

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
DECEMBER 3, 2020

Commission Members Participating: Walter Shea, Chairman
Anthony Vigliotti, Commissioner
Barbara Haller, Commissioner

Commission Members Absent: None

Staff Participating: Stephen Rolle, Planning & Regulatory Services
Lt. James Johnson, Worcester Police Department
Sergeant Thomas Needham, Worcester Police Department
Alexandra Kalkounis, Law Department
Deborah Steele, Planning & Regulatory Services

****Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 23, 2020 Order, as amended, imposing strict limitation on the number of people that may gather in one place, this meeting of the Worcester License Commission will be conducted via remote participation.**

Call to Order – 10:00 am

Minutes

November 12, 2020 – Upon a roll call the Commission voted 3-0 to approve the minutes of November 12, 2020.

Common Victualer Requests

1. Shawarma Palace, 20 Franklin Street

- Request for common victualer license

The applicant did not call in for the meeting.

Staff stated that this restaurant will be open six days week – 11:00 -7:00.

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

List of Exhibits: Common victualer application dated and received December 2, 2020.

2. Cousin Tony, 439 Park Avenue

- Request for common victualer license

The applicant did not call in for the meeting.

Staff stated that this restaurant will be open 7 days a week; Monday through Sunday – 10:00 a.m. – 2:00 p.m.

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

List of Exhibits: Common victualer application dated and received December 3, 2020.

3. Sweet Pam Gourmet, 160 Green Street

- Request for common victualer license

The applicant did not call in for the meeting.

Staff stated that this restaurant is located in the Worcester Public Market and will be open Wednesday through Sunday 11:00 a.m. – 8:00 p.m.

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

List of Exhibits: Common victualer application dated and received December 5, 2020.

Alcohol and Entertainment Request

4. Texas Roadhouse Holdings, LLC dba Texas Roadhouse, 535 Lincoln Street

- Request for change of beneficial interest

Attorney Andrew Upton called in for the item.

Attorney Upton stated that this is just a change of the beneficial interest for Texas Roadhouse Holdings, LLC.

Upon a roll call the Commission voted 3-0 to approve the change of beneficial interest.

List of Exhibits: Application for change of beneficial interest dated and received October 20, 2020.

5. GMRI Inc. dba the Olive Garden Restaurant, #1868, 7 Tobias Boland Way

- Request for change of manager

The applicant did not call in for the meeting. Lt. Johnson stated that the manager had passed the background check.

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

List of Exhibits: Application for change of manager dated November 12, 2020 and received November 20, 2020.

6. Revolution Pie and Pint Worcester, LLC, 50 Franklin Street

- Request for change of manager

Upon a motion the Commission voted 3-0 to postpone the change of manager application to the January 7, 2021 License Commission meeting.

7. Craft Table and Bar, LLC, 50 Franklin Street

- Request for change of manager

Upon a motion the Commission voted 3-0 to postpone the change of manager to the January 7, 2021 License Commission meeting.

8. Interstate Management Company, LLC, dba Courtyard by Marriott, 72 Grove Street-Leave to Withdraw

- Request for change of manager

Upon a motion the Commission voted to approve Leave to Withdraw for the change of manager.

9. SRG Restaurant of Worcester LLC dba Oak Barrel Tavern, 229 Grove Street

- Request for change of manager

The applicant did not call in for the meeting. Lt. Johnson stated that the manager had passed the background check.

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

List of Exhibits: Application for change of manager dated November 15, 2020 and received November 20, 2020.

10. K&B 168 Restaurant Group, 401 Park Avenue

- Request for alteration of premises

Upon a roll call the Commission voted 3-0 to postpone the alteration of premises to January 21, 2021.

11. Discount Mini Market, LLC dba Discount Mini Market, 65 James Street-Leave to Withdraw

- Request for package store malt & wine license

Upon a roll call the Commission voted 3-0 to approve the Leave to Withdraw for the request for package store malt & wine license.

12. Nusa A Dimopolous, dba Guertin's Café, 139 Grand Street

- Request for transfer of restaurant all alcohol license, common victualer license and entertainment license for radio, tv & background music

Nusa Dimopoulos called in and stated that she is buying the building and business from the current owner but the building is closed currently due to COVID. She stated she will not be making any changes except cosmetic when they reopen.

Upon a roll call the Commission voted 3-0 to approve;

- Transfer of restaurant all alcohol license
- Common victualer license
- Entertainment license for tv & background music

List of Exhibits: Application for transfer restaurant all alcohol license, common victualer license and entertainment license dater November 12, 2020 and received November 13, 2020.

Violation Hearings

13. Mercado Garcia Enterprises, Inc., 65 James Street

- Cessation of Business hearing

Attorney Wayne LeBlanc and Dioanne Mercado called in for the meeting.

