

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
DECEMBER 19, 2019

ESTHER HOWLAND CHAMBERS

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

Commission Members Absent:

Staff Present:

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

Chairman Shea welcomed new Commission member, Anthony Vigliotti.

Minutes

December 5, 2019

Upon a motion the Commission voted 2-0 to approve the minutes of December 5, 2019.

NEW BUSINESS

Common Victualer Requests

I-1: Amato's, 340 Grove Street

Request for common victualer license

Karen Boucher 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 received December 6 2019 and dated December 6 2019

I-2: Life Garden Café, 1048 Main Street

Request for common victualer license

Thiago Viicina 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 received December 6 2019 and dated December 6 2019

I-3: Hillcrest Apiary, 152 Green Street

Request for common victualer license

James Dawber 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 received December 6 2019 and dated December 6 2019

I-4: Smith's Cheese Shop, 160 Green Street

Request for common victualer license

Leah Catlin 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 received December 5, 2019 and dated December 5, 2019

I-5: Akra, 142 Green 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 December 5, 2019 and dated December 5, 2019

Special One Day Liquor & Entertainment Requests

II-1: St. Spyridon Greek Orthodox Cathedral

Request for one day liquor license

- December 31, 2019 – TBD
- January 25, 2020 – TBD
- March 7, 2020 - TBD

II-2: St. Spyridon Greek Orthodox Cathedral

Request for one day liquor license

- January 4, 2020 – TBD

Items II-1 & II-2 were taken contemporaneously.

Michael Dionis appeared upon behalf of the applications.

Mr. Dionis stated that December 31 is for a New Year's Eve Party, January 25 is for the St. Patrick's Banquet, March 7 is for Irish dinner dance and January 4 is a dinner dance. Mr. Dionis reviewed the times for each event.

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

Exhibit A: Application for one day liquor licenses received December 6, 2019 and dated December 6, 2019

II-3: Ecotarium, 222 Harrington Way

Request for one day liquor license

- January 9, 2020 – 4:30 p.m.-8:30 p.m.

David Zentabroer appeared upon behalf of the application. He stated that the event is for a reception at the Ecotarium.

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

Exhibit A: Application for one day liquor licenses received December 6, 2019 and dated December 6, 2019

Alcohol & Entertainment Requests

III-1: Craft Table and Bar, LLC, 50 Franklin Street, Suite C

Request for change of manager, officers/directors, ownership interests, management agreement, and pledge of license

Attorney Michael Ford along with the proposed manager appeared upon behalf of the application. Mr. Ford reviewed the ownership changes that would take place.

Upon a motion the Commission voted 3-0 to approve the change of manager, officers/directors, ownership interests, management agreement, and pledge of license.

Exhibit A: Application for change of manager, officers/directors, ownership interest, management agreement and pledge of license received October 31, 2019 and dated October 29, 2019

III-2: Revolution Pie and Pint Worcester, LLC, Suite B

Request for change of manager, officers/directors, ownership interests, management agreement, and pledge of license

Attorney Michael Ford along with the proposed manager appeared upon behalf of the application. Mr. Ford reviewed the ownership changes that would take place.

Upon a motion the Commission voted 3-0 to approve the change of manager, officers/directors, ownership interests, management agreement, and pledge of license.

Exhibit A: Application for change of manager, officers/directors, ownership interest, management agreement and pledge of license received October 31, 2019 and dated October 29, 2019

III-3: Sarmad Handhal dba Golden Pockets, 9 (aka 11 Kelley Square)

- Request for restaurant all alcohol license
- Request for entertainment license

Upon a motion the Commission voted 3-0 to postpone the item to the January 9, 2020 License Commission meeting in order that the owner of the premises and Inspectional Services could review the premises.

III-4: Interstate Management Company, LLC dba Courtyard by Worcester, 72 Grove Street

Application for transfer of innholder all alcohol license

Attorney Albert A. DeNapoli appeared upon behalf of the application and reviewed the ownership change.

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

Exhibit A: Application for transfer of innholder all alcohol license received November 26, 2019 and dated November 22, 2019

Hearings

IV-1: G&G Investments, Inc. dba Beatnik's, 433 Park Avenue – Violation of Rules 204 CMR 2.05 (2), M.G.L. c. 138 §23, Rules, #5, #14 & #15-Manager responsible for premises, sanitary conditions, permitting an illegality on the premises

Dennis Ford along with Kara Kilian appeared to answer to the violations and waived their right to counsel.

Lt. Johnson presented the following;

On December 13, 2019 members of the Worcester Fire Department and Alcohol Enforcement unit went to the Beatnik's and spoke with a female who identified herself as the acting manager Ms. Kara Kilian.

Officer Patrick Harrington asked Ms. Kilian if the owner/manager of Beatnik's Dennis Ford was still involved with the premises and Ms. Kilian informed Officer Harrington that she has been running Beatnik's since May 2019.

Officer Harrington asked Ms. Kilian if she has spoken with Mr. Ford and Ms. Kilian stated that he never returns her calls and that their business relationship was so bad that she changed the locks to the premises and has her own set of keys.

During the inspection it was noted that the fire extinguishers were out of date, kitchen hood suppression system was out of date, kitchen hood was out of date and no NFPA 72 report could be produced. Also, observed were over flowing buckets capturing water leaking out of the plumbing trap in the basement, that the beer keg lines had black mold in them and that there was mold and mildew in the ice machine. Also, observed were several dead bugs in the bar area, mold in numerous areas of the bar and tap lines and mice feces throughout the premises.

Officer Harrington also observed several empty kegs in the basement that appeared to have been bought from a package store. When Ms. Kilian questioned stated that Beatnik's had

been shut off by all distributors and they just go to package stores to purchase alcohol just to keep the doors open.

Mr. Ford stated that he had not been spending much times at the premises and he hadn't planned on operating the business beyond the end of the year and would not be renewing his license for 2020. The Commission asked Mr. Ford to turn in his current license but he stated that he wasn't sure he would be able to find it.

Ms. Kilian stated that she had been managing the bar and she had hoped to take over the business but that wasn't feasible now.

Mr. Ford stated that he would voluntarily shut down the business.

Upon a motion the Commission voted 3-0 to revoke the license for G&G Investment dba Beatnik's.

Exhibit A: Police report dated December 16, 2019.

Other Business

Brew Garden Worcester, LLC, 50 Franklin Street- Status hearing

Attorney Michael ford along with Alfredo Viera appeared upon behalf of the application.

The status hearing was a result of a fight outside the premises in October. Mr. Viera stated that they now use wrist bands to label those who are allowed to drink, and patrons under 21 are asked to leave the facility at midnight.

Mr. Viera stated that with regards to noise complaints that the sound system can be adjusted to reduce reverberation and that they have also added security and have seven crowd managers.

The Commission suggested that Mr. Viera may want to set up a meeting with tenants regarding the noise complaints.

Communications

- ABCC Notice of Violation hearings;
 - OM Harsh Corporation dba A&B Liquors, 110 McKeon Road
 - Wintergreen Partners LLC, 65 Green Street
 - Rock Bar, LLC dba Rock Bar, 81 Water Street

Filed.

Adjournment

Upon a motion the Commission voted 3-0 to adjourn the meeting at 11:00 a.m.