

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
AUGUST 20, 2020

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

Commission Members Absent: None

Staff Participating: Stephen Rolle, Planning & Regulatory Services
Lt. James Johnson Worcester Police Department
Alexandra Kalkounis, Law Department
Deborah Steele, Planning & Regulatory Services

****Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor’s March 23, 2020 Order, as amended, imposing strict limitation on the number of people that may gather in one place, this meeting of the Worcester License Commission will be conducted via remote participation.**

The meeting will be livestreamed from the City Website at www.worcesterma.gov/video-on-demand and may be broadcast on the local government cable channel (Spectrum Channel 192). While no in-person attendance will be permitted, every effort will be made to ensure that the public can adequately access the proceedings. In addition, a video recording and meeting minutes will be posted at www.worcesterma.gov after the meeting.

To participate during the public comment portion of the meeting, please call 415-655-0001 (Access Code: 1606609360). If you have difficulty accessing the call, please e-mail planning@worcesterma.gov.

Application materials may be viewed on the City Website at <http://www.worcesterma.gov/planning-regulatory/boards/license-commission>.

For more information concerning this meeting or to submit written comments in advance of the hearing, please contact the Planning Division by email (preferred) at planning@worcesterma.gov or phone at (508) 799-1400 x 31440. Submission of comments in advance of the hearing is strongly encouraged.

Call to Order – 10:00 am

Minutes

August 13, 2020

Upon a roll call the Commission voted 3-0 to approve the minutes of August 13, 2020.

New Business

1. License Commission Temporary Outdoor Dining - Rules and Regulations
2. Program Implementation Updates

Alteration of Premises – Temporary Outdoor Dining (New)

3. **OD-2020-102** **Pregame on Park, 413 Park Avenue**
SW-2020-047

Elizabeth Purdy called in for the item. She stated that she is looking to do a temporary outdoor seating area.

Upon a roll call the Commission voted 3-0 to approve the temporary outdoor seating area with condition that more securing roping be installed for the outdoor area.

Common Victualer Requests

None

Alcohol & Entertainment Requests

4. **Beer Garden, MA, LLC, 64- 66 Franklin Street**

Alteration of premises

Upon a roll call the Commission voted 3-0 to continue the item to the August 27, 2020 License Commission meeting.

5. **SA Partners Inc. dba Citgo Mart, 61 South Ludlow Street**

Request for transfer of package store malt & wine license from Mercado Garcia Enterprises, Inc. and change of location from 65 James Street

Upon a roll call the Commission voted 3-0 to postpone the item to the August 27, 2020 License Commission meeting.

6. **Discount Mini Market, LLC dba Discount Mini Market, LLC, 65 James Street**

Request for package store malt & wine license

Upon a roll call the Commission voted 3-0 to postpone the item to the August 27, 2020 License Commission meeting.

Hearing

7. **Mercado Garcia Enterprises, Inc., 70 James Street**

Cessation of Business hearing

Upon a roll call the Commission voted 3-0 to postpone the item to the August 27, 2020 License Commission meeting.

8. Diamond in the Rough LLC, dba Diamond Inn, 271 Grafton Street

Violation of Rules #14, #17

Attorney Paul DeMoga along with Mark Weber called in.

Lt. Johnson presented the following;

On July 26, 2020 Sergeant Thomas Needham was assigned for the Alcohol Enforcement Unit when he observed patrons leaving the Diamond Inn.

Sergeant Needham observed two females leave the Diamond Inc. and one was carrying a clear plastic cup containing a clear liquid, and a lime slice.

Sergeant Needham spoke with the female and informed her that he was a Worcester Police officer and observed the female had handed her cup to an intoxicated male standing on the corner.

Sergeant Needham retrieved the cup and could detect the aroma of alcohol coming from the liquid in the cup.

After having conversation with the female, he proceeded to the Diamond Inn and spoke with the owner, Mark Webber, and Sergeant Needham told him what he had observed.

On July 28, 2020 Sergeant Needham went to No Name Grocery at 270 Grafton Street, which is directly across from the Diamond Inn, and inquired if the business had surveillance cameras that would record activity across Grafton Street. The store showed Sgt. Needham their video system which did record the female exiting the Licensed Premises and walking across Grafton Street carrying her a drink.

Attorney DeMoga stated that they were not disputing the facts as presented.

Case file for location showed one previous violation.

Upon a roll call the Commission voted 3-0 that the violation had occurred.

Upon a roll the Commission voted to issue a;

Two day suspension/One Day Served/One Day Suspended to be served September 12, 2020.

List of Exhibits: Police report dated July 27, 2020.

Adjournment

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