license dated July 17, 2017 and received July 17, 2017.

Exhibit B: Map from Division of Planning and Regulatory Services dated August 9, 2017.

IV-5: Darpan, Inc., 11 Tobias Boland Way, Unit 112

Request for package store malt & wine license

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

Attorney Matthew Potter and Mr. Patel appeared upon behalf of the application.

Attorney Potter stated that even though there are other package stores in the area they are looking to do specialty craft beers and there is ample parking.

Commissioner Shea stated that when they went to view the premises they notice two package stores right in the area and believes the area is already adequately well served and cannot support the petition.

Commissioner Haller stated that she believes the population in area is already being adequately served and cannot support the petition.

Chair Salvidio stated that the store is at an odd site and asked the applicant at the site view what else he would be selling and the applicant responded, lottery tickets and cigarettes and that need is already well served in the neighborhood.

Upon a roll call the Commission voted 3-0 to deny the package store malt and wine license based on density of neighborhood, location not being suitable and applicant's intended use of store.

Exhibit A: Application for package store malt and wine license dated July 20, 2017 and - received July 20, 2017.

Exhibit B: Map from Division of Planning and Regulatory services dated August 9, 2017.

V Violations

V-1: Zorbas Pizzeria Taverna Inc. dba Zorbas Restaurant, 97 Stafford Street

Violation of Rules #7, #14, 204 CMR 2.05 – Sale to minor, Manager responsible for premises

Lt. Johnson presented the following,

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 at the bar area and attempt to order an alcoholic beverage without providing identification.

At 2:04 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 wearing glasses, in all black clothing. Neither one was asked to provide identification.

Christos Diminopoulos appeared to answer to the violation and waived her right to counsel.

Ms. Diminopoulos that the bartender made a mistake and did not check the ID and he felt terrible.

Ms. Diminopoulos stated that she got together all the servers and told them that if anyone looks under the age of 30 their identification needs to be checked.

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 15, 2017.

V-2: Miracle Pizza Inc., dba Perucho's Pizza & Variety, 1280 Grafton Street

Lt. Johnson presented the following,

Violation of Rules #6, #21, 204 CMR 2.05-Sale to minor, Manager responsible for premises

On March 18, 2017, Officers of the Worcester Police Department Alcohol Unit conducted 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 12:51 p.m. the underage male entered the Licensed Premises and purchased a six pack of Bud Light. The male was able to purchase the alcohol without being asked for identification.

Members of the Alcohol Unit notified the store manager of the violation.

Mr. Gobran appeared to answer to the violation and had waived his right to counsel.

Mr. Gobran stated that his store is two things, a pizza store and a convenience store and it was busy the day in question and his daughter was helping and didn't check the license and they always check licenses. He stated that it was just a mistake as it was very busy.

Chair Salvidio stated that even if the premises is busy you have to check ID.

Mr. Gobran stated that his wife will now man the convenience store 75 hours and when she is not available he will cover and someone else will cover the pizza section.

Commissioner Haller asked if there were any other violations. Mr. Gobran stated that this was the first violation.

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 March 18, 2017.

V-3: Carter Realty Group, Inc., dba Brooks Pub, 251 Lincoln Street-Postpone to September 28, 2017

Violation of Rules #7, #14, 204 CMR 2.05 – Sale to minor, Manager responsible for premises

V-4: Nancy Chang Worcester Inc., dba Nancy Chang, 372 Chandler Street

Violation of Rules #7, #14, 204 CMR 2.05 – Sale to minor, Manager responsible for premises

Ignatius Chang appeared to answer to the violation and waived his right to counsel.

Lt. Johnson 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 3:06 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 female with blond hair. Neither one was asked to provide identification.

Members of the Alcohol Unit later notified the Licensed Premises of the violation and that they would be instructed to appear before the License Commission.

Mr. Chang stated that he was ashamed to be before the Commission and that he had been in business 20 years and feels very bad. He stated that they have contacted the police department about training and the bartender who served the underage individual has left.

Mr. Chang stated that all employees are TIPS certified and they have a new handbook for employees stating that everyone needs to check ID.

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 April 20, 2017.

Chair Salvidio recused himself from the item.

V-5: Worcester BBC LLC dba British Beer Company, 225 Shrewsbury Street

Violation of Rules #7, #14, 204 CMR 2.05 – Sale to minor, Manager responsible for premises

Shane Egan appeared upon behalf of the violation and waived his right to counsel.

