

**PRESENT:** Steven A. Beauregard, Chairman  
 Marcelino “Sonny” G. Almeida, Commissioner  
 Edmund F. Craig, Jr., Commissioner  
 Atty. Kreg Espinola, Asst. City Solicitor  
 Capt. Adelino Sousa, Police Department Liaison to the Lic. Bd.  
 Nick Nanopoulos, Director

❖ **VOTE TO ACCEPT THE MEETING MINUTES OF NOVEMBER 19, 2018 - Unanimous**

• **APPROVALS RECEIVED FROM THE ABCC (2)**

**Change of Officers, Directors, & Manager – Tr. #00132-CL-0778 – Plot #18-108-A**

**Loyal Order of Moose, Inc. d/b/a New Bedford Lodge, #914, Thomas Flood, (new) President**, who is petitioning for a **Change of Officers, Directors, and Manager of the Club All Alcoholic Beverages license**. The petitioner is requesting that the resignations of the current slate of Officers, Directors, and Manager currently on file with the Alcoholic Beverages Control Commission be accepted, and be updated as follows, per the Commission’s directive of 09/30/14 regarding “Club” licenses. Upon approval, Thomas Flood will be the President, Sylvester Santos, Sr. will be the Vice-President, Paul Ventura will be the Treasurer, and Manuel Machado, Jr. will be the Secretary; and Charles Perry, Ronald Pickens, Sylvester Santos, David Jorge, and Scott Frates will all be Co-Directors. **Manuel Machado, Jr is the Proposed New Manager**. Premises will remain the same at **119 Rockdale Avenue**.

**Approved by the ABCC – 02/28/19**

**VOTED:** To accept the approval from the ABCC. – **Unanimous**

**Change of d/b/a - Trans. # 04145-RS-0778 – Plot # 47--219**

**Homer’s Wharf, LLC, 26 Homer’s Wharf**, is requesting the approval of a **change of d/b/a from Waterfront Grille to Merrill’s on the Waterfront**.

**Approved by the ABCC – 03/01/19**

**VOTED:** To accept the approval from the ABCC. – **Unanimous**

**Transfer & Pledge of License – Tr. # 89516 – PK - 0778 (Old # 00170-PK-0778)– Plot # 65—278**

**Jai Balaji, LLC d/b/a Mark’s Beverage, Manubhai Patel, Sole Manager of LLC**, who is petitioning to **transfer a Retail Package Store All Alcoholic Beverages License to County Liquors, Inc.** Upon approval, Divyesh Patel will be the President, Secretary, a Co-Director and a Co- Shareholder (50%), and Nilesh Patel will be the Treasurer, a Co-Director and a Co-Shareholder (50%).; and **Divyesh Patel** is also the **Proposed Manager**.

The petitioner is also requesting approval of a **Pledge of the Retail Package Store All Alcoholic Beverages License to Webster Bank, NA**, as security to authorize and execute a promissory note in the amount of **Four Hundred & Eighty-Eight Thousand Dollars (\$488,000.00)**, pursuant to **Massachusetts General Laws Ch.138 s.23**. Premises will remain the same as follows: Two Rooms with a walk-in cooler and office on the first floor of a 2 ½ story building with stock in the basement. The licensed premise is situated on the southeast corner of County and Smith Streets and is numbered **642 County Street**.

**NOTE:** Final approval will require a ‘**Change of Tenant**’ from the Building Department.

**Approved by the ABCC – 03/20/19**

**VOTED:** To accept the approval from the ABCC. – **Unanimous**

**1. Hearing: Jai Balaji, LLC**

**d/b/a Mark’s Beverage**

**Mr. Manubhai Patel, Manager/Owner**

**642 County Street**

Your presence is requested at a hearing to determine whether you have violated certain provisions of Massachusetts General Laws, the Alcoholic Beverages Control Commission (ABCC) Regulations, and Licensing Board Rules and Regulations as reported by City of New Bedford Police Department. Based on their findings, the Licensing Board may take action to modify, suspend, revoke, or cancel your license.

The potential violations are as follows:

**Violations: Massachusetts General Laws Chapter 138, sections 34, 34b, 34c-**

It is illegal for anyone under the age of twenty-one years to purchase or be in possession of an alcoholic beverage; identification must be checked on the day of service.

**Alcoholic Beverages Control Commission Regulation 204 CMR 2.05: (2)-**

States no licensee shall permit any illegality to occur on the licensed premises. The licensee is responsible, whether present or not, for ensuring that no disorder, disturbance, or illegality takes place in or on a licensed premises.

**Licensing Board Regulation No. 5-**

Sale of alcoholic beverages, wine and malt beverages to persons under twenty-one years of age is prohibited.

**Summary of Incident**

Police Department Incident Report states that officers were conducting a Community Outreach/Directed Patrol based on neighbor complaints that have been received for intoxicated parties, parties loitering and begging for money, as well as parties drinking outside of the business or in an area surrounding the business; as well as complaints from neighbors who reside around this location who have stated to the officers in the past that the business often sells liquor to minors, and identification cards are not asked to be seen.

