

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
NOVEMBER 12, 2020

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

Commission Members Absent: None

Staff Participating: Stephen Rolle, Planning & Regulatory Services
Sergeant Thomas Needham, 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.**

Call to Order – 10:00 am

Minutes

October 29, 2020; October 30, 2020

Upon a roll call the Commission voted 3-0 to approve the minutes of October 29, 2020 and October 30, 2020.

New Business

1. Program Implementation Updates

Common Victualer Requests

2. Carlo's Pizza, 267 Webster Street

- 11:00 a.m-10:00 p.m.

No one called in for the item. Staff stated that the applicant had passed the police background check but will need final Health Inspection.

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

List of Exhibits: Application for common victualer license dated and received November 6, 2020.

Alcohol and Entertainment Request

3. Interstate Management Company, LLC, dba Courtyard by Worcester, 72 Grove Street

- Request for change of manager

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

4. GMRI Inc. dba the Olive Garden Restaurant, #1868, 7 Tobias Boland Way

- Request for change of manager

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

5. Revolution Pie and Pint Worcester, LLC, 50 Franklin Street-

- Request for change of manager

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

6. Craft Table and Bar, LLC, 50 Franklin Street

- Request for change of manager

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

7. Shri Mahadev Corporation dba One Stop Beer & Wine, 147A Highland Street

Chair Shea recused himself from the item.

- Request to transfer package store malt & wine license from 147A Highland Street to 147 Highland Street

Attorney Arthur Pearlman called in for the item. He stated that Shri Mahadev Corporation dba One Stop Beer & Wine is looking to move one space down on Highland Street as the space is larger.

Upon a roll call the Commission voted 2-0 to approve the transfer of location.

List of Exhibits: Application for transfer of location dated October 20, 2020 and received October 25, 2020.

8. SMG Food & Beverage, LLC, 50 Foster Street

- Request for change of officers and change of upstream ownership interest

Vicki Thomas called in for the item and review the change of ownership interest.

Upon a roll call the Commission voted 3-0 to approve the change of officers and change of ownership interest.

List of Exhibits: Application for change of officers/change of upstream ownership interest dated and received October 21, 2020.

9. K&B 168 Restaurant Group, 401 Park Avenue

- Request for alteration of premises

Upon a roll call the Commission voted 3-0 to postpone the request for alteration of premises to the December 3, 2020 License Commission meeting.

10. Café Neo Inc. dba One Way Bar & Grill, 202 Millbury Street

- Request for restaurant all alcohol license
- Request for common victualer license
- Request for entertainment license for jukebox, TV, karaoke

Kathryn & Panagiotous Tsigas called in for the meeting.

Chair Shea stated they received the estimates provided by the applicant.

Chair Shea asked if Kathryn would be the manager of record. Mr. Tsigas stated said no his son would be.

Commissioner Haller stated that she would have hard time approving the application as the area is adequately served.

Commissioner Vigliotti expressed concerns about parking and neighbor concerns.

The Commission members and the applicant discussed neighborhood concerns and the application and it was decided the best route at this time is to postpone item to January so there would be more time to review the location and have the applicants meet with staff.

Upon a roll call the Commission voted 3-0 to postpone the application to the January 7, 2021 License Commission meeting.

11. Discount Mini Market, LLC dba Discount Mini Market, 65 James Street

- Request for package store malt & wine license

Upon a roll call the Commission voted 3-0 to postpone the application to the December 3, 2020 license Commission meeting.

Retail Marijuana License

12. New Dia LLC, 118 Cambridge Street –

- Updated crowd control plan, security plan and COVID-19 policies

Attorney Joshua Lee Smith called in for the item.

Attorney Smith provided an update on the crowd control plan, security plan and COVID policies

Attorney Smith also reviewed police details that will be provided for the opening week of the establishment.

Attorney Kalkounis asked that a letter be sent ten days prior to opening to the License Commission.

List of Exhibits: Letter from Attorney Joshua Lee Smith dated November 9, 2020 and received electronically November 9, 2020.

Violation Hearings

13. The Pint LLC, 58 Shrewsbury Street

- Violation of Rules #14, and #27

Chair Shea recused himself from the item.

Jon Tonelli called in for the item and waived his right to counsel.

Sgt. Needham read the following report;

On January 25, 2020, Officer Patrick Harrington from the Alcohol Enforcement Unit was monitoring Licensed Establishments in the City of Worcester.

Officer Harrington observed as he went by the Pint that numerous cars were parked in the fire lane next the Licensed Premises building and parked his cruiser in attempt to located the owner of the vehicles to ask them to move them.

Officer Harrington proceeded to enter the Pint and observed it was very busy and appeared to be over capacity. When door staff were asked how many people were inside the premises, door staff stated 60. The occupancy for this Premises is 40.

Mr. Tonelli admitted to violation.

Upon a roll call the Commission voted 3-0 that the violation did occur.

Upon a roll call the Commission voted 3-0 to issue a Warning.

List of Exhibits: Police report dated February 5, 2020.

14. Mansi Vijay Corp dba McGovern's Package Store, 82 Millbury Street

- Violation of Rules #6, #21

Attorney Matthew Porter and Rajesh Patel called in for meeting.

Sgt. Needham read the following report;

On January 26, 2020, Officers of the Worcester Police Department Alcohol Unit conducted compliance checks at various package stores throughout the city of Worcester. An underage male accompanied the officers and was instructed to enter a package store and attempt to purchase alcohol without providing identification.

At around 12:29 p.m. the underage male entered McGovern's Package Store and purchased a six pack of Bud Light 12 oz bottles. The male was able to purchase the alcohol without being asked for identification.

Attorney Porter stated that there was no dispute to what happen.

Attorney Porter stated that the establishment has been in business for two years with no violations.

Attorney Porter stated that all employees have had TIPS training and met with Lt. Johnson and have also had server training with Worcester Police.

Upon a roll call the Commission voted 2-0 that the violation did occur.

Upon a roll call the Commission voted 2-0 to issue a Warning.

List of Exhibits: Police report dated February 1, 2020.

Communications

ABCC Notice regarding indoor table and bar service-Filed

ABCC Notice regarding indoor events held by hotels and other on premises licensees-Filed

Adjournment

Upon a roll call the Commission voted 3-0 to adjourn the meeting at 11:26 a.m.