

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
JULY 15, 2021

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

Commission Members Absent:

Staff Participating: Stephen Rolle, Planning & Regulatory Services
Sergeant Thomas Needham, Worcester Police
Department
Alexandra Kalkounis, Law Department
Officer Patrick Harrington, Worcester Police Department
Deborah Steele, Planning & Regulatory Services

The Worcester License Commission meeting was held in person on July 15, 2021.

Meeting attendees additionally had options to participate remotely by joining online or by phone using the following links;

- Use the following link to join the meeting via computer <https://cow.webex.com/meet/licensecommissionwebex> or
- Call 415-655-0001 (Access Code: 160 660 9360) for the License Commission.

Minutes – June 24, 2021

On a roll call vote the Commission voted 3-0 to approve the minutes of June 24, 2021.

Other Business

Common Victualer Requests

1. Life Garden Café dba Mirabelli Enterprises, Inc., 1048 Main Street

Hours: Tuesday: 10:00 a.m.–5:00 p.m., Saturday: 10:00 a.m.–7:00 p.m.

No one called in for the application. Staff stated that the final inspection needed to be completed prior to issuance of license.

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

List of Exhibits: Common victualer license dated/received June 29, 2021.

2. Liberian Dishes, LLC, 5 Pleasant Street

Hours: Tuesday–Thursday: Noon–8:00 p.m., Friday & Saturday: Noon – 2:00 a.m.

No one called in for the application. Staff stated that the final inspection needed to be completed prior to issuance of license.

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

List of Exhibits: Common victualer license dated/received July 6, 2021.

3. Golden Tandoori, 490 Lincoln Street

Hours: 11:00 a.m. – 7:00 p.m. 7 days a week

MG Lewis appeared for the application.

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

List of Exhibits: Common victualer license dated/received July 7, 2021.

One Day Liquor & Entertainment Requests

4. Allison Hale, 100 Barber Avenue

- Request for one day liquor license – September 11, 2021, 6:00 p.m. – 10:00 p.m.
- Request for one day entertainment license for DJ, comedians, drag queens for photo ops – September 11, 2021, 6:00 p.m. – 10:00 p.m.

Upon a roll call the Commission voted 3-0 to postpone the application to August 12, 2021 License Commission meeting.

5. Gina Migliozi, 30 Exchange Street-Revised dates/times

- Request for one day liquor license (dates and times below)
- Request for one day entertainment license for dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, light show (dates and times below)
 - July 30, 2021: 6:00 p.m. – 11:00 p.m.
 - August 21, 2021: 5:30 p.m. – 11:00 p.m.
 - August 28, 2021: 5:00 p.m. – 11:00 p.m.
 - September 4, 2021: 3:00 p.m. – 11:00 p.m.
 - September 5, 2021: 4:00 p.m. – 11:00 p.m.
 - September 18, 2021: 4:00 p.m. – 11:00 p.m.
 - September 25, 2021: Noon – 11:00 p.m.

Gina Migliozi participated remotely for the item. She stated that they were adding additional dates for the series of concerts and that they will have police details, paramedics, and porta potties on site.

Upon a roll call vote the Commission voted 3-0 to approve the amended dates/times for the one day liquor/entertainment applications.

List of Exhibits: Electronic email received June 30, 2021.

6. **Fam Jam, Elm Park**

- Request for one day entertainment license for radio, dancing by patrons, dancing by entertainers, recorded music, live music, play light show, any other audio or visual show whether live or recorded specifically.
- September 25, 2021 – Noon – 8:00 p.m.

Geoffrey Killebrew participated remotely for the item.

Mr. Killebrew stated that this would be a family event and there will be music and activities for kids.

The Commission asked Mr. Killebrew to review location of where he would hold event. Mr. Killebrew stated that it would be near the playground and he expects 250-300 people.

Commissioner Vigliotti asked what type of security would be at the event. Mr. Killebrew stated that he did not have security detail in the past. The Commission recommended that Mr. Killebrew check with the Worcester Police Department off duty detail office to see if one would need to be obtain for the event.