Upon approaching the area, a male employee (Jose) of Marks' Beverage was observed outside of the business, holding the door open. The male was observed to be looking back and forth between the undersigned officer, as well as a vehicle parked on Smith Street, and then back into the store.

The Officer then observed another car parked in a no parking zone, directly in front of a fire hydrant, and sticking out into the street making it difficult for vehicles turning down Smith Street. It should be noted that the car was still running. Upon running the plates, which came back cancelled, the Officer observed two young parties, a male and a female, walking out of Mark's Beverage and getting into the running car. The Officer then followed the vehicle, and a traffic stop was then conducted.

As the Officer was speaking to the driver and the passenger in the front seat, a male sitting in the back seat was observed reaching underneath the seat, where later the Officers discovered a bottle of unopened vodka; which one of the individuals admitted he purchased at Mark's Beverage. The Officer also noted in his report that two of the individuals that were in the car were the same two individuals that they observed coming out of Mark's Beverage. The Officers attempted to return to the business in order to speak with Mr. Patel, however, the store had closed for the night.

It should be noted that Mr. Patel's car was parked in front of the store when the Officers observed the two people coming out of the store, **and that all three individuals in the car were all under 21 years of age.**

The Reporting Officer also noted in his report that Mr. Patel has been observed bringing multiple cases of beer to both of his businesses (Mark's Beverage and Lucky 7).

**Date and time of alleged violations: Saturday, February 23, 2019 @ approximately 10:12 p.m. – Report #19 – 2136 - OF Present: Manubhai Patel, Current Owner and Divyesh Patel, New Owner; Capt. Adelino Sousa, Liaison to the Licensing Board along with Officer Jenna Touchette, Reporting Officer**

Officer Touchette reviewed the ongoing problem with the new owners which included serving intoxicated individuals, serving minors, and allowing people to consume alcohol about the premises.

The Board reviewed the following with the new owners:

**Violations: Massachusetts General Laws Chapter 138, section 69-**

No alcoholic beverages shall be sold or delivered to an intoxicated person on any licensed premise.

**NOTE:** It does not matter whether that person is driving. Studies show that approximately 20% of alcohol –related accidents involve pedestrians. Every licensee should have clear policies known to all staff on aiding an intoxicated person, including when to call the police.

**Alcoholic Beverages Control Commission Regulation 204CMR2.05:(2)-**

States no licensee shall permit any illegality to occur on the licensed premises. The licensee is responsible, whether present or not, for ensuring that no disorder, disturbance, or illegality takes place in or on a licensed premise.

**Licensing Board Regulation No. 5 & 10-**

Sale of alcoholic beverages, wine and malt beverages to persons under twenty-one years of age is prohibited; alcoholic beverages shall not be served to a person who is or appears to be intoxicated.

**Action Taken:** *As a result of the hearing, of which an audio version is on file; the Board took no action on the matter due to violation was against the old owner but issued a warning to the new owner that all rules and regulations must always be adhered to, whether they are on the premises or not.*

**1A. Transfer & Pledge of License – Tr. # 89516 – PK - 0778 (Old # 00170-PK-0778)– Plot # 65—278**

**Jai Balaji, LLC d/b/a Mark’s Beverage, Manubhai Patel, Sole Manager of LLC**, who is petitioning to **transfer a Retail Package Store All Alcoholic Beverages License to County Liquors, Inc.** Upon approval, Divyesh Patel will be the President, Secretary, a Co-Director and a Co- Shareholder (50%), and Nilesh Patel will be the Treasurer, a Co-Director and a Co-Shareholder (50%).; and **Divyesh Patel** is also the **Proposed Manager**.

The petitioner is also requesting approval of a **Pledge of the Retail Package Store All Alcoholic Beverages License to Webster Bank, NA**, as security to authorize and execute a promissory note in the amount of **Four Hundred & Eighty-Eight Thousand Dollars (\$488,000.00)**, pursuant to **Massachusetts General Laws Ch.138 s.23**. Premises will remain the same as follows: Two Rooms with a walk-in cooler and office on the first floor of a 2 ½ story building with stock in the basement. The licensed premise is situated on the southeast corner of County and Smith Streets and is numbered **642 County Street**. **NOTE:** Final approval will require a ‘**Change of Tenant**’ from the Building Department.

**Approved by the ABCC – 03/20/19**

**VOTED:** To accept the approval from the ABCC. – **Unanimous**

**2. Petition - Trans. # 00070-PK-0778 – Plot # 53-231-A&B – “LATE FILE”**

**Matterhorn RE, LLC d/b/a Cork, 90 Front Street**, is requesting the approval of **Jennifer McHugh**, who resides at 100 Rockland Street, Dartmouth, MA. **as their new manager**.

