

SOUTHBRIDGE LIQUOR LICENSING BOARD
MEETING MINUTES – SEPTEMBER 8, 2022
****Accepted 10/6/22****

Agenda Item #1 – Open meeting/Roll Call – Chair Bruce Newlands called the meeting to order at 1:00 p.m. Present were Chair Bruce Newlands, Member Mike Daniels, Vice Chair Chad Splaine, Sgt. Ryan Roettger, Lt. Steve Lavoie, Kyriakos Konstantakis (Central Pizza), Kenan Saupas (Central Pizza), Brenda MacGrath (Central Pizza), Lynne Bertrand (Panda Garden) and Barry Chieng (Panda Garden)

Agenda Item #2 – Chairman’s Announcements.

- None.

Agenda Item #3 – Accept the meeting minutes of August 4, 2022:

- Vice Chair Splaine moved to Accept the meeting minutes of August 4, 2022. Member Daniels seconded. AIF

Agenda Item #4 – Citizens Forum;

- None.

Agenda Item #5 – Liquor Agent updates:

- Sgt. Roettger – SB Police Dept. updated the SLLB regarding an alleged violation that occurred Saturday, September 3, 2022 at the Sevorgaits LLC (d/b/a Starlite Bar & Gallery) 39 Hamilton St. Manager Demetri Kasperson. The alleged violations were: Massachusetts General Law CH272/S53 - Disorderly Conduct; Southbridge MA Liquor Law Licensing Board License Regulations 1.08€. – Environs of the licensed premises. Per the corresponding Police Report: “On Saturday, September 3, 2022 at 00:34 hrs. the SB Police Dept. received a call for services concerning a male party that had gotten on top of a white van and ‘lit torches on fire’. (See Call #22-22254). As a result of a brief investigation, it was determined that a live musical act contracted by Demetri Kasperson obo Sevorgaits LLC did, in fact, use fire as part of their entertainment show again, and in front of the licensed premises in clear violation of the above sections. The SB Police Dept., working in close collaboration with the SB Fire Dept. cannot allow this type of entertainment to occur in light of the somewhat recent tragedy which occurred in the neighboring State of Rhode Island. As a result of the continued negligence of the licensee, I am requesting ‘a hearing’ and that the maximum punishment allowable under 1.14 Disciplinary Guidelines Section 1, (First Offense) be considered, ensuring that this licensee, or any other in Town, will not attempt to repeat this type of careless act again in the future. Respectfully submitted: Sgt. Ryan Roettger”. Photos of the act were shared with the SLLB.
- Lt. Steven Lavoie – SB Fire Dept. – stated that “this is similar to the incident that we had a few years ago in 2019. The difference with this one – the first one was inside the building. This one is in close proximity outside the building right near the egress and

entrance to the bar. Any type of flame act or flame effects needs a permit. A permit was not obtained. I knew nothing about this happening. The one inside I could absolutely not give a permit because it is not a sprinkled building. The one outside I would have to look further to even see if that is something that we would even want to do but they would have to display their safety precautions, pull the permit and go according to the NFPA to do flame effects. My concern with the acts that happened that night is using a flammable liquid it would look like lighter fluid according to the pictures that the flammable liquid could have ignited the van even more we could have had a fire break there right next to the awning, un-sprinkled building, right next to the entrance so the smoke would have went right into that building. They would have had a hard time getting out. We would have created the Station Night Club all over again. This is the second time. Personally, when we did the inspection 2 months ago, because they were closed for a while because of Covid, I just brought that back up to them that we had that problem last time, I do not want to see that again. He said ‘yep, I understand’ and here we go again. The same band, the same type of act. The only difference this time is it was outside, but again, close proximity right to their entrance right to a flammable awning. We just, we can’t have that. Anything that would even be allowed on the permit I would have to review and make sure all the safety precautions are in place. I was not given that. So, it was not a permitted act.”

