

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
SEPTEMBER 28, 2017
ESTHER HOWLAND CHAMBER

Commission Members Present:

Walter Shea, Commissioner
Barbara Haller, Commissioner

Commission Members Absent:

Anthony Salvidio

Staff Present:

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

Call to Order – 9:30 a.m.

Minutes

September 7, 2017; September 14, 2017

Upon a motion the Commission voted 2-0 to approve the minutes of September 7, 2017 and September 14, 2017.

Call to Order – 10:00 a.m.

NEW BUSINESS

Common Victualer Requests

I-1: Honey Farms, 101 Highland Street

Request for common victualer license

Exhibit A: Common victualer application received September 22, 2017 and dated September 22, 2017.

I-2: Honey Farms, 99 Gold Star Boulevard

Request for common victualer license

Exhibit A: Common victualer application received September 22, 2017 and dated September 22, 2017.

I-3: Honey Farms, 82 Thomas Street

Request for common victualer license

Exhibit A: Common victualer application received September 22, 2017 and dated September 22, 2017.

I-4: Honey Farms, 540 Massasoit Road

Request for common victualer license

Exhibit A: Common victualer application received September 22, 2017 and dated September 22, 2017.

Items 1-4 were taken contemporaneously.

William Bruce appeared upon behalf of the items.

Upon a motion the Commission voted 2-0 to approve the four common victualer licenses.

I-5: Stix Ramen Bar, 72 Franklin Street

Request for common victualer license

Frank Peace appeared upon behalf of the application. He stated that this will be for a noodle bar and be a casual theme type of restaurant with 15 seats.

Upon a motion the Commission voted 2-0 to approve the common victualer license.

Exhibit A: Common victualer application received September 22, 2017 and dated September 22, 2017.

Special One Day Liquor & Entertainment Requests

II-1: Worcester Art Museum, 55 Salisbury Street

Request for charity wine license

- October 8, 2017

Mary Irvin from Worcester Art Museum appeared upon behalf of the item. She stated that this request is for a wine auction for a wine festival being held at the Art Museum.

Upon a motion the Commission voted 2-0 to approve the charity wine license.

Exhibit A: Application for charity wine received September 18, 2017 and dated September 18, 2017.

II-2: Latino History Project of Worcester, 30 Elm Street

Request for one day liquor license

- October 12, 2017-6:00 p.m.-9:00 p.m.
- October 13, 2017-6:00 p.m.-9:00 p.m.

Iris Delgado appeared upon behalf of the item. She stated that this is for the third annual Latino History Project and on Thursday night they expect 60 people and Friday 200 people.

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

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

II-3: Mt. Carmel Preservation Society, 30 Anna Street

Request for one day liquor license

- November 9, 2017-6:30 p.m.-9:30 p.m.

Mary Mazzaro appeared upon behalf of the request. She stated that this is a fundraiser to raise money to save Mt. Carmel Church.

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

Exhibit A: Application for one day liquor license received September 15, 2017 and dated September 15, 2017.

II-4: Holy Family Parish/St. Joseph Church, 10 Dupont Street

Request for one day liquor license

- October 7, 2017-7:30 p.m.-11:00 p.m.

Ed Bouargelet appeared upon behalf of the application. He stated that this is for a social event.

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

Exhibit A; Application for one day liquor license received September 15, 2017 and dated September 15, 2017.

II-5: Jamie Chapman, 72 Shrewsbury Street

Request for one day liquor license

- October 14, 2017-Noon-10:00 p.m.

Jamie Chapman and David Fields appeared upon behalf of the application.

Ms. Chapman stated that this event is for a beer release function.

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

Exhibit A: Application for one day liquor license received September 12, 2017 and dated September 12, 2017.

II-6: Cirque du Noir, 38 Harlow Street

Request for one day liquor license

- October 14, 2017-7:00 p.m.-11:00 p.m.

Exhibit A: Application for one day liquor license received September 12, 2017 and dated September 12, 2017.

II-6a: Cirque du Noir, 38 Harlow Street

Request for one day entertainment license for live music, amplification system, any other audio or visual show whether live or recorded specifically

- October 14, 2017-7:00 p.m.-11:30 p.m.

Exhibit A: Application for one day entertainment license received September 12, 2017 and dated September 12, 2017.