Upon a roll call vote the Commission voted 3-0 to approve the one day entertainment license with condition that the applicant check with the off-duty detail office whether a detail would be required for the event.

List of Exhibits: Application for one day entertainment license received/dated June 30, 2021.

Liquor & Entertainment Application Requests

7. **Brycol, Inc. dba Ralph's Tavern, 117 Shrewsbury Street**

- Request to amend entertainment license to have jukebox, TV, radio, dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, play, karaoke outside
- Hours: Monday – Thursday: Noon – 10:00 p.m., Friday & Saturday: Noon – 11:00 p.m., Sunday: Noon – 10:00 p.m.

Scott Bove participated remotely for the meeting. Mr. Bove stated that he would like to add outside entertainment to his outdoor dining area.

Mr. Vigliotti asked that the dancing by entertainers be removed from request. Mr. Bove stated that he was fine with that.

Mr. Rolle reminded the applicant that his approval for the outdoor area is limited to 12.

Upon a roll call vote the Commission voted 3-0 to approve the request to amend the entertainment license with dancing by entertainers being removed for the request.

List of Exhibits: Application for one day entertainment license received/dated June 5, 2021.

8. **Vernon Hill Post #434, Dept. of Mass American Legion, Inc., 267 Providence Street**
- Request to amend entertainment license to have jukebox, TV, dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, moving picture show, karaoke, inside/outside
 - Thursday thru Saturday – 1:00 p.m. – 10:00 p.m., Sunday to Wednesday 1:00 p.m. – 8:00 p.m.
 - Request to amend outdoor dining time –Monday – Thursday- 2:00 p.m.-9:00 p.m., Friday, 2:00 p.m.-10:00 p.m., Sunday, 11:00 a.m. – 7:00 p.m.

Richard Smalley appeared upon behalf of the application.

Commissioner Vigliotti requested that the dancing by entertainers be removed from request. Mr. Smalley stated that he was fine with that amendment.

Upon a roll call vote the Commission voted 3-0 to approve the request to amend the entertainment license with the request for dancing by entertainers being removed and approved the request to amend the outdoor dining time.

List of Exhibits: Application to amend entertainment license and temporary outdoor dining application receive/dated June 30, 2021.

9. **Dubai Restaurant & Lounge dba Mexi Town Bar & Grill, 27 Pleasant Street**

- Request to transfer restaurant all alcohol license to 105 Water Street

Upon a roll call the Commission voted 3-0 to postpone the application to the August 12, 2021 License Commission meeting.

10. **Hillcrest Apiary, LLC, Worcester Public Market, 160 Green Street, first floor of Market**

- Request for package store malt & wine license

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

11. **Canal District Wines, LLC, Worcester Public Market, 160 Green Street, Unit TG-3**

- Request for package store malt & wine license.

Attorney Howard Stempler, Olivia D'Ambrosio and Rachel Scanlon appeared upon behalf of the application.

Mr. Stempler stated that his clients are requesting for a package store malt & wine license and stated that several letters of support had been sent in as well as petition supporting the application.

Mr. Stempler stated that his clients live in the neighborhood and that this is a small boutique wine shop and would not be in competition with the existing package stores. Mr. Stempler stated that the Kelley Square area will be expecting many new residents moving into the neighborhood with the new apartment buildings in the area, and there will be a demand for a small specialty wine store which will serve the need of the current and new residents in the area.

People speaking in support of application

Julie Kelly Hedinios (in person)
Eleanor Locus (speaking remotely)
Carol Liazson (in person)
Dr. Catherine Moncreff (in person)
Dino Rosusso (in person)
Domenic Mercurio (in person)
Jeremy Shulkin (speaking remotely)
Heather Christian (speaking remotely)
Joanne Bachour (in person)
Kate Smith (speaking remotely)
Hank Von Helion (in person)

People speaking in opposition

None

Commissioner Vigliotti stated that this is unique wine establishment so he would approve this application.

