

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
JULY 18, 2019

ESTHER HOWLAND CHAMBERS

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

Commission Members Absent:
Barbara Haller, Commissioner

Staff Present: Lt. James Johnson, Worcester Police Department
Sergeant Thomas Needham, Worcester Police Department
Officer Edward Saucier, Worcester Police Department
Officer Glenn Stout, Worcester Police Department.
Jennifer Beaton, Law Department
Officer Patrick Harrington, Worcester Police Department
Deborah Steele, Planning & Regulatory Services

Minutes

June 28, 2019

Upon a motion the Commission voted 2-0 to approve the minutes of June 28, 2019.

NEW BUSINESS

Common Victualer Requests

I-1: Berry Fusion Café, 807 Pleasant Street

Request for common victualer license

Leonard Zalauskas appeared upon behalf of the application.

Upon a motion the Commission voted 2-0 to approve the common victualer license.

Exhibit A: Application for common victualer license dated June 25, 2019 and received June 25, 2019.

I-2: The Arm Bar, 6 Brussels Street

Request for common victualer license

Dan Simmler appeared upon behalf of the application.

Upon a motion the Commission voted 2-0 to approve the common victualer license.

Exhibit A: Application for common victualer license dated June 25, 2019 and received June 25, 2019.

I-3: Taco Bell/KFC, 463 Lincoln Street

Request for common victualer license

A representative from Taco Bell/KFC 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 June 25, 2019 and received June 25, 2019.

I-4: Best Chinese Restaurant, 892B Main Street

Request for common victualer license

Chi Keit Phung appeared upon behalf of the application.

Upon a motion the Commission voted 2-0 to approve the common victualer license.

Exhibit A: Application for common victualer license dated July 2, 2019 and received July 2, 2019.

Special One Day Liquor & Entertainment Requests

II-1: Regatta Point Community Sailing, 10 Lake Avenue North

a. Request for one day liquor license

- o August 10, 2019 – 6:00 p.m. – 9:00 p.m.
- o September 7, 2019 – Noon – 6:00 p.m.

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

- o August 10, 2019 – 6:00 p.m. – 9:00 p.m.
- o September 7, 2019 – Noon – 6:00 p.m.

No one appeared upon behalf of the application.

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

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

Exhibit A: Application for one day liquor license dated June 24, 2019 and received June 24, 2019.

Exhibit B: Application for entertainment license dated June 24, 2019 and received June 24, 2019.

II-2: Paul Barber, Union Station Garage, 225 Franklin Street

- a. Request for one day liquor license
 - o August 17, 2019 – 7:00 p.m. – Midnight
- b. Request for entertainment license for dancing by patrons, recorded music, live music
 - o August 17, 2019 – 7:00 p.m. – Midnight

Paul Barber and Paul Giorgio appeared upon behalf of the application.

Mr. Barber stated that this will be for the Sunset in the City event at Union Station.

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

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

Exhibit A: Application for one day liquor license dated June 25, 2019 and received June 25, 2019.

Exhibit B: Application for entertainment license dated June 25, 2019 and received June 25, 2019.

II-3: Timothy Quinn, 711 West Boylston Street – Parking Lot

- a. Request for one day liquor license
 - o August 25, 2019 – 11:00 a.m. – 4:00 p.m.

Item postponed to August 15, 2019.

Exhibit A: Application for one day liquor license dated July 9, 2019 and received July 9, 2019.

II-4: Massachusetts Brewers Guild, Worcester Common

- a. Request for one day liquor license
 - o September 21, 2019 – 1:00 p.m. – 5:00 p.m.
- b. Request for entertainment license for amplification system
 - o September 21, 2019 – 1:00 p.m. – 5:00 p.m.

A representative from Massachusetts Brewers Guild appeared upon behalf of the application.

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

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

Exhibit A: Application for one day liquor license dated July 9, 2019 and received July 9, 2019.

Exhibit B: Application for entertainment license dated July 9, 2019 and received July 9, 2019.

II-5: Gregory R. Califano, 72 Shrewsbury Street – outside

- a. Request for one day liquor license
 - o August 25, 2019 – Noon – 8:00 p.m.
- b. Request for entertainment license for dancing by patrons, live music, amplification system
 - o August 25, 2019 – Noon – 8:00 p.m.

Gregory R. Califano appeared upon behalf of the application.

Mr. Califano stated that this is for their annual event in the parking lot and paid details will be hired for event.

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

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

Exhibit A: Application for one day liquor license dated July 2, 2019 and received July 2, 2019.

Exhibit B: Application for entertainment license dated July 2, 2019 and received July 2, 2019.