***Present: Jason P. Lanagan, Owner along with Jennifer McHugh, Proposed New Manager***

Responding to questions from Chairman Beaugard. Ms. McHugh stated that she’s worked for Marriott International for the past 12 years as Senior Event Manager for which she oversaw the service of alcohol at these events; and that she worked as a bartender at Not Your Average Joe’s for 12 years.

When asked by Chairman Beaugard if she was familiar with New Bedford Rules & Regulations as they pertain to the 2<sup>nd</sup> floor of Cork regarding underage parties (Sweet 16 Parties), Ms. McHugh responded that she was aware of the rules and regulations.

**Voted:** Commissioner Almeida made a motion to approve the petition as presented and to forward the application to the Alcoholic Beverages Control Commission for their approval; with a stipulation that Ms. McHugh submit a copy of her T.I.P.S. Certification to the Licensing Board office within thirty (30) days of approval or prior; and that all her employees be ‘certified’ as well, with copies of their certifications to be kept on file for review, if needed. – **Unanimous**

**VOTED:** Commissioner Almeida made a motion to take up Item # 5 out of order. – **Unanimous**

**Voted:** Commissioner Almeida made a motion to remove Item #3 from the table; and to take up the matter at this time. – **Unanimous**

**Tabled at 01/28/19 Meeting**

**3. Petition - Trans. # 00123-RS-0778 – Plot # 78—112**

**Tropicana Bar & Grille, Inc., Miguel Barbosa, President**, who is requesting a **Change of Officers, Directors, Stockholders, Manager, and Transfer (Re-Distribution) of All the Corporate Stock of the Common Victualler (Restaurant) All Alcoholic Beverages License**. The petitioner is requesting that the resignation of Maria Barbosa (Spouse) as the Treasurer, Clerk, and Co-Stockholder of the corporation be accepted; and that the transfer of all her corporate shares (50%) be approved to Miguel Barbosa (Spouse). Upon approval, **Miguel Barbosa** will be the President, Treasurer, Secretary, Sole Director, Sole Shareholder (100%), and the **Manager of the Liquor License**. Premises will remain the same at **1700 Purchase Street**.

***Application has been advertised; Abutters Notification Not Required***

***Present: Miguel Barbosa, Owner and Proposed New Manager***

Responding to questions from Chairman Beaugard, Mr. Barbosa stated that his wife has decided that she no longer wants to be a part of the business, so he’s simply making the changes to take her name off the license, adding that he planned on opening the kitchen sometime in the summer. He also stated that he may be adding some live entertainment, such as a 3-piece band on weekends.

**Voted:** Commissioner Almeida made a motion to approve the petition as presented and to forward the application to the Alcoholic Beverages Control Commission for their approval; with a stipulation that Mr. Barbosa submit a copy of his T.I.P.S. Certification to the Licensing Board office within thirty (30) days of approval or prior; and that all his employees be ‘certified’ as well, with copies of their certifications to be kept on file for review, if needed. – **Unanimous**

**4. Petition - Trans. # 00102-RS-0778 – Plot # 93--180**

**Rookies Bar & Grill, Inc., Jacinto Camara, President** who is petitioning to **transfer a Common Victualler (Restaurant) All Alcoholic Beverages License to Taqueria La Raza, Inc.** Upon approval, **Petronila D. De La Rosa** will be the President, Treasurer, Secretary, Sole Director, and Sole Shareholder (100%); and the **Proposed Manager**. The petitioner is also requesting approval of a **Pledge of the Common Victualler (Restaurant) All Alcoholic Beverages License to Taunton Federal Credit Union**, with an address of **480 Rockdale Avenue, New Bedford, MA.** as security to authorize and execute a promissory note in the amount of **One Hundred Thousand Dollars (\$100,000.00), pursuant to Massachusetts General Laws Ch.138 s.23.** The premises will remain the same as follows: the premise is in an area approx. 3,252 sq. ft. that includes two rooms, with a kitchen, bar, and two restrooms on the first floor, with stock in the basement of a four-story building. There are two entrances and exits in the front of the building, which is situated on the east side of Acushnet Avenue between Sawyer and Holly Streets. The premises will remain numbered **1218 Acushnet Avenue.**

Final approval will require a **‘Change of Tenant’** from the Building Department, a new **‘Food Permit’** from the Health Department, and a copy of **‘Proof of Liquor Liability’**.

*Application has been advertised; Abutters Notification Not Required*

***Present: No One Was Required To Appear***

Mr. Nanopoulos informed the Board that the financing for the purchase of the liquor license fell through, and that Atty. Saunders was attempting to secure new financing for the purchase of the liquor license and business. Mr. Nanopoulos recommended that the matter be tabled for 30 days until the Board’s April Meeting.