Commissioner Haller stated that this is wonderful business but her concern is that if the business is sold or moved somewhere else the concept could change. Attorney Kalkounis stated that if any transfer of the business occurred the application would have to come back before the Commission for approval so the members would have chance to review it.

Upon a roll call vote the Commission voted 3-0 to approve the package store malt & wine license.

List of Exhibits: Application for package store malt & wine license received/dated June 28, 2021.

12. Ajo y Cilantro Restaurant, Inc. dba Ajo y Cilantro Restaurant, 795 Main Street

- Request for restaurant malt & wine license

Upon a roll call the Commission voted 3-0 to postpone the application to the August 12, 2021 License Commission meeting.

13. Mayough Enterprises LLC dba Meraki, 274 Shrewsbury Street

- Request for restaurant all alcohol license with sidewalk dining
- Request for common victualer license
- Request for entertainment license for TV, radio, live music, karaoke
- Hours: Monday – Thursday: 1:00 p.m. – 11:00 p.m., Friday & Saturday: Noon-12:45 a.m., Sunday: Noon – 7:00 p.m.

Commissioner Vigliotti requested that the item be postponed as he wanted to take a view of the premises.

Upon a roll call vote the Commission voted 3-0 to postpone the applications to the August 12, 2021 License Commission meeting.

14. Bachour Enterprises, LLC, 139 Water Street

- Request for change of manager

Joanna Bachour appeared upon behalf of the application.

Sgt. Needham stated that the applicant has 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/received July 1, 2021.

Violation Hearings

15. Paku Paku, Inc., 215 Chandler Street

- Violations of Rules #11, #14, #17

Attorney Leonardo Anguilo and Ligia Mustafa appeared in person for the violation hearing.

Sergeant Needham presented the following;

On May 8, 2021 Worcester Police were notified via shot spotter activation of possible gun fire in the area of 219 Chandler Street and when officers responded to the area they observed a large crowd outside the Paku Lounge and people running in different directions away from the premises. Worcester Police located a male gunshot victim lying on the ground across the street and the victim was transported to the hospital.

On May 8, 2021, Officer Patrick Harrington who is assigned to the Alcohol Enforcement Unit conducted an investigation for violations that occurred at the Paku Lounge located at 215 Chandler Street. Upon reviewing the video surveillance the following was observed:

- Wait staff from the Paku Lounge delivering (2) 750 ml of Hennessy bottled alcohol to patrons in the V.I.P. area of the premises
- Wait staff from the Paku Lounge delivering (1) 750 ml bottle of Silver Patron Tequila to patrons;
- Patrons binge drinking directly out of the large bottles of champagne;
- A patron using vape e-cigarette inside the premises;
- Two (2) patrons coming and going out the side door onto the public sidewalk with alcoholic beverages poured from the bottle service; and,
- Security staff monitoring the area and allowing the violations to occur.

Mr. Anguilo stated that Ms. Mustafa was not disputing the facts as presented.

Ms. Mustafa stated that she was not there that evening and her partner was there that evening.

Ms. Mustafa stated that they use a wand at the door to check patrons and stated that she has children so it hard for her to be there every evening, and she's looking to do a change of manager and put her partner on the license.

Chairman Shea stated that there seems to be no control of the premises which is not good.

Sgt. Needham stated that most of the issues seem to be happening at night and Ms. Mustafa is mainly there during the day.

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

Chairman Shea stated that these are serious violations.

The Commission noted that there was a previous on violation file.

Upon a roll call vote the Commission voted 3-0 to impose a ten day suspension with five days to be suspended and five days to be served August 6, 7, 13, 14, 20, 2021.

List of Exhibits: Police Report dated May 26, 2021.

16. Jianhui Group, Inc., dba Foodworks, 50 Southwest Cutoff

- Violations of Rules #13, #14

Upon a roll call vote the Commission voted 3-0 to postpone the hearing to the August 12, 2021 License Commission meeting.