Mr. LeBlanc stated that he has a client who is looking to transfer the current license to South Ludlow Street but the South Ludlow Street location needs a special permit from the Zoning Board of Appeals for the use. He intends to file that for the January 2021 Zoning meeting.

Upon a roll call the Commission voted 3-0 to postpone the item to the February 4, 2021.

14. Habaibna Hookah Lounge, 250 Commercial Street

- Violation of Rules # #14, #37, 204 C.M.R. 4.00

Anhar Kaaed called in for meeting and waived right counsel.

Sgt. Needham presented the following;

On February 28, 2020, Officers Patrick Harrington and Officer Glen Stout responded to Habaibna Hookah Lounge to assist Worcester Police operations officers with an incident involving 10-12 people inside the Licensed Premises fighting and breaking windows.

Upon arrival, Officer Stout was unable to see inside the premises due the windows being covered. Upon entering, he spoke with Officer Andrei Cimpan who stated that the parties involved in the altercation were gone.

The officers observed a pool table on its side and one of the front windows was broken and also observed posters advertising drink packages.

Mr. Kaaed stated that other businesses in Worcester have tinted windows but after the officer told them to take the tint off they did.

Mr. Kaaed stated that with regards to the poster, they were keeping the bottles behind the bar and then would serve the seated customers and didn't realize they could not advertise drink packages. He apologized as they were just promoting the bar.

Lt. Johnson stated that they have had few issues with the establishment.

Mr. Kaaed stated that when the fight broke out security tried to move people out and people tried to push security so they called WPD for assistance.

Sgt. Needham stated that WPD recently stopped at the establishment. When things are better the establishment would like to get a police detail to supplement their security detail.

Commissioner Haller stated that this comes across as poor management on behalf of the owners.

The Commission noted that there was one previous violation on the record for the establishment.

Upon a roll the Commission voted 3-0 that the violation did occur.

Upon a roll the Commission voted 2-1 (Commissioner Haller voting against) to issue a one day suspended suspension.

List of Exhibits: Police report dated March 11, 2020.

15. Swamishriji Corp dba Boston Liquor Mart, 566 Southwest Cutoff

- Violation of Rules #6, #21 and 204 CMR 2.05

Attorney Matthew Porter & Jignesh Patel called in for the meeting.

Sgt. Needham read the following report;

On January 26, 2020, 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 12:55 p.m. the underage male entered Boston Liquors and purchased a six pack of Bud Light 12 oz. bottles. The male was able to purchase the alcohol without being asked for identification.

Attorney Porter stated that the violation did occur. Management has been all recertified under TIPS and they will also be willing to take the WPD training course reviewing the rules.

Upon a roll call the Commission voted 3-0 that the violation did occur.

Upon a roll call the Commission voted 3-0 to issue a Warning.

List of Exhibits: Police report dated February 1, 2020.

16. Riverfront Foodservice Corp dba Uno Chicago Grill, 25 Major Taylor Blvd.

- Violation of Rules #7, #14 and 204 CMR 2.05

Upon a roll call the Commission voted 3-0 to postpone the hearing to January 7, 2021.

Other Business

17. Modification of Entertainment and On-premises Liquor License Renewal Fees for Calendar Year 2021

Commissioner Walter Shea reviewed the reduced fees for year 2021.

- Renewal fees for on-premises licenses are reduced by 50 percent for calendar year 2021 only (see Table 1);
- Renewal fees for entertainment licenses are waived for calendar year 2021 only;
- On-premises establishments that are closed may defer payment of their 2021 license renewal fees for up to 90 days; and
- Fees for all new licenses and for off-premise licenses are unchanged from 2020.

	Current Fee	2021 Renewal Fee
		50% Reduction
Club- All Alcoholic	\$ 2,500	\$ 1,250
Club- All Alcoholic (Veteran's)	\$ 1,375	\$ 688
Club- Malt & Wine	\$ 1,750	\$ 875
Common Victualer- All Alcoholic	\$ 2,750	\$ 1,375
Common Victualer- Malt & Wine	\$ 2,250	\$ 1,125
General on Premises- All Alcoholic	\$ 3,000	\$ 1,500
Inn Holder- All Alcoholic	\$ 3,000	\$ 1,500
Tavern- All Alcoholic	\$ 2,250	\$ 1,125
Commercial Club- All Alcoholic	\$ 2,750	\$ 1,375
Farmer/Brewer	\$ 500	\$ 250
Wine Tasting Permits		
Yearly permit (anytime)	\$ 1,500	\$ 750
Yearly permit (weekends only)	\$ 750	\$ 375

Upon a roll call the Commission voted 3-0 to accept the fee proposal and stated that item will also be reviewed in February 2021.

Communications

ABCC Communication- Notice of Indefinite Suspension – Dirt McGirt’s, 1051 Main Street-No comment.

Adjournment

Upon a roll call the Commission voted 3-0 to adjourn the meeting at 11:35 a.m.