**VOTED:** Commissioner Almeida made a motion to table the matter for 30 days until the Board’s April Meeting–  
**Unanimous**

**5. Petition - Trans. # 00151-RS-0778– Plot # 53--198**

**Cultivator Shoals, Inc. d/b/a Cultivator, Jason P. Lanagan, Co-Director, 35 Union Street,** who is requesting permission to **Alter (Change) the Description of the Common Victualler All Alcoholic Beverages** licensed premises to include an additional room for dining with a small service bar, approximately 540 sq. ft., which is contiguous to the adjacent licensed area on the first floor of a three story building and is numbered 31 Union Street; which will have a direct entrance/ exit to 35 Union Street. The applicant is also **petitioning for a Change of Address from 35 Union Street to 31-35 Union Street and a Change of Manager from Jason P. Lanagan to Gina Mucciardi, who resides at 91 Rotch Street, N. B., MA.**

Upon Approval, the description of the licensed premises will read as follows:

The licensed area consists of two rooms in an area approximately 1,255 sq. ft. on the first floor of a three story building, which includes one (1) dining room with table seating and a bar, along with an enclosed kitchen area; and a (newly added) second room to be used for additional dining, which also includes a bar area. The licensed premise also includes two (2) handicapped restrooms, a prep area, and a secured walk-in cooler for liquor storage. There is one handicapped accessible entrance/exit on the west side of the building onto Union Street along with an emergency only exit in the front of the building also onto Union Street, and an additional exit in the rear of the building. There is also an outdoor patio area approximately 437 sq. ft. to be used as a ‘Sidewalk Café’, which will be enclosed with a 42” high wooden fence & planters and will be used for **seated dining purposes only.** The enclosed area, which will include Eight (8) tables for the seating of Twenty-Nine (29) patrons, will be located on the south side (front) of the building, which is contiguous to the licensed premises.

**The Combined Maximum Occupancy for Both Inside and Outside Will Not Exceed Fifty-Two (52) Patrons per Inspectional Services (03/11/19).**

The outdoor area will **only be accessible** by ‘Hostess Seating’ only; the area will also be monitored by the hostess and waitstaff at all times. The hours of operation are **daily from 11:00 a.m. until 10:00 p.m., at which time all outdoor activity must cease, and shall be in effect from May 1<sup>ST</sup> through October 30<sup>th</sup>,** in accordance, and as specified in the City of New Bedford Sidewalk Café Permit Ordinance. (Ord. Ch. 15, Article VI, sec. 15-100 (B) (Item #’s 8 & 15). Premise is located on the north side of Union Street between Front and Water Streets; and is numbered **31-35 Union Street.**

**Final approval will be required from Inspectional Services and from the Health Department.**

*Application has been advertised; Abutters have been notified*

***Present: Jason P. Lanagan, Owner along with Gina Mucciardi, Proposed New Manager***

Responding to questions from Chairman Bearegard regarding the addition of the additional room, Mr. Lanagan stated that the bar was going to stay where it is and that they were going to knock down the middle partition; adding, but we’re going to keep the entrance where it is and keep the wall that separates the bathrooms from the bar area, so we’re just opening up that area where the tattoo parlor was. He added that they won’t be adding more tables because it’s such a small space, we will be adding a stand-up type bar around the perimeter with more seats; adding, it’s basically table top seating around the perimeter.

When asked by Chairman Bearegard if there would be any type of entertainment, he stated that they would not be having any type of entertainment.

Responding to questions from Chairman Beauregard, Ms. Mucciardi stated that she's been a manager at Cork for 2 years and she's been a bartender for 5 years, and that she was T.I.P.S. Certified.

**Voted:** Commissioner Almeida made a motion to approve the petition as presented and to forward the application to the Alcoholic Beverages Control Commission for their approval; with a stipulation that Ms. Mucciardi submit a copy of her T.I.P.S. Certification to the Licensing Board office within thirty (30) days of approval or prior; and that all her employees be 'certified' as well, with copies of their certifications to be kept on file for review, if needed. – **Unanimous**

**6. Petition - Trans. #04515-RS-0778– Plot # 17--192**

**Café Italia Restaurante, Inc.** Nicola Ricciardi, Co-Director, who is petitioning for a **Change of Location Only of a Common Victualler (Restaurant) Wine and Malt License**. The proposed new location consists of a 3,200 sq. ft. area that is fully sprinklered and which is located on the first floor of a five-story building, and includes Two (2) Dining Areas, a Bar Area, and a Kitchen & Storage Area; and a Private Party Dining Area, which is located four (4) steps down from the main dining area on the same floor. There are Two (2) Handicapped Restrooms located in the common area located off the south side of the restaurant. There is one entrance/exit in the front of the building onto Pleasant Street and two additional exits/entrances on the Market Street side of the building, as well as an entrance/exit in the rear of the building into the rear parking lot on South Sixth Street via the common area in the main lobby of the building, which includes an elevator to the main dining area; and a handicap accessible entrance/exit on the Market Street side of the building. There will be additional storage space in the basement area for alcohol.