II-6: Emily Rose, Ecotarium, 222 Harrington Way

- a. Request for one day liquor license
 - o August 11, 2019 – Noon – 3:00 p.m.
 - o August 23, 2019 – 6:30 p.m. -9:30 p.m.

Emily Rose appeared upon behalf of the application.

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

Exhibit A: Application for one day liquor license dated July 2, 2019 and received July 2, 2019.

II-7: Oriola Koci, Worcester Common

- a. Request for one day liquor license
 - o July 22, 2019 – Noon – 2:00 p.m.

Oriola Koci and Amy Peterson appeared upon behalf of the application. Ms. Koci stated that this is a brunch and theatre event on the common.

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

Exhibit A: Application for one day liquor license dated July 9, 2019 and received July 9, 2019.

II-8: Grid Hospitality Group, 64-66 Franklin Street

- a. Request for one day liquor license
 - o August 15, 2019 – 5:00 p.m. - 9:00 p.m.
 - o September 7, 2019 – Noon – 8:00 p.m.
 - o October 3, 2019 – 5:00 p.m. – 9:00 p.m.

Liz Flank appeared upon behalf of the application. She stated that a wine truck will be on the sidewalk in front of the premises and wine will be served inside the patio area. The Commission reviewed the security and fencing they would like at these events.

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

Exhibit A: Application for one day liquor license dated July 12, 2019 and received July 12, 2019.

Alcohol & Entertainment Requests

III-1: Electric Haze, 26 Millbury Street

Request for change of manager

Eric Collier appeared upon behalf of the application.

Upon a motion the Commission voted 3-0 to approve the change of manager.

Exhibit A: Application for one day liquor license dated July 2, 2019 and received July 2, 2019.

III-2: A&C LLC dba Cmondz Restaurant, 156 Shrewsbury Street

- Request for restaurant all alcohol license with sidewalk cafe
- Request for common victualer license
- Request for entertainment license tv, radio, live music, amplification system, play

Attorney Robert Hennigan and Christ Mondzali appeared upon behalf of the application.

Mr. Hennigan stated that the abutters had not been notified so would like to continue that portion of the hearing but go forward on the other items.

Upon a motion the Commission voted 2-0 to approve the common victualer license.

Upon a motion the Commission voted 2-0 to approve the entertainment license

Exhibit A: Application for restaurant all alcohol license dated June 17, 2019 and received June 17, 2019.

Exhibit B: Application for common victualer license dated June 17, 2019 and received June 17, 2019.

Exhibit C: Application for entertainment license dated June 17, 2019 and received June 17, 2019.

III-3: Moonshiners Bar, LLC, 105 Water Street

- Request for general on premises all alcohol license
- Request for common victualer license
- Request for entertainment license for jukebox, tv, radio, dancing by patrons, recorded music, live music, amplification system, play, moving picture show, floor show, light show, theatrical exhibition, karaoke, pool table, mechanical bull, any other audio or visual show, whether live or recorded specifically

Bernie- Goulet appeared upon behalf of the application.

Upon a motion the Commission voted 2-0 to approve the general on premises license with condition that establishment is 21 and older at all times.

Upon a motion the Commission voted 2-0 to approve the common victualer license.

Upon a motion the Commission voted 2-0 to approve the entertainment license.

Exhibit A: Application for restaurant all alcohol license dated June 25, 2019 and received June 25, 2019

Exhibit B: Application for common victualer license dated June 25, 2019 and received June 25, 2019.

Exhibit C: Application for entertainment license dated June 25, 2019 and received June 25, 2019.

III-4: All Systems Go Enterprises, LLC, 225 Shrewsbury Street

- Request for general on premises all alcohol license – occupancy limited to 64
- Request for common victualer license
- Request for entertainment license tv, radio, live music, amplification system, play

Attorney Dan Cotton along with the applicant appeared upon behalf of the application.

Chair Salvidio stated that the Commission had viewed the site prior to the meeting.

Mr. Cotton stated that this is for a video game concept establishment where people will come in to play video games on consoles and the alcohol is not a big portion of the business.

Philip Palmieri and Frank Santa Maria both expressed concern about the parking for the site and where the additional patrons for this establishment would park.

Upon a motion the Commission voted 2-0 to approve the general on premises all alcohol license.

Upon a motion the Commission voted 2-0 to approve the common victualer license.

Upon a motion the Commission voted 2-0 to approve the entertainment license.

Exhibit A: Application for restaurant all alcohol license dated June 25, 2019 and received June 25, 2019

Exhibit B: Application for common victualer license dated June 25, 2019 and received June 25, 2019.