Items 6 and 6A were taken contemporaneously.

Michelle May appeared upon behalf of the applications.

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.

II-7: Joe Bertolotti, 1 College Street

Request for one day liquor license

- September 30, 2017 – Noon-4:00 p.m.
- October 6, 2017-5:00 p.m.-10:00 p.m.
- October 7, 2017-4:00 p.m.-9:00 p.m.
- October 13, 2017-5:00 p.m.-10:00 p.m.

- October 14, 2017-5:00 p.m.-10:00 p.m.
- October 18, 2017-5:00 p.m.-10:00 p.m.
- October 20, 2017-5:00 p.m.-10:00 p.m.
- October 21, 2017-5:00 p.m.-10:00 p.m.
- October 25, 2017-5:00 p.m.-10:00 p.m.
- October 27, 2017-5:00 p.m.-10:00 p.m.
- November 1, 2017-5:00 p.m.-10:00 p.m.
- November 4, 2017-Noon-10:00 p.m.
- November 10, 2017-5:00 p.m.-10:00 p.m.
- November 11, 2017-Noon-10:00 p.m.
- November 12, 2017-Noon-4:00 p.m.
- November 16, 2017-5:00 p.m.-10:00 p.m.
- November 18, 2017-Noon-4:00 p.m.
- November 24, 2017-5:00 p.m.-10:00 p.m.
- November 25, 2017-11:00 a.m.-10:00 p.m.
- November 26, 2017-10:00 a.m.-2:00 p.m.
- December 3, 2017-10:00 a.m.-2:00 p.m.
- December 6, 2017-5:00 p.m.-10:00 p.m.
- December 9, 2017-1:00 p.m.-6:00 p.m.
- December 19, 2017-5:00 p.m.-10:00 p.m.
- December 20, 2017-5:00 p.m.-10:00 p.m.
- December 30, 2017-5:00 p.m.-10:00 p.m.

Joe Bertolli appeared upon behalf of the applications. He stated that this is for their basketball and hockey games.

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

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

II-8: LaRaza, 387 Cambridge Street

Request for DJ outside

- October 7, 2017-Noon-7:00 p.m.

Javier Sanchez along with Eric Batista who translated appeared upon behalf of the application.

Mr. Sanchez stated that he would like to do a car show out in the parking lot.

Lt. Johnson expressed concern about event stating that a previous car show held on the property had backed up traffic on Cambridge Street which required police from other areas to come to site and help with the traffic. Lt. Johnson stated that he would recommend that three police details be hired for event and be there from 11:00 a.m. to 8:00 p.m.

Commissioner Haller requested that any sound for event be directed away from the neighboring properties.

Upon a motion the Commission voted 2-0 to approve the entertainment license with condition that three police details be hired from Noon to 7:00 p.m.

Exhibit A: Application for one day entertainment license received September 19, 2017 and dated September 19, 2017.

II-9: Holy Trinity Nursing & Rehabilitation Center, 30 Anna Street

Request for one day liquor license

- October 19, 2017-5:30 p.m.-9:00 p.m.

Paul Suman appeared upon behalf of the application.

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

Exhibit A: Application for one day liquor license received September 13, 2017 and dated September 13, 2017.

II-10: CBC Management, Ernest Johnson Tunnel

Request for one day liquor license

- October 14, 2017 - TBD

Joseph Corizziani appeared upon behalf of the application. He stated that this event will be held in the Ernest Johnson Tunnel and event will be from 9:00 p.m. to 2:00 a.m. and police details as well as private security will be hired. He stated that people will be carded and given a bracelet at the door and the event is 21+.

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

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

Alcohol & Entertainment Requests

III-1 Colwen Management, Inc., 125 Front Street

Request for innholder all alcohol license

Exhibit A: Application for innholder all alcohol license received September 8, 2017 and dated September 8, 2017.

III-1a: Colwen Management, Inc., 125 Front Street

Request for entertainment license for tv, radio

Exhibit A: Application for entertainment license received September 8, 2017 and dated September 8, 2017.

Items 1, 1a were taken contemporaneously.

Attorney Karen Samoa, Michael Colavecchio and Andrew Dunn appeared upon behalf of the application.