The premise is situated on the west side of Pleasant Street, between Union and Market Streets, and **will be numbered 555 Pleasant Street.**

Final approval will require a '**Change of Tenant**' from the Building Department, a new '**Food Permit**' from the Health Department, and a copy of '**Proof of Liquor Liability**'.

*Application has been advertised; Abutters Have Been Notified*

**Present:** *Nicola Ricciardi, Owner/Manager*

Responding to questions from Chairman Beauregard, Mr. Ricciardi stated that this was simply a move to a new location from a smaller space to a bigger space; adding that the lower area would be used for private parties.

He also stated that the premises will look pretty much the same as when Portobello was there, and that they were only be doing some cosmetic work on the premises, but the layout would remain the same.

When asked by Chairman Beauregard if they planned on having any entertainment, Mr. Ricciardi responded, "No".

**Voted:** Commissioner Almeida made a motion to approve the petition as presented and to forward the application to the Alcoholic Beverages Control Commission for their approval. – **Unanimous**

**7. Hearing: NG Restaurant Corp.**

**d/b/a Bamboo Garden**

**Ms. Lina S. Ng, Manager/Co-Owner**

**836 Purchase Street**

**Re: Closed 01/01/18**

**Prior Renewal Hearings: (0)**

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2019. The hearing is also being held at the request of the members of this Board to discuss your plans for your liquor license for the year 2019 prior to this Board considering approval of your 2020 renewal application.

If warranted, the Board may cancel the license of any license holder who "ceases to conduct the licensed business" that is, *any license holder who closes the business or stops doing business*. Licensees should be conducting the licensed business on all days authorized by the license. Any licensee that does not comply with its obligation to conduct the licensed business and holds a so-called "pocket License" is subject to possible action by the Board.

Notice is given in accordance with Massachusetts General Laws Chapter 138, section 77, which states that the licensing authorities may, after hearing or reasonable opportunity therefore, cancel any license issued under this chapter if the licensee ceases to conduct the licensed business.

You **must submit** to the Board that evening, a letter stating your intentions regarding the license that has been issued to you detailing either an opening date, plans to transfer, or change of location, as it applies to your situation.

**Present:** *Lina S. Ng, Manager/Co-Owner*

Responding to questions from Chairman Beauregard, Ms. Ng stated that she wanted to re-open in March, but her sister was diagnosed with cancer, so her time has been occupied taking care of her; but it was still her intention to re-open.

**VOTED:** On a motion by Commissioner Almeida, the **Board voted unanimously to table the matter until this Board's September 23, 2019 meeting with stipulations.**

**Board's Written Decision of 04/09/19**

As a result of the open hearing held on Monday, March 25, 2019 to determine the status of your annual liquor license for the year 2019, the **Board voted unanimously to table the matter until this Board's September 23, 2019 meeting.**

The Board's decision was based on your intention to re-open as soon as some family health issues are resolved.

The Board has the expectation that you will be operational by this date, if so, you will not be required to attend the September 23, 2019 meeting.

**8. Hearing: EMR Grill, INC. d/b/a Butler Flats Bar & Grill**

**Mr. Emanuel M. Ramos, Manager/Owner**

**38-42 Cove Street**

**Re: Approved 07/23/18**

**Prior Renewal Hearings: (0)**

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2019. The hearing is also being held at the request of the members of this Board to discuss your plans for your liquor license for the year 2019 prior to this Board considering approval of your 2020 renewal application.

If warranted, the Board may cancel the license of any license holder who "ceases to conduct the licensed business" that is, *any license holder who closes the business or stops doing business*. Licensees should be conducting the licensed business on all days authorized by the license. Any licensee that does not comply with its obligation to conduct the licensed business and holds a so-called "pocket License" is subject to possible action by the Board.

Notice is given in accordance with Massachusetts General Laws Chapter 138, section 77, which states that the licensing authorities may, after hearing or reasonable opportunity therefore, cancel any license issued under this chapter if the licensee ceases to conduct the licensed business.

You **must submit** to the Board that evening, a letter stating your intentions regarding the license that has been issued to you detailing either an opening date, plans to transfer, or change of location, as it applies to your situation.

**Please Be Advised that failure to appear before this Board as requested will result in "Automatic Revocation" of your Common Victualler (Restaurant) All Alcoholic Beverages License.**

**Present: Emanuel M. Ramos, Manager/Co-Owner**

Responding to questions from Chairman Beauregard, Mr. Ramos stated that it's a work in progress, adding that the renovations required more than he anticipated; and that he would open as soon as the ongoing renovations are complete. When asked by Chairman Beauregard as to when he anticipated those renovations would be complete so that he could open, Mr. Ramos responded, I'm shooting for the end of May, adding that he's in the final stages of what is needed to complete the renovations.

**VOTED:** On a motion by Commissioner Almeida, the **Board voted unanimously to table the matter until this Board's June 17, 2019 meeting with stipulations.**

**Board's Written Decision of 04/09/19**

As a result of the open hearing held on Monday, March 25, 2019 to determine the status of your annual liquor license for the year 2019, the **Board voted unanimously to table the matter until this Board's June 17, 2019 meeting.**

The Board's decision was based on your intention to open as soon as the ongoing renovations are complete.