Exhibit C: Application for entertainment license dated June 25, 2019 and received June 25, 2019.

III-5: Hitchin Post LLC dba The Hitchin Post, 5 Saugus Place

- Request for general on premises all alcohol license
- Request for common victualer license
- Request for entertainment license jukebox, tv, radio, dancing by patrons, recorded music, live music, amplification system, karaoke, pool table

Item was postponed to the August 15, 2019 License Commission meeting.

Exhibit A: Application for restaurant all alcohol license dated July 2, 2019 and received July 2, 2019.

Exhibit B: Application for common victualer license dated July 2, 2019 and received July 2, 2019.

Exhibit C: Application for entertainment license dated June 25, 2019 and received June 25, 2019.

III-6: Pregame on Park, LLC, 413 Park Avenue

- Request for transfer of general on premises all alcohol license
- Request for common victualer license
- Request for entertainment license for jukebox, tv, radio, dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, play, moving picture show, floor show, theatrical exhibition, karaoke

Mike Mendoza appeared upon behalf of the application.

Mr. Mendoza stated that he is taking over ownership of the establishment.

The Commission reminded the applicant that there have been problems with over occupancy at this premises and he needs to adhere to the occupancy listed on the permit.

Exhibit A: Application for transfer of general on p remises all alcohol license dated July 5, 2019 and received July 5, 2019.

Exhibit B: Application for common victualer license dated July 5, 2019 and received July 5, 2019.

Exhibit C: Application for entertainment license dated July 5, 2019 and received July 5, 2019.

III-7: The Cedar Box, 15 Hamilton Street

Request to amend entertainment license to add live music, karaoke, acoustic music, flashing lights, belly dancing

Chalita Youssef appeared upon behalf of the application.

Upon a motion the Commission voted to approve the amendment to the entertainment license.

Exhibit A: Application to amend entertainment license -dated July 5, 2019 and received July 5, 2019.

III-8: Jolo, Inc., Hurricane Betty's, 350 Southbridge Street

Request for change of manager

Upon a motion the Commission voted 2-0 to accept Leave to Withdraw for the change of manager.

Exhibit A: Application for change of manager July 5, 2019 and received July 5, 2019.

Retail Marijuana License

IV-1: Mayflower Medicinals, Inc., 645 Park Avenue

Request for Retail Marijuana License

Attorney Joshua Lee Smith appeared upon behalf of the application and gave an overview of the proposal.

Chairman Salvidio stated that the Commission had view the site prior to the meeting.

Upon a motion the Commission voted 2-0 to approve the Retail Marijuana License with conditions outlined in application and the following conditions;

- The hours of operation shall be 9:00am to 7:00pm Monday through Saturday and 11:00am – 7pm on Sundays.
- The Customer Management, Traffic & Queuing Plan submitted to the Commission is hereby incorporated and made a condition of the License during the first thirty days of operation.
- 1 detail officer shall be required during the first thirty days of operation (the soft opening)
- Prior to the soft opening period ending, and the establishment opening to the general public, the Licensee shall appear before the License Commission and the WPD shall determine the appropriate number of police details to have for the opening to the general public.
- The Licensee shall provide no less than five (5) business days advanced written notice to the Worcester Police Department and the Division of Planning and Regulatory Services of the scheduled opening (soft opening) date for adult use sales.
- The Licensee may request to appear before the License Commission for modifications to the conditions on the License at any time.

Exhibit A: Application for- Retail Marijuana license July 1, 2019 and received July 1, 2019.

IV-2: Trichome Health Corp., 64 West Boylston Street

Request for Retail Marijuana License

Attorney Joshua Lee Smith appeared upon behalf of the application.

Chairman Salvidio stated that the Commission had view the site prior to the meeting.

The Commission and Mr. Smith discussed the parking situation for this location.

Chairman Salvidio read into the record opposition from Dorothy Randell.

Upon a motion the Commission voted 2-0 to approve the Retail Marijuana License with conditions outlined in application and the following conditions;

- The hours of operation shall be 10:00am to 10:00pm Monday through Saturday and 10:00am – 8:00pm on Sundays.

- The Crowd Control Plan submitted to the Commission is hereby incorporated and made a condition of the License during the first thirty days of operation.
- 3 detail officers shall be required during the first thirty days of operation. The officers will be outside.
- Prior to the expiration of the first thirty days of operation, the Licensee shall appear before the License Commission and the WPD shall determine the appropriate number of police details to be required.
- The Licensee shall provide no less than ten (10) business days advanced written notice to the Worcester Police Department and the Division of Planning and Regulatory Services of the scheduled opening (soft opening) date for adult use sales.
- The Licensee may request to appear before the License Commission for modifications to the conditions on the License at any time.

