

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
MAY 9, 2019

ESTHER HOWLAND CHAMBERS

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

Commission Members Absent:

Staff Present:

Captain Michael McKiernan, Worcester Police Department
Lt. James Johnson, Worcester Police Department
Alexandra Kalkounis, Law Department
Amanda Wilson, Inspectional Services
Deborah Steele, Planning & Regulatory Services

Minutes

April 25, 2019

Upon a motion the Commission voted 3-0 to approve the minutes of April 25, 2019.

NEW BUSINESS

Common Victualer Requests

I-1: Accra Supermarket, LLC, 26-32 Cambridge Street

Request for common victualer license

Ellen O’Coffie appeared upon 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 dated April 29, 2019 and received April 29, 2019.

II-2: Krazy Conez, 9 Hammond Street

Request for common victualer license

Ashley Rivera appeared upon 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 dated April 29, 2019 and received April 29, 2019.

II-3: New Tradition, 7 Jackson Street

Request for common victualer license

Joseph Weis and Jason Roche appeared upon 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 dated April 30, 2019 and received April 30, 2019.

Special One Day Liquor & Entertainment Requests

II-1: Michael Rubino, 500 Salisbury Street

Request for one day liquor license

- June 1, 2019 – 4:00 p.m.-11:00 p.m.

Amy Logue appeared upon behalf of the application. She stated that this is for annual reunion weekend and that they will have food trucks. She stated that they have campus security for the event.

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

Exhibit A: Application for one day liquor license dated April 26, 2019 and received April 26, 2019.

II-2: Kim McElroy, 950 Main Street

Request for one day liquor license

- May 10, 2019 – 4:00 p.m. – 6:00 p.m.
- May 13, 2019 – 1:00 p.m. – 4:00 p.m.
- May 18, 2019 – 8:00 p.m. – Midnight

Kim McElroy appeared upon behalf the application.

She stated that this is for commencement senior weekend, and for the event that goes to midnight they will have campus security and Worcester Police to assist.

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

Exhibit A: Application for one day liquor license dated April 26, 2019 and received April 26, 2019.

II-3: Marc Guinette, 236 Franklin Street

Request for one day liquor license

- June 22, 2019 - 3:00 p.m.-2:00 a.m.
- August 7, 2019 – 3:00 p.m. – 2:00 a.m.

Marc Guinette appeared upon behalf of the applications. He stated that the August 7 event should be September 7, 2019. He stated that they will have security present and the events will be run the same as they have in the past.

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

Exhibit A: Application for one day liquor license dated April 13, 2019 and received April 13, 2019.

Chairman Salvidio recused himself from Item II-4 and left the meeting room.

II-4: Joshua Supernant, 72 Shrewsbury Street

Request for one day liquor license

- May 11, 2019 – TBD

Joshua Supernant appeared upon behalf of the application. He stated that the event will be from Noon – 7:00 p.m. and it is for a cancer fundraiser and they expect about 200 people throughout the day.

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

Exhibit A: Application for one day liquor license dated April 22 2019 and received April 22, 2019.

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

Request for one day liquor license

- May 25, 2019 – 6:00 p.m. – Midnight
- July 25, 2019 – 6:00 p.m. – Midnight
- October 4, 2019 – 5:00 p.m. – Midnight

Michael Dionis appeared upon behalf of the application. He stated that they have TIPS certified bartenders and will have off duty police present for events.

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

Exhibit A: Application for one day liquor license dated April 22 2019 and received April 22, 2019.

II-6: Centros Las Americas, 455 Main Street

Request for one day entertainment license

- August 17, 2019 – Noon-9:00 p.m.

Postpone to the May 23, 2019 License Commission meeting.

Exhibit A: Application for one day liquor license dated April 22 2019 and received April 22, 2019.

