

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER

FEBRUARY 2, 2017

ESTHER HOWLAND CHAMBER

Commission Members Present: Anthony Salvidio, Commissioner
Walter Shea, Commissioner
Barbara Haller, Commissioner

Commission Members Absent:

Staff Present:

Deborah Steele, Planning & Regulatory Services
James Foley, Inspectional Services
Lt. James Johnson, Worcester Police Department
Alexandra Kalkounis, Law Department

Approval of the Minutes –

December 15, 2016 – Upon a motion the Commission voted 2-0 to approve the minutes.

January 19, 2017- Upon a motion the Commission voted 3-0 to approve the minutes.

OLD BUSINESS

I-1 Proposed Amendments to Entertainment Rules & Regulations

I -2: Petitioner: Saint George Orthodox Cathedral, 30 Anna Street

Request for one day liquor license

- May 13, 2017

Christine Desroches appeared on behalf of the application. She stated that this event is for her daughter's wedding reception.

Upon a motion the Commission voted 3-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license received January 20, 2017 and dated January 20, 2017.

I-3: Petitioner: Magalys Rodriguez, 27 Pleasant Street

Request to transfer restaurant malt and wine license to 3 Mill Street-
Request for Leave to Withdraw

Upon a motion the Commission voted 3-0 to accept the Leave to Withdraw.

Exhibit A: Application for transfer of license received December 3, 2016 and dated December 3, 2016.

NEW BUSINESS

II Special One Day Liquor & Entertainment Requests

II-1: Petitioner: Worcester Center for Crafts, 25 Sagamore Road

Request for one day liquor license

March 18, 2017 5:30 p.m.-8:30 p.m.
May 5, 2017 5:30 p.m.-7:00 p.m.
July 21, 2017 6:00 p.m.-8:00 p.m.
September 15, 2017 5:30 p.m.-7:30 p.m., 35 B New Street

Honee Hess appeared on behalf of the applications. Ms. Hess stated that the first event is a fundraiser, the second one is a whiskey tasting and the last is a wine tasting at their 35B New Street glass studio location.

Upon a motion the Commission voted 3-0 to approve the one day liquor licenses.

Exhibit A: Application for one day liquor licenses received January 23, 2017 and dated January 23, 2017.

II-2: Petitioner: Nancy Cotter Pearson, 257 Park Avenue

Request for one day liquor license

- March 12, 2017 11:00 a.m.-6:00 p.m.
- September 17, 2017 11:00 a.m.-6:00 p.m.

Nancy Cotter Pearson appeared on behalf of the applications. She stated that the first event is for the St. Patrick’s Day Parade and they have hired a police officer for the event. Ms. Pearson stated that the second event is for Start on the Street.

Upon a motion the Commission voted 3-0 to approve the one day liquor licenses.

Exhibit A: Application for one day liquor licenses received January 13, 2017 and dated January 13, 2017.

II-3: Petitioner: Ecotarium, 222 Harrington Way

Request for one day liquor license

- March 8, 2017 TBD

Carolyn Stempler appeared on behalf of the application. She stated that the hours for the event will be from 5:30 p.m. to 8:30 p.m.

Upon a motion the Commission voted 3-0 to approve the one day liquor license.

Exhibit A: Application for a one day liquor license received January 6, 2017 and dated January 6, 2017.

II-4: Petitioner: St. George Cathedral, 30 Anna Street

Request for one day liquor license

- February 18, 2017 – 7:30 p.m. -1:30 a.m.

Judy Shaughnessy appeared on behalf of the application. She stated that they expect between 200 and 250 people for the event and this is a fundraiser to send children to camp.

Upon a motion the Commission voted 3-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license received January 20, 2017 and dated January 20, 2017.

II-5: Petitioner: St. Spyridon Cathedral, 102 Russell Street

Request for one day liquor license

- February 25, 2017-6:00 p.m.-Midnight
- March 4, 2017-Noon-10:00 p.m.

Michael Dionis appeared on behalf of the application. He stated that they expect about 400 people for their festival and will provide wristbands for people over 21 and will have TIPS certified bartenders as well as off duty police present for the event.

Upon a motion the Commission voted 3-0 to approve the one day liquor licenses.

Exhibit A: Application for one day liquor license received January 20, 2017 and dated January 20, 2017.

II-6: Petitioner: Stephen Hopkins, 266 Park Avenue

Request for one day liquor license

- March 12, 2017-11:00 a.m.-4:30 p.m.
- September 25, 2017-11:00 a.m.-4:30 p.m.

II-6-a: Petitioner: Stephen Hopkins, 266 Park Avenue

Request for one day entertainment for live music

- March 12, 2017-Noon-4:00 p.m.

Items 6, 6a were taken contemporaneously.

Stephen Hopkins appeared on behalf of the applications.

Lt. Johnson stated that for consistency he would like all the one day permits required for the parade and Start of the Street to end at the same time.

Upon a motion the Commission voted 3-0 to approve the two one day liquor licenses with amendment that ending time would be six p.m.

Upon a motion the Commission voted 3-0 to approve the two one day entertainment licenses with amendment that ending time would be six p.m.

II-7: Petitioner: City of Worcester, Che Anderson, 455 Main Street

Request for one day liquor license

- February 10, 2017 – 5:00 p.m.-8:00 p.m.
- March 17, 2017-5:00 p.m., 8:00 p.m.

