

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
December 19, 2013

ESTHER HOWLAND CHAMBERS

Commission Members Present: Karon Shea, Chairperson
Anthony Salvidio, Commissioner
Paul Mullan, Commissioner

Commission Members Absent:

Staff Present: Michelle Smith, Planning & Regulatory Services
Lt. James Johnson, Worcester Police Department
Alexandra Haralambous, Law Department
James Foley, Inspectional Services

Call to Order

Chair Shea called the meeting to order at 10:00 A.M.

Common Victualer – Food Only:

- 1. Petition:** Request for Common Victualer License
Petitioner: Monrovia African Restaurant, 209 Harding Street

Peter Bobson appeared on behalf of item. He stated this license will be for a restaurant that sells prepared foods. He explained that he is seeking to move from his current location at 315 Grafton Street.

Upon a motion by Commissioner Mullan the Commission voted 3-0 to approve the common victualer license for Monrovia African Restaurant.

Exhibit A: Application for common victualer license, received November 26, 2013 and dated November 26, 2013.

Status Hearings:

- 2. Convenience Plus, 65 James Street**

Ken Do appeared on behalf of the item.

Michelle Smith, Planning & Regulatory Services (DPRS), stated that the application for a transfer of license was previously approved by the

Commission. She said that the application was returned to DPRS from the Alcoholic Beverage Control Commission (ABCC). She stated that Mr. Do had received a list of the required materials which he needed to submit to DPRS so that his application could be re-submitted to ABCC.

The Commission requested that Mr. Do submit the necessary materials to DPRS and stated that the Commission would put Convenience Plus on the Agenda for an update on the status of the transfer in April.

3. Jak's Pub, 536 Main Street

Robert Rosenberg appeared before the Commission. He stated that he was in the process of selling the bar.

Commissioner Mullan stated that Mr. Rosenberg could not hold onto the license indefinitely, as legally that would be a pocket license which is illegal.

The Commission requested that Mr. Rosenberg come back before the Commission in April for an update as to the status of the sale of the bar.

Alcohol & Entertainment Permit Applications:

4. Petition: Request for Change of Manager to Richard Beams

Petitioner: Elite Club Enterprise, dba Riviera Show Club,
241 Southbridge Street

Richard Beams and Sergey Yugay appeared on behalf of the item. Mr. Yugay stated Mr. Beams would be taking over as the manager.

Commissioner Mullan asked how many managers the Club has had since it's change in ownership.

Mr. Yugay stated that he has been the manager of record since the transfer and Mr. Beams would be the first manager, other than himself.

Commissioner Mullan asked how long Mr. Beams had been working for the company.

Mr. Beams stated that he had worked there for about three months.

Commissioner Mullan asked if everything was going well.

Lt. Johnson stated that the video cameras were still not catching what they needed them to and that he or one of his officers would go by and meet with Mr. Beams about the issue.

Mr. Beams was amenable to addressing Lt. Johnson's concerns.

Upon a motion by Commissioner Mullan, the Commission voted 3-0 to approve the change of manager.

Exhibit A: Application for change of manager, received November 21, 2013 and dated November 21, 2013.

Common Victualer – Food Only:

5. Petition: Request for Common Victualer License

Petitioner: George Floyd Mini-Market, 687 Millbury Street

George Kentar appeared on behalf of the application. He stated that he is proposing to add a small deli to his convenience store for take-out food only.

Upon a motion by Commissioner Salvidio, the Commission voted 3-0 to approve the request for Common Victualer License.

Exhibit A: Application for change of manager, received November 19, 2013 and dated November 19, 2013.

6. Petition: Request for Common Victualer License

Petitioner: La Braza Restaurant, 181 Millbury Street

Oliver Diaz appeared on behalf of the application. He stated the restaurant already exists and that his friend formerly owned it and has transferred everything to him. He stated that they sell Hispanic food and everything would be in his name.

Commissioner Salvidio asked if the restaurant would be BYOB. He recommended against this and stated that the restaurant is being watched as a result of previous illegal sales of alcohol on the premises.

Mr. Diaz stated that currently customers are allowed to bring alcohol on the premises for consumption.

Lt. Johnson explained that if they allow BYOB Mr. Diaz is liable for any issues. He stated that they had seen underage serving and illegal sales of alcohol at this location and that he did not want these issues, albeit with a previous manager, to get lost as the business changes hands.