II-7: Paul Barber, 278 Shrewsbury Street-outside

a. Request for one day liquor license

- May 5, 2019 – 1:00 p.m. – 6:00 p.m.
- June 14, 2019 – 2:00 p.m. – 7:00 p.m.
- June 18, 2019 – 4:00 p.m.-10:30 p.m.
- July 2, 2019 – 5:00 p.m. – Midnight
- July 3, 2019 -5:00 p.m.-Midnight
- July 25, 2019 – 5:00 p.m. – 10:00 p.m.
- July 26, 2019 – 5:00 p.m. – 11:30 p.m.
- July 27, 2019 – Noon – Midnight
- July 28, 2019 – Noon – 8:00 p.m.
- October 13, 2019 – 11:00 a.m. – 9:00 p.m.

b. Request for one day entertainment license for dancing by patrons, live music, amplification system

- May 5, 2019 – 1:00 p.m. – 5:00 p.m.

- June 14, 2019 – 2:00 p.m. – 6:00 p.m.
- June 18, 2019 – 4:00 p.m.-10:00 p.m.
- July 2, 2019 – 5:00 p.m. – 11:00 p.m.
- July 3, 2019 -5:00 p.m.-11:00 p.m.
- July 25, 2019 – 5:00 p.m. – 10:00 p.m.
- July 26, 2019 – 5:00 p.m. – 10:30 p.m.
- July 27, 2019 – Noon – 11:00 p.m.
- July 28, 2019 – Noon – 7:00 p.m.
- October 13, 2019 – Noon. – 9:00 p.m.

Paul Barber appeared upon behalf of the applications.

Mr. Barber and the Commission members reviewed the events. July 2, 2019 is for the fireworks nights and if it rains the event will be held July 3, 2019. On July 25, 2019 the Commission stated that they would approve the entertainment to 9:30 p.m. as that it is a Thursday night.

The Commission members stated that this location is different from other establishments on Shrewsbury Street as does not abut residential property.

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

Exhibit A: Application for one day liquor license dated April 8, 2019 and received April 8, 2019.

Exhibit B: Application for one day entertainment license dated April 8, 2019 and received April 8, 2019.

II-8: Ragged Hill Cider Company, 138 Green Street

Request for Agricultural Event for the Sale of Wine

Anne Garwood appeared upon behalf of the application.

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

Exhibit A: Application for one day liquor license dated April 19, 2019 and received April 19, 2019.

II-9: Ralph’s Tavern, 117 Shrewsbury Street

Request for one day entertainment license for jukebox, tv, radio, recorded music, live music

- May 25, 2019 – Noon – 11:00 p.m.
- May 26, 2019 – Noon – 10:00 p.m.

- July 2, 2019 – 5:00 p.m. – 10:00 p.m.
- July 12, 2019 – 5:00 p.m. – Midnight
- July 19, 2019 – 5:00 p.m. – Midnight
- July 25, 2019 – 5:00 p.m. – Midnight
- August 10, 2019 – Noon – 11:00 p.m.
- August 17, 2019 – Noon – 11:00 p.m.
- August 24, 2019 – Noon – 11:00 p.m.
- August 31, 2019 – Noon – 11:00 p.m.
- September 1, 2019 – Noon – 11:00 p.m.
- September 14, 2019 – Noon – 11:00 p.m.
- September 21, 2019 – Noon – 11:00 p.m.
- September 28, 2019 – Noon – 11:00 p.m.
- October 13, 2019 – Noon – 9:00 p.m.

Joan Ceely appeared upon behalf of the application and explained the events and where located. The Commission stated that they were concerned about the times and requested Lt. Johnson go view the site.

Upon a motion the Commission the Commission voted 3-0 to continue the item to the May 23, 2019 License Commission meeting.

Exhibit A: Application for one entertainment license dated April 19, 2019 and received April 19, 2019.

II-10: St. George Orthodox Cathedral, 30 Anna Street

Request for one day liquor license

- June 7, 2019 – 3:00 p.m. – 11:00 p.m.
- June 8, 2019 – Noon - 11:00 p.m.
- June 9, 2019 – Noon – 6:00 p.m.

Exhibit A: Application for one day liquor license dated May 1, 2019 and received May 1, 2019.