- Chairman Newland asked about the lead time to schedule a hearing. Vice Chair Splaine stated that a hearing was not required. Per the SLLB by-laws, the board could make a decision immediately, due to the severity of the issue. A temporary order to stop serving could be given. The SLLB has the authority to close the place down. Member Daniels stated a need to allow the person due process. A hearing date of October 6, 2022 at 1:00 p.m. in the George Parent Conference Room will be scheduled.
- Member Daniels asked how the photos were obtained. Sgt. Roettger stated that they were provided by Lt. Lavoie and they were taken off of Facebook. At the time, there was a “timer” on the photos – meaning they would no longer be viewable after a certain amount of time.
- Member Daniels asked if the SBPD had the information on the person that reported the fire, and if they would be a witness. Sgt Roettger stated he would bring all of the necessary information, and any potential witnesses, including PD officers, to the Hearing.
- Member Daniels asked Lt. Lavoie if the violators had any type of fire retardant to use on the flaming guitars that were ignited with lighter fluid. It was not known if there was an extinguisher or any type of fire suppression equipment, on hand.
- Vice Chair Splaine asked if, seeing there were a number of violations committed, if there were any other charges being brought against the parties. There were no additional charges. There was no “malicious intent” as the band set their own equipment on fire.
- Due to a two (2) year “look back” time frame, a past infraction of similar nature (considered the first violation) cannot be brought into evidence. Therefore, this issue will be classified as a “first offense” and subject only to the punishments for a first offense.
- Lt. Lavoie will issue a “Cease and Desist” order to Demetri Kasperson – Sevengaits LLC – d/b/a Starlite Bar & Gallery.

Agenda Item #6 – One Day Liquor Licenses to be signed:

- SL-22-33 Cedric Daniel – Concord/Rapscallion Brewery, Town Common, Autumn Fest – Beer/Wine. Member Daniels moved to approve. Vice Chair Splaine seconded. AIF
- SL-22-34 Michael Comeau - SB Lions – SB Community Center – Cornhole Tournament – Beer/Wine. Member Daniels moved to approve. Vice Chair Splaine seconded. AIF
- SL-22-35 John Samek – Hardwicks Brewery, Town Common, Autumn Fest – Beer/Wine. Member Daniels moved to approve. Vice Chair Splaine seconded. AIF

Agenda Item #7 – All Alcohol Liquor License Query – Kyriakos Konstantakis – CGK Restaurants Inc., d/b/a Central Pizza. Kyriakos Konstantakis introduced his new business partner – Kenan Saupas – and gave an update on the construction progress on Central Pizza. Kyriakos Konstantakis was inquiring about obtaining an All Alcohol Liquor license when his restaurant re-opens. Central Pizza’s current license would need to be surrendered, if/when a full All Alcohol Liquor License is approved. The current Central Pizza license is Beer/Wine/Cordial. In order to retain the current Beer/Wine/Cordial license at renewal (November 30th), Central Pizza needs to be open by November 30th and all paperwork submitted. The LLB would like to see Central Pizza up and running before discussing a new, All Alcohol license.

Agenda Item #8 - Restaurant and Liquor License status update – Barry Chieng – Panda Garden LLC, d/b/a Panda Garden. The status of Panda Garden – they are fully operational, serving sit down meals, take-out food and liquor.

Agenda Item #9 – Board Member Discussion:

- Vice Chair Splaine stated that the SB- LLB has the authority to serve Demetri Kasperson – Sevangaits, d/b/a Starlite Gallery and Bar – a violation, resulting in the maximum fine of loss of license, due to the severity of the incident. The original “first offense” would not need to be taken into consideration, as the SB-LLB’s authority supersedes the two year history look back. Lt. Lavoie suggested a “reduced hours” mandate, moving closing to an earlier time of 11:00 p.m.

Agenda Item #10 – Discussion of next meeting date:

- October 6, 2022 will be the next Liquor Board meeting.

Agenda Item #11 – Adjournment:

- Member Daniels moved to adjourn the meeting. Vice Chair Splaine seconded. AIF.

Respectfully Submitted,

Gayle Raducha

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Recording Clerk - Southbridge Local Liquor Licensing Board