

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER

October 14, 2021

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

Commission Members Absent:

Staff Participating:

Sergeant Thomas Needham, Worcester Police
Department
Deborah Steele, Planning & Regulatory Services

The Worcester License Commission meeting was held in person on October 14, 2021

Meeting attendees additionally had options to participate remotely by joining online or by phone using the following links;

- Use the following link to join the meeting via computer
<https://cow.webex.com/meet/licensecommissionwebex> or
- Call 415-655-0001 (Access Code: 160 660 9360) for the License Commission.

Call to Order – 10:00 a.m.

Minutes – September 30, 2021

Upon a motion made and duly seconded the Commission voted 3-0 to approve the minutes of September 30, 2021.

Common Victualer Requests

1. El Tipico Frictufina, 296 Pleasant Street- Mark Bornstein – Spanish food. – Juan Nunez.

- Request for common victualer license
 - Monday through Saturday – 8:00 a.m. – 10:00 p.m.

Attorney Mark Borstein and Juan Nunez appeared in person for the application.

Upon a motion made and duly seconded the Commission voted 3-0 to approve the common victualer license.

List of Exhibits: Common Victualer application received and dated October 4, 2021.

2. Taste Great Cakes, 98C Hamilton Street

- Request for common victualer license
 - Monday, closed. Tuesday-Saturday – 10:00 a.m. – 6:00 p.m.

Jason Diaz, participating remotely, stated that this is for a bakery that will sell cakes and cupcakes.

Upon a motion made and duly seconded the Commission voted 3-0 to approve the common victualer license.

List of Exhibits: Common Victualer application received and dated October 4, 2021.

One Day Liquor & Entertainment Request

3. Taqueria del Pueblo Cantina, Inc., 57 Highland Street

Request for one day entertainment for TV and dancing by patrons

- Saturday -October 30, 2021 – 10:00 p.m. – 2:00 a.m.
- Saturday-November 27, 2021 – 10:00 p.m. – 2:00 a.m.
- Saturday- December 18, 2021 – 10:00 p.m. – 2:00 a.m.

Ricky & Rachel Zelayanda, participating remotely, stated that they would like to have entertainment on these three days for holiday events.

The Commission stated that they would like the entertainment to end by 1:30 a.m.

Upon a motion made and duly seconded the Commission voted 3-0 to approve the three one day entertainment licenses with ending time of 1:30 a.m.

List of Exhibits: Entertainment application received and dated October 1, 2021.

4. Dogfather Vending, LLC, Hart Center at the Luth Athletic Complex

Request for one day liquor license (during basketball, hockey or other events-time to be discussed)

- Thursday - October 21, 2021
- Tuesday – November 9, 2021
- Wednesday – November 10, 2021
- Thursday – November 12, 2021

- Friday – November 13, 2021
- Tuesday – November 16, 2021
- Friday – November 19, 2021
- Monday- November 22, 2021
- Tuesday-November 23, 2021
- Wednesday – November 24, 2021
- Friday-November 26, 2021
- Saturday – November 27, 2021
- Thursday – December 2, 2021
- Friday – December 3, 2021
- Saturday- December 4, 2021
- Sunday – December 5, 2021
- Saturday – December 11, 2021
- Sunday – December 12, 2021
- Saturday – January 1, 2022
- Sunday – January 2, 2022
- Tuesday – January 4, 2022
- Friday- January 7, 2022
- Saturday – January 8, 2022
- Sunday – January 9, 2022
- Thursday – January 13, 2022
- Friday – January 14, 2022
- Saturday – January 15, 2022
- Wednesday – January 19, 2022
- Saturday – January 22, 2022
- Wednesday – January 26, 2022
- Saturday – January 29, 2022
- Friday – February 4, 2022
- Saturday – February 5, 2022
- Wednesday – February 9, 2022
- Saturday – February 12, 2022
- Wednesday – February 16, 2022
- Thursday – February 17, 2022
- Friday – February 18, 2022
- Saturday – February 19, 2022
- Wednesday – February 23, 2022
- Tuesday – March 1, 2022
- Wednesday – March 2, 2022
- Thursday – March 3, 2022
- Sunday – March 6, 2022
- Wednesday – March 9, 2022

Attorney Mark Bornstein & Mark Gallant appeared in person for the application.

Mr. Bornstein stated that they were looking to apply for the one day liquor license as they need to withdraw application for alteration of premises Commission approved previously and apply for a separate license but that will take time so they would like to have the one day licenses while that process is taking place.

Mr. Bornstein stated that the alcohol will be served during basketball and hockey games and alcohol service would start 60 minutes before games begin and service would stop before third period.

Mr. Bornstein reviewed the security procedures to the events.

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

List of Exhibits: Application for one day liquor license received and dated October 7, 2021.

Liquor & Entertainment Application Requests

5. Jay Meldi, YD Liquors ,1140 Grafton Street

- Request for transfer of package store all alcohol license from Ishwar Krupa, Inc.

Attorney Matthew Porter, participating remotely called in for the application. He stated that this will be for a transfer of the package store license.

Sergeant Needham stated that background check was all set.

Upon a motion made and duly seconded the Commission voted 3-0 to approve the transfer of the package store all alcohol license.

List of Exhibits: Transfer of package store all alcohol license application received and dated September 7, 2021.

6. Worcester Randell Package Store, Inc., 108 Canterbury Street

- Request for change of officers/directors and change of stock interest

Atty Tom Truex and Mr. Patle, participating remotely, called in for the application. Mr. Truex reviewed the request.