The Board has the expectation that you will be operational by this date, if so, you will not be required to attend the June 17, 2019 meeting.

**9. Hearing: El Mexicano, Inc. d/b/a**

**Mi Antojo Mexican Restaurant**

**Ms. Grisay Rojas, Manager/Owner**

**95 – 101 Rivet Street**

**Re: Approved 09/01/18**

**Prior Renewal Hearings: (0)**

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2019. The hearing is also being held at the request of the members of this Board to discuss your plans for your liquor license for the year 2019 prior to this Board considering approval of your 2020 renewal application.

If warranted, the Board may cancel the license of any license holder who "ceases to conduct the licensed business" that is, *any*

license holder who closes the business or stops doing business. Licensees should be conducting the licensed business on all days authorized by the license. Any licensee that does not comply with its obligation to conduct the licensed business and holds a so-called “pocket License” is subject to possible action by the Board.

Notice is given in accordance with Massachusetts General Laws Chapter 138, section 77, which states that the licensing authorities may, after hearing or reasonable opportunity therefore, cancel any license issued under this chapter if the licensee ceases to conduct the licensed business.

You **must submit** to the Board that evening, a letter stating your intentions regarding the license that has been issued to you detailing either an opening date, plans to transfer, or change of location, as it applies to your situation.

**Please Be Advised that failure to appear before this Board as requested will result in “Automatic Revocation” of your Common Victualler (Restaurant) All Alcoholic Beverages License.**

***Present: Grisay Rojas, Co-Owner/Manager along with Javier Rojas, Officer***

Responding to questions from Chairman Beauregard, Mr. Rojas stated that his intention is to move the license to the downtown area and open another restaurant at a new location; adding, but if I don’t find anything, I will sell it.

When asked by Chairman Beauregard as to what his time frame was to find a new location before making the decision to sell the license, Mr. Rojas responded, I’ve been looking already for a location, but I haven’t found anything yet; adding that something wouldn’t happen either way until next year.

Chairman Beauregard responded, that would put you out a year since you closed the other location.

When asked by Mr. Nanopoulos if he wanted his name put on the list of available licenses that displayed in the office, Mr. Rojas responded, “Okay, you can put it”.

**VOTED:** On a motion by Commissioner Almeida, the **Board voted unanimously to table the matter until this Board’s November 18, 2019 meeting with stipulations.**

**Board’s Written Decision of 04/09/19**

As a result of the open hearing held on March 25, 2019 to determine the status of your annual liquor license for the year 2019, **this Board voted to table the matter until the Board’s November 18, 2019 meeting with the following stipulation:**

To notify and put the current Licensee, who is the holder of an inactive license on notice that he has **until November 1, 2019 to initiate one (1) of the following three (3) options prior to this date:**

- 1.) To be open and operating at the current location;
- 2.) Submit paperwork for a Change of Location and a date certain for the opening of premises;
- 3.) Submit paperwork for the Sale and Transfer of the license to a new owner.

If you fail to initiate one of the three options stated above prior to this date, you will be required to appear before this Board once again, at which time the Board may consider revoking your license for non-use.

#### **10. APPLICATION, (Representation Required) – “2<sup>nd</sup> DAY BEING REQUESTED”**

**Cinco De Mayo Celebration Committee, Javier Rojas, Representative**, who is requesting pre-approval of an application for a **Special One Day All Alcoholic Beverages License**, for their ‘**12<sup>th</sup> Cinco De Mayo Celebration**’, to be held ‘**on South Second Street**’ between Nelson and South Second Street; and to be held on **Saturday, May 4, 2019**, from **12:00 p.m. until 11:00 p.m. (Last call at 10:30 p.m.)**; and on **Sunday, May 5, 2019**, from **12:00 p.m. until 9:00 p.m. (Last call at 8:30 p.m.)**

***(Liquor Liability with the City named as additionally insured on certificate is required along with a copy of the Police Detail Contract)***

***Present: Grisay Rojas, Co-Owner/Manager along with Javier Rojas, Officer***

Mr. Nanopoulos informed the Board that Mr. Romanowicz expressed concerns regarding the mechanical bull they planned on having at the event; and asked that the Board refer Mr. Rojas to the Building Department to discuss this matter.

Chairman Beauregard opened the hearing on the request to expand the event to two days by stating, my concern is that you’re in a residential neighborhood ... one day is somewhat of an inconvenience ... two days is a major inconvenience. When asked by Chairman Beauregard if he had spoken to his neighbors about shutting down the streets for two days, Mr. Rojas responded, no I haven’t ... adding that there is one neighbor who has been complaining about things.

Mr. Rojas added that he already plans on moving the stage so that it does not face the neighborhood, which will be set up inside the parking lot, not in the street.