Commissioner Shea and Haller stated that they had done a site view prior to the meeting and this is a wonderful project for the City of Worcester and were impressed with the site.

Attorney Simao stated that this is there second location in the City of Worcester and they are looking to open March 1, 2018.

Upon a motion the Commission voted 2-0 to approve the innholder all alcohol license.

Upon a motion the Commission voted 2-0 to approve the entertainment license.

III-2: Brewski's Pub, LLC, 413 Park Avenue

Request for transfer of license from Jasmart Corp. dba Mahoney's Pub

Attorney Sean Murray and Stacey Blanchette appeared upon behalf of the application.

Attorney Murray stated that Ms. Blanchette is taking over ownership of the premises and is aware of the problems that had occurred with the previous owner but has already taken steps by meeting with the Police Department and neighbors.

Doug Haddad, abutter to the property, stated that he welcomed a new owner for the establishment.

Upon a motion the Commission voted 2-0 to approve the transfer of the license.

Exhibit A: Application for transfer of liquor license received September 11, 2017 and dated September 11, 2017.

III-3: Kai Nht Corp, 68 Stafford Street

Request for transfer of license from CHTT Corp.

Attorney Jim Gerrish along with Thu Tang and Ming Ho appeared upon behalf of the application.

Attorney Gerrish stated that this is a transfer of ownership of the existing license.

Upon a motion the Commission voted 2-0 to approve the transfer of the license.

Exhibit A: Application to transfer of liquor license received September 11, 2017 and dated September 11, 2017.

III-4: Colwen Management, Inc. 72 Grove Street

Request for change of manager

Attorney Karen Simao along with Lisa Paglier appeared upon behalf of the application. Ms. Siamo stated that Ms. Paglier will be taking over as manager of 72 Grove Street.

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

Exhibit A: Application for change of manager received August 11, 2017 and dated August 10, 2017.

III-5: JEM Hospitality, LLC, dba Legacy Bar & Grill, 242 Mill Street

Request for entertainment license for tv, radio, recorded music, karaoke, amplification system

Howard Sobel appeared upon behalf of the application.

Upon a motion the Commission voted 2-0 to approve the entertainment license.

Exhibit A: Application for entertainment license received September 11, 2017 and dated September 11, 2017.

Violations

IV-1: Sugar After Dark, Inc., 72 Shrewsbury Street

Cessation of Business

Ms. Steele stated that staff had received electronic communication from owner of license relinquishing the license.

Upon a motion the Commission voted 2-0 to revoke the license due to cessation of business.

Exhibit A: Electronic communication dated September 7, 2017.

IV-2: Bull Mansion, LLC, 55 Pearl Street

Violation of Rules #14, #17-Manager responsible for premises, Alcohol not allowed to be taken from premises

Item was postponed to October 19, 2017.

Exhibit A: Police report dated August 8, 2017.

IV-3: Carter Realty Group, Inc., dba Brooks Pub, 251 Lincoln Street-**Postponed 10/19/2017**

Violation of Rules #7, #14-Sale to underage, manager responsible for premises

IV-4: Ruby Tuesday, Inc., 537 Lincoln Street

Violation of Rules #7, #14-Sale to underage, manager responsible for premises

Dan Carrigan and Doug Harvey appeared to answer to the violation and waived their 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 and sit at the bar area and attempt to order an alcoholic beverage without providing identification.

At 12:16 p.m. Officer Patrick Harrington and the underage male entered the Licensed Premises and both ordered a Miller Lite. Both were served the Miller Lite bottles by a female bartender. Neither one was asked to provide identification.

Mr. Carrigan stated that the event did happen and the bartender was fired. He stated that they have an extensive training program and video that they show to employees and they have added more review by having Mr. Harvey review the training program and video after employees have taken the course.

Mr. Harvey stated that the bartender showed up late and the server had taken over the bartending that day and she was a veteran server but didn't card so they had to let her go.

Upon a motion the Commission 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 28, 2017.

Other Business

Blackstone Tap, 81 Water Street-Suspended Suspension discussion

Upon a motion the Commission voted 2-0 that the suspended suspension dates will be served – October 18, 19, 2017.

Communications

Adjournment

Upon a motion the Commission voted 2-0 to adjourn the meeting at 10:50 a.m.