Lt. Johnson 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 12:55 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 female bartender. Neither one was asked to provide identification.

Members of the Alcohol Unit later notified the Licensed Premises of the violation and that they would be notified to appear before the License Commission.

Mr. Egan stated that he apologizes for this happening and stated that the LLC has been in Worcester a short time and did not want this to happen but they have been in business for over 20 years and this is the first violation.

Mr. Egan stated that right after the violation they contacted Lt. Johnson about training for his employees.

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.

V-6: J.P. Alliance, Inc., dba Shangri La, 50 Front Street

Violation of Rules #7, #14, 204 CMR 2.05 – Sale to minor, Manager responsible for premises-April 15, 2017

Violation of Rules #7, #13, #14, 204 CMR 2.05-Sale to minor, Service to intoxicated person, Manager responsible for premises-July 8, 2017

Attorney Eva Zelnick along with JD Ling, Eric Jiang and Amanda Barbone appeared to answer the violations

Lt. Johnson 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 2:21 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.

Members of the Alcohol Unit later notified the Licensed Premises of the violation and that they would be notified to appear before the License Commission.

On July 8, 2017 Officer Patrick Harrington observed a group of people outside the licensed premises and noticed two individuals were in possession of glasses filled with what appeared to be tropical alcohol drinks.

Officer Harrington monitored the group and noticed that a male and female appeared to be heavily intoxicated and that one female from the group appeared to be very unsteady on her feet.

Officer Harrington spoke with the group and they confirmed that they were drinking alcohol that they had purchased from the Licensed Premises. One of the females who was heavily intoxicated was only 19 years of age and when asked how she was able to purchase alcohol she stated that the Licensed Premises did not check her ID.

Officer Harrington spoke with the bartender from the Licensed Premises and she did confirm that she did serve the alcohol and failed to check identifications.

Attorney Zelnick stated that Mr. Ling was the server and does not remember serving a young person on the April violation.

Chair Salvidio asked if they were saying incident did not happen. Attorney Zelnick stated that they did pull receipts for that day and they did sell two Budweisers but Mr. Ling does not remember serving anyone young but since that time that bartender and owner have met with staff and told them that they must check all ID.

Attorney Zelnick stated that for the July 8, 2017 incident Ms. Barbone arrived for her shift and the table had already been seated and it was the older gentlemen who came up to the bar and purchased the drinks and Ms. Barbone does not remember serving the young lady.

Attorney Zelnick stated that since the July incident Mr. Jiang has spoken with all the employees and bartenders about the fact they cannot serve underage individuals and posted a sign that you cannot purchase alcohol without ID. Additionally, Attorney Zelnick stated that she is putting together an employee handbook.

Mr. Jiang stated that he always tells the employees to check anyone who looks under 21 and he already took a serious check to make sure it doesn't happen again.

Chair Salvidio asked what was that as he has concerns with drinks going outside and underage being served and this seems to be a management issue.

Attorney Zelnick stated that they have implemented at the premises when there is a shift change the new staff person needs to re-card everyone.

Chair Salvidio asked who the manager was when Mr. Jiang wasn't present. Mr. Jiang stated that it was his wife.

Attorney Zelnick stated that the manager needs to be more diligent about serving on the floor as well and checking any ID that is questionable.

Ms. Barbone stated that when she arrived for work on July 8, 2017 the table had already been seated and it seemed to be a boss with his younger workers and thinks that the younger workers were covering for their boss saying they bought the alcohol.

Lt. Johnson stated that they can go to the premises to do some training.

Officer Harrington said on July 8, 2017 when he went to the premises and asked who was in charge he was ignored by management and the only one who stepped up to talk to him was the bartender, so it may be a staff issue.

Attorney Zelnick stated that she thinks working with her and police on training they can move forward on a positive note.

Upon a motion the Commission voted 3-0 that the violations did occur on April 8, 2017 and July 15, 2017.

Upon a motion the Commission voted 3-0 to issue a two day suspension with one day to be served September 16, 2017 and one to be suspended.

V-7: Jasmat 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.

Matt Bartosiewicz along with realtor Paul Sullivan appeared regarding the item. Mr. Sullivan stated that he has a pending deal to transfer this location to another buyer.

The Commission voted 3-0 to postpone the item to the September 7, 2017 License Commission meeting and the violation hearing would go forward unless a transfer of application had been received.

COMMUNICATIONS

ADJOURNMENT

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