When asked by Chairman Beauregard as to why they want to go to two days from one day, since it’s such an inconvenience for that neighborhood with streets being closed ... music being played ... two days of the weekend is a lot for a neighborhood, Mr. Rojas responded, it’s growing a little big and the second day would cover the expenses, and that a lot of people have been asking for another day, which would be the Sunday but with less hours.

Chairman Beauregard responded, I'm not in favor of two days in that neighborhood, I think one day of tying up that area is clearly enough; but there are two other gentlemen on the Board.

Commissioner Almeida stated that it was only one block and that he was willing to give them an opportunity on a trial basis to try two days; but added, if it gets approved and we receive complaints, we can always roll it back to one day again next year.

Commissioner Craig stated that he tended to agree with Commissioner Almeida.

**VOTED:** On a motion by Commissioner Almeida, the **Board voted in the majority to approve the request for a 2<sup>nd</sup> day with warning** that if there are any problems, the Board would not approve the 2<sup>nd</sup> day next year.

**11. Hearing: RDS Operations, Inc. d/b/a Port Royal**  
**Mr. Ramon D. Silva, Manager/Owner**  
**26 South Water Street**

**Re: Approved 12/13/18**  
**Prior Renewal Hearings: (1)**

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2019. The hearing is also being held at the request of the members of this Board to discuss your plans for your liquor license for the year 2019 prior to this Board considering approval of your 2020 renewal application.

If warranted, the Board may cancel the license of any license holder who "ceases to conduct the licensed business" that is, *any license holder who closes the business or stops doing business*. Licensees should be conducting the licensed business on all days authorized by the license. Any licensee that does not comply with its obligation to conduct the licensed business and holds a so-called "pocket License" is subject to possible action by the Board.

Notice is given in accordance with Massachusetts General Laws Chapter 138, section 77, which states that the licensing authorities may, after hearing or reasonable opportunity therefore, cancel any license issued under this chapter if the licensee ceases to conduct the licensed business.

You **must submit** to the Board that evening, a letter stating your intentions regarding the license that has been issued to you detailing either an opening date, plans to transfer, or change of location, as it applies to your situation.

**Decision of 11/19/18 Meeting**

As a result of the open hearing held on Monday, November 19, 2018 to determine the status of your annual liquor license for the year 2018, the **Board voted unanimously to approve your 2019 renewal and to table the matter until this Board's February 25, 2019 meeting.**

The Board's decision was based on your submission of an application for multiple changes including a change of location to 26 South Water Street.

During the application hearing, you informed the Board that it was your intention to operate as a "cigar bar" at the new location, and that it was your intention to be operational by February 1, 2019.

The Board has the expectation that you will be operational by this date, if so, you will not be required to attend the February 25, 2019 meeting. (A request was granted to move to the March Meeting.)

**Please Be Advised that failure to appear before this Board as requested will result in "Automatic Revocation" of your General on Premise All Alcoholic Beverages License.**

**Present: Licensee Did Not Appear As Requested**

**VOTED:** On a motion by Commissioner Almeida, the **Board voted unanimously to table the matter until this Board's next meeting on April 22, 2019.**

**12. Hearing: Albert J. Santos d/b/a Royal II**  
**Mr. Albert J. Santos, Owner**  
**123 MacArthur Drive**

**Re: Approved 08/30/16**  
**Prior Renewal Hearings: (4)**

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2019. The hearing is also being held at the request of the members of this Board to discuss your plans for your liquor license for the year 2019 prior to this Board considering approval of your 2020 renewal application.

If warranted, the Board may cancel the license of any license holder who "ceases to conduct the licensed business" that is, *any license holder who closes the business or stops doing business*. Licensees should be conducting the licensed business on all



days authorized by the license. Any licensee that does not comply with its obligation to conduct the licensed business and holds a so-called "pocket License" is subject to possible action by the Board.

Notice is given in accordance with Massachusetts General Laws Chapter 138, section 77, which states that the licensing authorities may, after hearing or reasonable opportunity therefore, cancel any license issued under this chapter if the licensee ceases to conduct the licensed business.

You **must submit** to the Board that evening, a letter stating your intentions regarding the license that has been issued to you detailing either an opening date, plans to transfer, or change of location, as it applies to your situation.

**Decision of 11/19/18 Meeting**

As a result of the open hearing held on Monday, November 19, 2018 to determine the status of your annual liquor license for the year 2018, the **Board voted unanimously to approve your 2019 liquor license renewal and to table the matter until this Board's April 22, 2019 meeting.**

The Board's decision was based on the information provided by Mr. (Ron) Oliveira, in which he stated, that he had signed a P & S Agreement to purchase your liquor license in order to market the license with the existing building.

The Board has given you the additional time in order for you to finalize the transaction and to give the buyer sufficient time to submit an application for transfer.

The Board is hopeful that an application for transfer is submitted by April 1, 2019, so that it may be placed on our April 22, 2019 Agenda.

