

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

February 15, 2018

LEVI LINCOLN CHAMBERS

Commission Members Present: Walter Shea, Commissioner
Barbara Haller, Commissioner

Commission Members Absent: Anthony Salvidio, Chairman

Staff Present: Stephen S. Rolle, Planning & Regulatory Services
Alexandra Kalkounis Law Department
Lt. James Johnson, Worcester Police Department
Sergeant Thomas Needham, Worcester Police Department
Officer Edward Saucier, Worcester Police Department
Sergeant Patrick Harrington, Worcester Police Department
Officer Glenn Stout, Worcester Police Department
Lt. Jeffrey Dubeau, Worcester Fire Department
John Biancheria, Inspectional Services
Deborah Steele, Planning & Regulatory Services

Minutes

January 11, 2018-Held

NEW BUSINESS

Common Victualer Requests

I-1: Rozmaraino, 490 Lincoln Street

Request for common victualer license

Mushraq Ldulaimi 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 January 31, 2018 and received January 31, 2018.

Special One Day Liquor & Entertainment Requests

II-1: Saint Peter Marian Junior-Senior High School, 781 Grove Street

Request for one day liquor license

- April 7, 2018-6:00 p.m.-10:00 p.m.

Christopher Cummings appeared upon behalf of the application. He stated that about 300 people are expected for the event.

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

Exhibit A: Application for one day liquor license dated January 31, 2018 and received January 31, 2018.

II-2: Stacey Blanchette, 413 Park Avenue-~~Postponed to March 1, 2018~~

- a. Request for one day liquor license
 - March 10, 2018-8:00 a.m. -11:00 p.m.
- b. Request for one day entertainment license for recorded music
 - March 10, 2018-8:00 a.m.-11:00 p.m.

Exhibit A: Application for one day liquor license dated February 2, 2018 and received February 2, 2018.

Exhibit B: Application for one day entertainment license dated February 2, 2018 and received February 2, 2018.

Alcohol & Entertainment Requests

III-1: George's Coney Island, Inc., 154 Southbridge Street

Request for change in manager

Attorney Mark Borenstein and Kathryn Tsandikos appeared upon behalf of the application.

Mr. Borenstein stated that Ms. Tsandikos is taking over as manager of the premises.

Upon a motion the Commission voted 2-0 to approve the change of manager.

Exhibit A: Application for change of manager dated January 31, 2018 and received January 31, 2018.

III-2: Azorean Bistro, 35 Blackstone River Road

Request for entertainment license for tv, radio, live music, amplification system, karaoke
Carla Soscia appeared upon behalf of the application. She requested that the entertainment be allowed to go to 11:00 p.m.

Upon a motion the Commission voted 2-0 to approve the entertainment license with the operating hours of Noon – 11:00 p.m.

Exhibit A: Application for entertainment license dated January 31, 2018 and received January 31, 2018.

Violations

IV-1: Carter Realty Group, Inc. dba Brooks Pub, 251 Lincoln Street

Violation of Rule #7-Sale to minor – **Postponed to March 1, 2018**

Exhibit A: Police report dated April 28, 2017.

IV-2: Thien Anh Limited Liability Company dba Kyoto's Japanese Restaurant, 535 Lincoln Street

Violation of Rule #7-Sale to minor

Thien Phan appeared to answer to the violation and waived his right to counsel.

Lt. Johnson reported the following,

On November 25, 2017 members of the Alcohol Enforcement Team were conducting compliance checks throughout the City of Worcester.

An eighteen year female 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 noon Officer Glenn Stout and the underage female entered the Licensed Premises and both ordered a Bud Light 12 oz. bottle. Both were served by the female bartender. Neither one was asked to provide identification.

Mr. Phan stated that he usually trains the staff well and he spoke to staff as to why they sold that day.

Mr. Phan stated that he now has a sign on the bar to remind staff to check IDs all the time and he apologizes for what his staff did.

Commissioner Shea stated that it was an error by the bartender and Mr. Phan is being proactive to make sure it doesn't happen again.

Lt. Johnson stated that he would meet with the staff of the establishment to review the rules.

Upon a motion the Commission voted 2-0 that the violation had occurred.

Upon a motion the Commission voted 2-0 to impose a one day suspended suspension.

Exhibit A: Police report dated November 28, 2017.

IV-3: Pho Dakao, Inc., 593 Park Avenue

Violation of Rule #7-Sale to minor

Hiep Pham and Lee Pham appeared to answer to the violation and waived their right to counsel.

Lt. Johnson reported the following,

On November 25, 2017 members of the Alcohol Enforcement Team were conducting compliance checks throughout the City of Worcester.

