

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
DECEMBER 17, 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
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.**

Minutes

December 3, 2020

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

Common Victualer Requests

1. Victoria Evergreen, 336 Grafton Street

- Request for common victualer license

Hours: Monday–Sunday: 11:00 a.m. – 9:30 p.m.

No one called in for the item.

Staff stated that the applicant had passed the background check but would still need Health Inspection prior to opening.

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

List of Exhibits: Application for common victualer license dated and received December 8, 2020.

2. Unique Café, 79 Millbury Street

- Request for common victualer license

Hours: Tuesday–Saturday: 10:00 a.m. – 6:00 p.m.

No one called in for the item.

Staff stated that the applicant had passed the background check but would still need Health Inspection prior to opening.

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

List of Exhibits: Application for common victualer license dated and received December 8, 2020.

3. I Love Frankie's Worcester Best Pizza, 90 Providence Street

- Request for common victualer license

Hours: Monday–Sunday: 11:00 a.m. – midnight

Francis Abbotecola called in for item. He stated that he will be taking over an existing pizza shop.

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

List of Exhibits: Application for common victualer license dated and received December 7, 2020.

4. Honey Dew #10021, 118 West Boylston Street

- Request for common victualer license

Hours: Monday–Sunday: 5:00 a.m. – 8:00 p.m.

Paula Burns called in for item. She stated that they will be taking over the Honey Dew franchisee at the location.

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

List of Exhibits: Application for common victualer license dated and received December 7, 2020.

5. New Golden Island Restaurant, Inc., 1328 Main Street

- Request for common victualer license

Hours: Monday: closed; Friday & Saturday: 11:00 a.m.–10:30 p.m.; Tuesday–Thursday: 11:00 a.m.–9:30 p.m.; Sunday: 11:30 a.m. – 9:30 p.m.

No one called in for the item.

Staff stated that the applicant had passed the background check but will still need Health Inspection prior to opening.

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

List of Exhibits: Application for common victualer license dated and received December 6, 2020.

6. RAJ Brothers, Inc. dba Tomato Pie Bar & Grill, 394 Belmont Street

- Request for common victualer license

Hours: Monday–Sunday: 10:00 a.m. – 8:00 p.m.

Attorney Gary Peters called in for the item. He stated that his client is taking over the existing business and they will be applying to transfer the liquor license next week.

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

List of Exhibits: Application for common victualer license dated and received December 7, 2020.

7. Mary Tierra Restaurant, 875A Main Street

- Request for common victualer license

Hours: Monday–Sunday: 8:00 a.m. – 10:00 p.m.

No one called in for the item.

Staff stated that the applicant had passed the background check but will still need Health Department inspection prior to opening.

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

List of Exhibits: Application for common victualer license dated and received December 7, 2020,

8. El Delicioso, 155 Chandler Street

- Request for common victualer license

Hours: Monday–Sunday: 8:00 a.m. – 11:00 p.m.

Rami Hernandez called in for the item. She stated that she is taking over the business from her father who is retiring.

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

List of Exhibits: Application for common victualer license dated and received December 14, 2020.

Other Business

9. Lenkarski, LLC, 7 Sycamore Street

- Request for change of manager

Juan Gomez called in for the item. He stated that Centros Las Americas has taken over the management of the property and the long time manager is moving so they need to change the manager to Cesar Ayala. Mr. Gomez stated that they will continue to operate the lodging house in a dignified manner, as it always has been.

Lt. Johnson stated that manager passed the background check.

List of Exhibits: Application for change of lodging house manager dated and received December 8, 2020.

10. Mayflower Medicinals, Inc, 645 Park Avenue

- Status of condition on license re: police detail

Mr. Rolle stated that the business has contacted the Worcester Police Department to request the police detail condition be removed as there is not enough business to require one. Worcester Police concurs that the detail is not needed at this time.

Upon a roll call the Commission voted 3-0 to remove police detail condition.

Violation Hearings

11. Kwik Pik, Inc. dba Kwik Pik Convenience, 557 Southwest Cutoff

- Violation of Rules #6, #21

Attorney Dan Cotton and Anal Patel called in for the item.

Lt. Johnson presented the following;

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 1:00 p.m. the underage male entered the Licensed Premises and purchased a six pack of Bud Light 12 oz cans. The male was able to purchase the alcohol without being asked for identification.

Attorney Cotton stated that they do not contest the violation. On the day of violation they did have proper equipment to check ID's, but it did happen, and the person who was responsible for violation is no longer working for the premises. Attorney Cotton stated that Mr. Patel, the owner, realizes he does not have not enough time to devote to the store and is looking to appoint a new manager to spend 55 per week at the store and who would be interested in buying the business.

The Commission noted that there were four violation on file for this premises.

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

Upon a roll call the Commission voted to issue a 30 day suspension beginning December 28, 2020 for the alcohol portion of the premises.

List of Exhibits: Police report dated February 2, 2020.

12. Gunatit Ne Sang Corp dba Austin Liquors, 117 Gold Star Blvd

- Violation of Rules #6, #21

Attorney Matthew Porter and Nitant N. Raval called in for the meeting.

Lt. Johnson presented the following;

On March 14, 2020, Officers of the Worcester Police Department Alcohol Unit conducted compliance checks at various package stores throughout the city of Worcester. An underage female accompanied the officers and was instructed to enter a package store and attempt to purchase alcohol without providing identification.

At around 1:10 p.m. the underage female entered the Licensed Premises and purchased a six pack of White Claw hard seltzers. The female was able to purchase the alcohol without being asked for identification.

Attorney Porter stated that they did not dispute the facts and that this was the first violation since his client took over the store in 2018. This incident happened on an employee's first day. Since that time all staff is TIPS certified and they will reach out to the Worcester Police for their liquor server training class when it is available again.

The Commission noted that there were no violations on file.

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

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

List of Exhibit: Police Report dated March 20, 2020.

13. Drew Food Mart, 82 Thomas Street

- Violation of Rules #6, #21

Chair Shea recused himself from item #13

Bkaratkumar Patel called in for the item and waived his right to counsel.

Lt Johnson presented the following;

On March 14, 2020, Officers of the Worcester Police Department Alcohol Unit conducted compliance checks at various package stores throughout the city of Worcester. An underage female accompanied the officers and was instructed to enter a package store and attempt to purchase alcohol without providing identification.

At around 12:24 p.m. the underage female entered the Licensed Premises and purchased a six pack of White Claw hard seltzers. The female was able to purchase the alcohol without being asked for identification.

Mr. Patel admitted that the violation did occurred.

Mr. Patel stated that he reached out to Lt. Johnson about the police training program and he has retrained all the employees.

The Commission noted that there were no previous violations on file.

Upon a roll call the Commission voted 2-0 that the violation did occur.

Upon a roll call the Commission voted 2-0 to issue a Warning.

List of Exhibits: Police report dated March 20, 2020.

Communications

None

Adjournment

Upon a roll call the Commission voted 3-0 to adjourn the meeting at 10:51 a.m.