Exhibit A: Application for- Retail Marijuana license July 1, 2019 and received July 1, 2019.

IV-3: Mission Ma, Inc., 640 Lincoln Street

Request for Retail Marijuana License

Attorney Joshua Lee Smith appeared upon behalf of the application.

Chairman Salvidio stated that the Commission had viewed the site prior to the meeting.

Upon a motion the Commission voted 2-0 to approve the Retail Marijuana License with conditions outlined in application with exception that applicant does not have to call the Worcester Police when they open and close and the following additional conditions;

- The hours of operation shall be 10am to 7pm;
- The Facility and Traffic Management Plan submitted to the Commission is hereby incorporated and made a condition of the License during the first thirty days of operation.
- 2 detail officers shall be required during the first thirty days of operation and both officers will be doing traffic details.
- The Licensee shall provide no less than five (5) business days advanced written notice to the Worcester Police Department and the Division of Planning and Regulatory Services of the scheduled opening date for adult use sales.
- The Licensee may request to appear before the License Commission for modifications to the conditions on the License at any time.

Exhibit A: Application for -Retail Marijuana license July 1, 2019 and received July 1, 2019.

Hearings

V-1: 90 Harding St LLC dba Compass Tavern, 90 Harding Street

Violation of Rule #14 – Manager responsible for premises

David Domenic appeared to answer to the violation and waived his right to counsel.

Lt. James Johnson presented the following;

On May 18, 2019 the Worcester Police Department received information regarding a video being circulated on social media web sites regarding a fight that took place in the parking lot of the Compass Tavern.

Officer Glenn Stout reviewed the video which clearly showed the fight taking place in the parking lot of the Compass Tavern. The video shows altercation between several individuals in the parking lot along with a security person from the Compass Tavern who made no attempt to defuse the situation and appeared to encourage the physical altercation between the parties.

Officer Stout and Detective Joseph Essex went to the Compass Tavern and spoke with the owner, David Domenic, about the video who stated that the security person shown in the video was no longer employed by the Compass Tavern.

Mr. Domenic stated that he had seven doormen on that night and he thought this particular doorman was a good employee but after the incident terminated his employment and he has met with staff to review security procedures.

Upon a motion the Commission voted 2-0 that the violation had occurred.

Upon a motion the Commission voted 2-0 to impose one day suspended suspension.

Exhibit A: Police report dated May 21, 2019.

V-2: Patsie Dugan's, L.L.C., dba Patsie Dugan's Pub, 49 Millbury Street

Violation of Rule #29 – In event of breach of peace licensee shall promptly notify the police

Patrick Patton appeared to answer to the violation and waived his right to counsel.

Lt. Johnson presented the following;

On June 21, 2019 Officer Edward Saucier and Sergeant Thomas Needham of the Alcohol Enforcement Unit responded to a reported stabbing at Patsie Dugan's Pub.

The officers spoke with other officers at the Licensed Premises who informed them that a female stabbing victim had entered St. Vincent's Hospital and reported being stabbed at Patsie Dugan's Pub.

At Patsie Dugan's Pub the officers observed a trail of blood on the outside deck of the premises as well as a trail of blood inside the premises in the area of the bar.

The officers spoke with the bartender, Daniel Cesarone, who stated that two females started fighting inside Patsie Dugan's but they were separated by other patrons and sent to separate exits but returned to front of the bar area and began fighting again. He stated that females left the inside of the bar and went out to the deck area while still fighting.

Mr. Cesarone stated he was going to call the police but decided not to after the females had left the inside of the bar. He stated that he also observed the trail of blood inside the premises and he knew he should have called the police but decided against it.

Mr. Cesarone was the only staff on during the incident. Mr. Cesarone attempted to contact the manager/owner, Patrick Patton, while talking to police but was unsuccessful.

Mr. Patton stated that the incident did happen and this is rare incident for them and the bartender did not know that the woman had been stabbed.

Mr. Patton stated that he will be scheduling training with Lt. Johnson for all his staff, hiring a new doorman and installing new video cameras.

Upon a motion the Commission voted 2-0 that the violation had occurred.

Upon a motion the Commission voted 2-0 to impose a warning.

Exhibit A: Police report dated June 21, 2019.

Other Business

- Server Training programs for license holders

Item postponed to the August 15, 2019 License Commission meeting.

Communications

None

Adjournment

Upon a motion the Commission voted 2-0 to adjourn the meeting at 11:17 a.m.