An eighteen year old female 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 1:44 p.m. Officer Glenn Stout and the underage female entered the Licensed Premises and both ordered a Bud Light 12 oz. bottle. Both were served by the female bartender. Neither one was asked to provide identification.

Lee Pham stated that the bartender had been working there for five years and is TIPS certified and he did initially want to fire her but she is a good worker and she was sincerely sorry about that incident. Mr. Pham stated that they are more aware now and are reminding staff to check all IDs.

Commissioner Haller stated that it's really a management issue and not a staff issue.

Commissioner Shea stated that the establishment is being pro-active since the incident occurred.

Commissioner Haller stated that the owners should go back and tell staff what happened today and what the consequences were for the establishment.

Upon a motion the Commission voted 2-0 that the violation had occurred.

Upon a motion the Commission voted 2-0 to impose a one day suspended suspension.

Exhibit A: Police report dated November 28, 2017.

IV-4: Bahn Thai Restaurant, 2 Coes Square

Suphap Leelaudomworakul appeared to answer to the violation and waived her right to counsel.

Violation of Rule #7-Sale to minor

Lt. Johnson reported the following,

On November 25, 2017 members of the Alcohol Enforcement Team were conducting compliance checks throughout the City of Worcester.

An eighteen year old female 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 1:30 p.m. Officer Glenn Stout and the underage female entered the Licensed Premises and both ordered a Bud Light 12 oz. bottle. Both were served by the male bartender. Neither one was asked to provide identification.

Ms. Leelaodomworakul stated that she makes an effort to hire experienced bartenders and she puts signs up to remind them to check IDs but the incident happened. She stated that she reminds staff to check IDs.

Commissioner Haller asked Lt. Johnson to go to the establishment and review the rules.

Upon a motion the Commission voted 2-0 that the violation had occurred.

Upon a motion the Commission voted 2-0 to impose a one day suspended suspension.

Exhibit A: Police report dated November 28, 2017.

IV-5: Worcester BBC, LLC, 225 Shrewsbury Street

Violation of Rule #7-Sale to minor

Shane Egan appeared to answer to the violation and waived his right to counsel.

Lt. Johnson reported the following,

On November 25, 2017 members of the Alcohol Enforcement Team were conducting compliance checks throughout the City of Worcester.

A twenty 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 12:50 p.m. Officer Edward Saucier and the underage male entered the Licensed Premises and both ordered a Bud Light 12 oz. bottle. Both were served by the male bartender. Neither one was asked to provide identification.

Mr. Egan stated that he was embarrassed to be before the Commission and the bartender from the incident was suspended for a month and that the owners of the premises let the manager go

as he was not taking the position seriously. Mr. Egan stated that he has taken over as operations manager and after the incident he set up a training for staff to be recertified in TIPS training.

Mr. Egan stated that all staff now checks everyone's ID and this will not happen again.

Upon a motion the Commission voted 2-0 that the violation had occurred.

Upon a motion the Commission voted 2-0 to impose a one day suspended suspension.

Exhibit A: Police report dated November 27, 2017.

IV-6: Kobe Enterprises, Inc. dba 7 Nana Steakhouse, 60 Shrewsbury Street-**Postponed to March 15, 2018**

Violation of Rule #7-Sale to minor

Exhibit A: Police report dated November 27, 2017.

IV-7: Moynagh's Tavern, Inc., 1 Exchange Place

Robert Moynagh appeared to answer to the violation and waived his right to counsel.

Lt. Johnson reported the following,

Violation of Rule #1 – Hours violation

On November 19, 2017, Officer Patrick Harrington of the Alcohol Enforcement Unit observed at 2:30 a.m. that the lights were still on at the Licensed Premises and several cars parked in the lot located next door.

Officer Harrington knocked on the side of the Licensed Premises and a member of staff let him inside where he observed the bartender along with another male sitting at the bar consuming a Budweiser bottle and observed another male standing off to the side. Officer Harrington asked the bartender if they were employees and the bartender responded that they were patrons.

Mr. Moynagh asked if the bartenders involved were cooperative. Officer Harrington stated that they were.

Mr. Moynagh stated that the bartenders were too casual in the closing up of the establishment and he will do everything in his power to make sure that this does not happen again and he is sorry that the incident happened.

Upon a motion the Commission voted 2-0 that the violation had occurred.

Upon a motion the Commission voted 2-0 to impose a one day suspended suspension.

Exhibit A: Police report dated November 24, 2017.

Communications

Adjournment

Upon a motion the Commission voted 2-0 to adjourn the meeting at 10:40 a.m.