Commissioner Salvidio cautioned Mr. Diaz about allowing BYOB.

Upon a motion by Commissioner Mullan the Commission voted 3-0 to approve the request for a Common Victualer License.

Exhibit A: Application for common victualer license, received December 9, 2013 and dated December 9, 2013.

Alcohol & Entertainment Permit Applications:

7. Petition: Request for general on premises all alcohol license

Petitioner: The Saloon, LLC., 715 West Boylston Street

Jennifer Flagg and Paul Lenarski appeared on behalf of the application.

Commissioner Mullan asked if Ms. Flagg was going forward as the manager given her previous appearance in front of the Board.

Ms. Flagg stated that she was stepping into the role of manager and that they had recently acquired furniture at an auction and were ready to open.

Commissioner Mullan reminded Ms. Flagg that even if the Commission were to approve the request that the restaurant could not sell alcohol until their application was approved by ABCC. He stated that the process typically takes about 5 weeks.

Mr. Lenarski stated that all of the sign offs from the different departments were okay.

Commissioner Mullan asked if the license was pledged in the lease. He told Mr. Lenarski that if it was the Commission would be require to take separate action on the pledge.

Mr. Lenarski stated that there was no pledge.

Upon a motion by Commissioner Mullan the Commission voted 3-0 to approve the request for a Common Victualer License.

Exhibit A: Application for general on premises all alcohol license, received November 21, 2013 and dated November 21, 2013.

8. Petition: Request for Change of Manager and New Officer

Petitioner: Tavco Main Street, Inc., Golden Pizza, 1168 Main St.

Ms. Smith stated that the applicant requested to postpone the item until the January 9, 2014 meeting.

Upon a motion by Commissioner Mullan, the Commission voted 3-0 to postpone the request for change of manager until the January 9, 2014 meeting.

Exhibit A: Application for change of manager, received November 27, 2013 and dated November 27, 2013.

Common Victualer – Food Only:

9. Petition: Request for Common Victualer License

Petitioner: Caribbean Café, 534 Pleasant Street

Mark Stephens appeared for the item.

Ms. Smith stated that the application for the Caribbean Café was still incomplete until approved by Officer Quinn and would need to be postponed as a result.

Upon a motion by Commissioner Mullan, the Commission voted 3-0 to postpone the request for Common Victualer License until the January 9, 2014 meeting.

Exhibit A: Application for Common Victualer License, received December 5, 2013 and dated December 5, 2013.

10. Petition: Request for Common Victualer License

Petitioner: Wayne's Pizza, 93 West Boylston Street

No one appeared for the item.

Upon a motion by Commissioner Mullan, the Commission voted 3-0 to postpone the request for Common Victualer License until the January 9, 2014 meeting.

Exhibit A: Application for Common Victualer License, received December 10, 2013 and dated December 10, 2013.

Status Hearings:

11. Johnny Fugata, 394 Belmont Street

No one appeared for the item.

Upon a motion by Commissioner Mullan, the Commission voted 3-0 to postpone the status hearing for Johnny Fugata until the January 23, 2014 meeting.

12. Danana, 387 Cambridge Street

No one appeared for the item.

Upon a motion by Commissioner Mullan, the Commission voted 3-0 to postpone the status hearing for Johnny Fugata until the January 23, 2014 meeting.

13. Blackstone Pizza, 102 Green Street

No one appeared for the item.

Upon a motion by Commissioner Mullan, the Commission voted 3-0 to postpone the status hearing for Johnny Fugata until the January 23, 2014 meeting.

14. Ritual, 279 Main Street

Ms. Smith stated that the applicant called staff and requested the hearing be postponed to the January 9, 2014 meeting.

Upon a motion by Commissioner Mullan, the Commission voted 3-0 to postpone the status hearing for Ritual until the January 9, 2014 meeting.

Upon a motion by Commissioner Mullan, the Commission voted to send letters to all three restaurants with outstanding status hearings: Johnny Fugata, Danana, and Blackstone Pizza stating that if someone does not attend the next scheduled status hearing, the Commission will revoke their licenses at the January 23, 2014 meeting.

Other Business:

Communications

Email from Mary Cosenza re: Tara Pub closing; dated & received December 6, 2013.

Adjournment

Upon a motion the Commission voted 3-0 to adjourn the meeting at 10:25 a.m.