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II-11: Fiesta Shows, 33 Massasoit Road

Request for entertainment license for carnival

- June 27-30, 2019 – Time TBD

Lt. Johnson stated that he met Mr. Flynn from Fiesta Shows and the following conditions for the event were agreed upon;

1. On Thursday, Friday, Saturday and Sunday there will be 5 police officers on detail (4 police officers, 1 police official) from the hours of 5pm-10pm - Closing time 10:00 p.m.
2. Security fencing around the entire area
3. 2+ security that will wand people coming in after 5pm.

Upon a motion the Commission voted 3-0 to approve the carnival entertainment license with conditions outlined.

Exhibit A: Application for one day entertainment license February 22, 2019 and received February 22, 2019.

Alcohol & Entertainment Requests

III-1: Wormtown Brewery, LLC, 72 Shrewsbury Street

Request for alteration of premises

Application was withdrawn.

Exhibit A: Application for alteration of premises dated March 26, 2019 and received March 26, 2019.

III-2: Breakfast & Friends, dba Friends Café, 120 June Street

Request to open at 10:00 a.m. on Sunday's

Melinda Taylor appeared upon behalf of the application.

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

Exhibit A: Letter dated April 25, 2019.

Chairman Salvidio recused himself from item IV-1 and left the meeting room.

Other Business

IV-1: Good Chemistry, 9 Harrison Street

Status hearing

Attorney Mark Donahue appeared upon behalf of the item. Mr. Donahue stated that the establishment had open May 1, 2019 and there have been no issues and they are now requesting to modification on the on the initial plans presented to the License Commission.

Captain McKiernan stated that things are going well at Good Chemistry.

The following amended conditions were proposed;

Two police detail officers shall be required during all hours of operation until June 1, 2019, unless the applicant is provided written notification from the Worcester Police Department to modify the number of required details. This condition shall expire and be of no further or effect on June 1, 2019.

Good Chemistry of Massachusetts shall continue to operate an internet based reservation system and dedicate sufficient staff to service such appointments in a timely fashion. In addition to the reservation appointments, Good Chemistry of Massachusetts will welcome into the building at 9 Harrison Street any other customers when there is adequate capacity within the store (in either the dispensary or the waiting area) to serve said customers inside the store.

Good Chemistry shall maintain its private force of four (4) paid security guards through the close of business on May 12, 2019 and thereafter may reduce the number of security guards to two (2); provided, however, between noon on May 17th and through May 19th and from noon from May 24th through the close of business Monday, May 27th, the number of security officers shall be three (3) with one (1) located outside in front of 9 Harrison Street during all hours of operation.

Upon a motion the Commission voted 2-0 to approve the amended conditions.

Chairman Salvidio returned to the meeting room after item was heard.

IV-2: Board meeting schedule 2020

Item continued to the May 23, 2019 License Commission meeting.

Hearings

V: NVECC LLC dba District, 107A Water Street

Rules #5¹ (2 counts), #30(c)², #32(a)³, #33(a)⁴ and(c)⁵, and #28⁶, of the Worcester License Commission Rules and Regulations for liquor licenses, and 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to WIT, M.G.L. c. 138 § 34C⁷,

¹ Rule #5 - Failure to post all licenses in a public area so that the same may be easily observed.

² Rule #30 (c) – Failure to complete the required Crowd Manager Fire & Building Safety Checklist.

³ Rule #32 (a) – Failure to submit an “Identification Plan” to the Worcester License Commission.

⁴ Rule #33 (a) – Failure to CORI check all applicants for security positions.

Item postponed to the May 23, 2019 License Commission meeting.

Communications

Adjournment

Upon a motion the Commission voted 3-0 to adjourn the meeting at 10:35 a.m.

⁵ Rule #33 (c) – Failure to provide the Worcester License Commission a list of security personnel

⁶ Rule #28 – Failure to have all persons involved in the service of liquor to attend server training program/copies of certificates to be kept on the premises.

⁷ 204 CMR 2.05 (2) – Permitting an illegality on the licensed premise, to WIT: M.G.L. c. 138 §34C – Possession of alcoholic beverage by a person under 21 years of age.