Che Anderson from the City Manager's office appeared on behalf of the application.

Mr. Anderson stated that the first event is to celebrate the anniversary of the Blizzard of 78 and there will be a beer garden set up outside City Hall. He stated that the second event is for St. Patrick's day and will also have a beer garden set up outside City Hall. Mr. Anderson stated that for both events certified bartenders have been hired and off duty police have been hired to monitor the event.

Upon a motion the Commission voted 3-0 to approve the two one day liquor licenses.

Exhibit A: Application for one day liquor licenses received January 27, 2017 and dated January 27, 2017.

III Common Victualer Requests

III-1: Petitioner: Jamaica Thymes, 482 Park Avenue

Request for common victualer license

Alisa Brock appeared on behalf of the application. She stated that she is opening a Jamiacan take out restaurant.

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

Exhibit A: Application for common victualer license received December 29, 2016 and dated December 29, 2016.

III-2: Petitioner: Corey's Famous Hot Dog & Sandwich, 425 Salisbury Street

Request for common victualer license

No one appeared for the item.

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

Exhibit A: Application for common victualer license received January 23, 2017 and dated January 23, 2017.

III-3: Petitioner: Big Boi Meat Market Corp., 43 Chandler Street

Request for common victualer license

Magana Alvagena appeared on behalf of the application.

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

Exhibit A: Application for common victualer license received January 25, 2017 and dated January 25, 2017.

III-4: Petitioner: The Queen's Cup, 56 Water Street

Request for common victualer license

Renee King appeared on behalf of the application. She stated that she currently operates in Millbury but is moving to a bigger location in Worcester in March.

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

Exhibit A: Application for common victualer license dated January 25, 2017 and received January 25, 2017.

IV Alcohol & Entertainment Requests

IV-1: Petitioner: Ifendu Enterprises dba Moynihan's Café, 895 Main Street

Request to transfer restaurant all alcohol license

IV-1a: Petitioner: Ifendu Enterprises dba Moynihan's Café, 895 Main Street

Request for entertainment license for jukebox, tv, radio, trivia nights

IV-1-IV-1a:

Items were taken contemporaneously.

Attorney Bob Hennigan along with the applicant appeared on behalf of the applications.

Mr. Hennigan stated that his client will be taking over the location but the operation will remain the same concept and they will keep the same hours.

Upon a motion the Commission voted 3-0 to approve the transfer of the restaurant all alcohol license.

Upon a motion the Commission voted 3-0 to approve the entertainment license.

Exhibit A: Application to transfer restaurant all alcohol license received January 17, 2017 and dated January 17, 2017.

Exhibit B: Application for entertainment license received January 17, 2017 and dated January 17, 2017.

IV-2: Petitioner: Magalys Rodriguez, dba International Lounge, 27 Pleasant Street

Request for change to legal structure, and change of license type to a restaurant all alcohol license.-
Postponed 2/9/2017

IV-2a: Petitioner: Dubai Restaurant and Lounge, Inc., 27 Pleasant Street

Request for entertainment license for tv, radio, dancing by patrons, recorded music, live music, amplification system, floor show, light show, karaoke-**Postponed 2/9/2017**

V- Violations

V-1: Sugar After Dark dba Sweet, 72 Shrewsbury Street

Violation of Rules #14, #27, 204 CMR 4.03 – Manager responsible for premises, Happy Hour regulations

Robert Branca and Alina Eisenhauer appeared to answer to the violation and waived their right to counsel.

Lt. Johnson presented the following:

On January 14, 2017, Sergeant Thomas Needham of the Worcester Police was made aware of a Facebook posting from the Licensed Premises advertising a special on draft beer. The advertisement read “Because we’re crazy almost free beer-Mezzanine Playoff at Sweet \$20 per open draft beer. Call ahead and reserve a spot (s) or take your chance at the door”

Sergeant Needham and Officer Shane Marcotte went to the Licensed Premises and spoke with the manager, Alina Eisenhauer who informed them that the special was being held on the second floor of the restaurant which did not have restricted access to the public.

Ms. Eisenhauer was advised to cease the promotion immediately and that she would receive notice of a hearing to appear before the License Commission. A copy of the Happy Hour regulations was provided to her.

Mr. Branca apologized and stated that they had misinterpreted the happy hour regulations and that they had thought had structured it as a private event but in the future they will consult with Worcester Police Department to make sure they are following the guidelines.

Upon a motion the Commission voted 3-0 that the violation had occurred and voted 3-0 to issue a warning.

Exhibit A: Police report dated January 14, 2017.

V-2: International Lounge, 27 Pleasant Street

Violation of Rules #2, #5, #14, 204 CMR 2.05-Transfer of license without approval, No licenses posted, manager responsible for premises-**Postponed 2/9/2017**

V1: Other business

V1-1: Seven Hills Venture, Inc. dba The Banner Bar & Grille, 112 Green Street – Request to change suspension dates from February 8, 9, 2017 to February 22, 23, 2017.

Upon a motion the Commission voted 2-0 to change the suspension dates.

Communications

ABCC Communication – Notice of Hearing – Ho Toy Luau Restaurant, Inc.-No comment.

ABCC Communication-Decision – Rocky’s Food and Spirits-No comment.

ADJOURNMENT

Upon a motion the Commission adjourned the meeting at 10:35 a.m.