17. Gunati Ne Sang Corp, dba Austin Liquors, 117 Gold Star Blvd.

- Violations of Rules #6, #21

Attorney Matthew Porter and Nitant Naval participated remotely for the hearing.

On May 1, 2021, 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 11:34 a.m. the underage male entered Austin Liquors and purchased a six pack of Bud Light cans. 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. Porter stated that they are not disputing the facts as presented.

Mr. Porter stated that all employees are TIPS certified and they have a scanner and this was a lapse in judgement by a clerk. They will continue to train staff, and no matter the age of the customers, all customers will have their ID's checked.

Mr. Porter stated that the clerk involved in the incident was terminated.

Commissioner Haller stated she had concern that this was second violation within a year.

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

Upon a roll call vote the Commission voted 3-0 to impose a one day suspended suspension.

List of Exhibits: Police Report dated May 11, 2021.

18. Guru Ne Sang Corp dba Austin Liquors, 370 Park Avenue

- Violations of Rules #6, #21

Attorney Matthew Porter and Yogesh Patel participated remotely for the hearing.

On May 1, 2021, 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 12:21 p.m. the underage male entered Austin Liquors and purchased a six pack of Bud Light cans. 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. Porter stated that they are not disputing the facts as presented.

Mr. Porter stated that they do have a scanner and all employees are TIPS certified so they will continue to train their staff.

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 May 11, 2021.

19. Marlboro Foods, Inc., 1326 Main Street

- Violations of Rules #6, #21

Attorney Al Denapoli and Nakula Patel participated remotely for the hearing.

Sergeant Needham presented the following;

On April 3, 2021, 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 12:05 p.m. the underage male entered Marlboro Food and purchased a six pack of Bud Light cans. 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. Denapoli stated that they are very upset that this has happened and there has been a change of manager after this incident occurred, and they have updated their system so anytime liquor is sold there must be a scan of the product.

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

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

List of Exhibits: Police report April 6, 2021.

20. Tusli Corp dba Crowley's Package Store, 638 Chandler Street

- Violation of Rules #6, #21

Attorney Matthew Porter along with Hina Patel participated remotely for the hearing.

Sergeant Needham presented the following;

On April 3, 2021, 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 12:05 p.m. the underage male entered Crowley's Package Store and purchased a six pack of Bud Light cans. 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.

Attorney Porter stated that they were not disputing the facts as presented and this incident occurred within a week of a new employee starting and she was terminated.

The Commission noted that there was two previous violations on file.

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

Upon a roll call vote the Commission voted 3-0 to impose a one day suspended suspension.

Lodging House

21. 14 Oread Street

- Status report

Chris Valeri and Michael O'Rourke appeared at the meeting to discuss the item.

Mr. O'Rourke stated that Mr. Valeri has hired him as a consultant and he has been helping to see what he can do to rectify the problems at the property, and would like the item be postponed to the next meeting to see what progress can be made.

Commissioner Haller stated that she was happy to see that Mr. Valeri has hired Mr. O'Rourke to help get the building under control.

Amanda Wilson, from Inspectional Services, speaking remotely gave an update on the property.

Steve Teasdale, speaking remotely, stated that since the last meeting that there has been some improvement and they appreciate the effort but there is more work to be done.

Upon a roll call vote the Commission voted 3-0 to postpone the item to the August 12, 2021 License Commission meeting.

Other Business

22. Mac's Diner, 185 Shrewsbury Street, rescinding of liquor license approval

Upon a roll call vote the Commission voted 3-0 to postpone the item to the August 12, 2021 License Commission meeting.

Communications

- A. Email from Sean Kelly, 4th and 1 Club, withdrawing request for outdoor dining received July 1, 2021.

Adjournment

Upon a roll call vote the Commission voted 3-0 to adjourn the meeting at 12:14 p.m.