Upon a motion made and duly seconded the Commission voted 3-0 to approve the change of officers/directors and change of stock interest.

List of Exhibits: Application for change of officers/directors and change of stock interest received and dated September 7, 2021.

7. Two Chefs Italian Restaurant and Bar, LLC, 317 West Boylston Street

- Request for restaurant all alcohol license
- Request for common victualer license

Andrew Cooney appeared in person for the application.

Chairman Shea stated that the Commission members and police had done a site visit prior to the meeting and were very impressed with the site.

Upon a motion made and duly seconded the Commission voted 3-0 to approve the restaurant all alcohol license and common victualer license.

List of Exhibits: Application for restaurant all alcohol license and common victualer license received and dated September 8, 2021.

8. Creed Lounge, Inc., 41 Pleasant Street

- Request to transfer restaurant all alcohol license from M&S Entertainment, Inc.
- Request for common victualer license
- Request for entertainment license for jukebox, dancing by patrons, live music, any other audio or visual show whether live or recorded specifically

Upon a motion made and duly seconded the Commission voted 3-0 to postpone the applications to the November 18, 2021 License Commission meeting.

Other Business

9. 14 Oread Street – Status of license

Michael O'Rourke and Chris Valeri appeared in person and gave update on the site.

The Commission members stated that they would like the item to be on the November 18, 2021 agenda for another status report.

10. Excellent Investments S Corp, 137 Millbury Street

- Request for parking lot license for 27 space

Upon a motion made and duly seconded the Commission voted 3-0 to postpone the application to the October 28, 2021 License Commission meeting.

Violation Hearings

11. Shaani Corp. dba Big Bob's Wine and Spirits, 501 Southbridge Street

- Violation of Rules #6, #21

Attorney Matthew Porter and Falguni Patel, participated remotely for the hearing.

Sergeant Needham presented the following;

On September 2, 2021 Officer Patrick Harrington from the Alcohol Enforcement Unit was in the area of 501 Southbridge Street when he observed a 4 door sedan in the parking lot of the Licensed Premises occupied by four youthful individuals who did not enter the store but a few minutes later a youthful individual exited Big Bob's Wine and Spirits and was in possession of a brown bag with what appeared to be a large bottle of alcohol and enter the parked sedan.

Officer Harrington followed the sedan and then conducted a vehicle stop and spoke with the driver along with the four passengers who all informed Officer Harrington they were not 21. The individual who was observed exiting the premises was determined to be 19 years of age and he had in possession 1 liter bottle of New Amsterdam Pink Lemonade flavored vodka. Officer Harrington inquired how he was able to purchase the alcohol and the individual stated that he used a fake Maine driver's license and the clerk at the premises accepted it.

Attorney Porter stated that they were not disputing the facts.

He stated that the clerk did ask for ID but it was fake and the scanner machine at the store that day was not operable but since that time they have new scanner it is operational now.

Chairman Shea stated that the stores needs to be more proactive watching the young people coming in the store and the Commission members noted that there was a previous violation from June 2021.

Upon a motion made and duly seconded the Commission voted 3-0 that the violation did occur.

Upon a motion made and duly seconded the Commission voted 3-0 to issue a one day suspended suspension.

List of Exhibits: Police report dated September 14, 2021.

12. Gunatit Ne Sang dba Austin Liquors, 117 Gold Star Boulevard

Sergeant Needham presented.

Attorney Matthew Porter, participating remotely and Andrew Novaski appeared in person to answer to the violation.

- Violation of Rules #6, #21

On September 16, 2021 Officer Patrick Harrington assigned to the Alcohol Enforcement Unit was conducting surveillance near Austin Liquors and observed a S.U.V. that dropped off 5 youth looking males in front of Austin Liquors.

Officer Harrington observed two of the males enter Austin Liquors and several minutes later one of the males exited with an 18 pack of Bud Light beer cans and 18 pack Miller Lite beer cans. He then observed the second male exit Austin Liquors with a 12 pack bottle of Mike's party pack beer and a brown bag.

Officer Harrington stopped the males who exited the store and asked if they were 21 years of age. Both responded yes.

Officer Harrington requested identification from both males. One produced a Massachusetts license which was fraudulent and he turned over a real Massachusetts identification which showed his age to be 19 years of age. The other male produced a fake Rhode Island driver's license. It was determined that the male was 19 years of age. Officer Harrington asked the male if he was asked for identification when he purchased the alcohol and he stated yes and stated that he had used the fake Rhode Island driver's license.

Mr. Porter stated that they were not disputing the facts.

Mr. Porter stated that the store has a great reputation and they have a state of the art scanning machine but the employee that day did not check the ID. Since the day of the incident management has met with all the employees and reviewed importance of checking ID's.

Commissioner Haller expressed concern that the store has recently had two previous violations.

Chairman Shea noted that a 1 day suspended suspension was still in effect from last violation.

Upon a motion made and duly seconded the Commission voted 3-0 that the violation had occurred.

Upon a motion made and duly seconded the Commission voted 3-0 to impose the previous one day suspension along with additional two day suspended suspension with one day served.

List of Exhibits: Police report dated September 28, 2021.

Communications

- a. Mayflower Medicinals, Inc., 645 Park Avenue – Notice of Renewal-filed

Adjournment

Upon a motion made and duly seconded the Commission voted 3-0 to adjourn the meeting at 11:12 a.m.