It should also be noted that Mr. Oliveira has no rights to this license until such a time as an application for transfer has been submitted and approved by this Board and submitted to the ABCC for their approval.

**Present: Atty. Nickolas Gomes., Legal Counsel for Proposed Buyer along with Ronald & Stacey Oliveira, Proposed Buyers**

Atty. Gomes submitted a letter that outlined the current status of the transaction between Royal II and his clients, which was unanimously voted by the Board to be received and placed on file.

Atty. Gomes stated the following which was included in the correspondence, since we last met ... my clients have closed on the property located at 123 MacArthur Drive ... I've also included in the correspondence a version of the application that I intend to file with the Licensing Department either tonight if it's allowed or tomorrow morning ... first thing in the morning ... detailing the plan moving forward ... it's essentially at the last meeting ... the only difference is that the holding company has changed ... so this is the new corporate structure that is going to hold the lease ... and operate the restaurant and bar ... in the same layout ... same manner as the previous restaurant ... so on that basis we are requesting some time to go forward and allow the application to be reviewed.

When asked by Chairman Beauregard if any of the construction had begun, Atty. Gomes responded, at this time, just the exterior has been updated just to include real estate signs that the property is being marketed, in order to find an individual or individuals who might be interested in putting in a restaurant or other use at this location.

When asked by Chairman Beauregard, so it's not your client's intention to operate the restaurant themselves, Atty. Gomes responded, the intention is, if there is no 3<sup>rd</sup> party to come forward with interest, then my clients would open a restaurant so the license is not lost; so whether or not it's going to a 3<sup>rd</sup> party entity who is going to actually be operating at this location into the future we would update the Board at that time ... but at this time so it can move forward ... we are filing an appropriate application for a transfer.

When asked by Chairman Beauregard, as to who it was going to be transferred to now, Atty. Gomes responded, it's being transferred to the holding entity; to which Chairman Beauregard responded, so your transferring it to yourselves.

Atty. Gomes responded, that is accurate ... we will also be submitting an application to alter the premises and to change the description of the premises ... which I believe will be required at a later date ... at this time we are fielding potential contractors for such services so we can provide those plans ... but we're just not there yet.

When asked by Chairman Beauregard as to the time frame of getting this license operational, because this license has been inactive for a long period of time under Mr. Santos' name; and now we have some corporate maneuvering.

Mr. Oliveira responded, I just purchased the building in November ... so it hasn't been since August of 2016 ... we purchased it in November and then we came in for the meeting.

Chairman Beauregard responded, yes but the license has been inactive since 2016, we're just trying to figure out what's going on down there ... the license has been just sitting there since 2016 ... I'm just trying to get a sense of when things are going to start taking place ... whether you're going to be opening a restaurant or you're going to find someone else ... I'm not getting a clear sense right now of what's happening or not happening down there ... or are you just going to flip to someone who wants to buy a restaurant?

Mr. Oliveira stated that his first choice is to find someone who is going to develop a restaurant down there and operate it lock, stock, and barrel just the way it is ... that would be great ... but if we're getting interest for a smaller venue ... we'll notify the Board and go through the proper channels with the Building Department.

When asked by Chairman Beauregard, are you talking two separate restaurants?

Mr. Oliveira responded, no ... one restaurant ... the rest of the building would be used as office space or a mixed-use space for business ... but it would not be two bars or anything like that ... but right now we're looking to open it up just the way it was ... one big restaurant ... two floors ... exactly the way it was.

Chairman Beauregard responded, my question is ... when is construction beginning for that to happen?

We need to see something happening down there ... the transfer of the property is one step ... we need to see some activity that's going to take us to the next step.

Atty. Gomes stated that they should have better information as to what direction they will be moving forward in within the next 30-60 days ... and who will be drafting the plans to move this forward ... so to answer your question ... a 30 to 90 day period would be a proper response to give you an accurate timeframe when construction will be beginning.

Mr. Oliveira then requested that the Board grant them 60-90 days to determine in what direction they will be going in; at which time we will have plans submitted to the Building Department for permitting.

Mr. Nanopoulos informed the Board that he had spoken with Atty. Gomes that a transfer of the liquor license from Mr. Santos to Mr. Oliveira must be submitted for the April Agenda with the current description, so that the license is out of Mr. Santos' name.

Atty. Gomes stated that both steps are being worked on.

When asked by Chairman Beauregard if would be able to submit an application for transfer in time for the April meeting, Atty. Gomes responded, I will be in tomorrow to see Mr. Nanopoulos.

**VOTED:** On a motion by Commissioner Almeida, the **Board voted unanimously to table the matter until this Board's April 22, 2019 meeting with the stipulation that an application for transfer be submitted in time for the April meeting.**

**13. Hearing: Sapatinha's Café, Inc. d/b/a Smoke N Fishermen Seafood Restaurant & Bar (Euphoria Lounge)**  
**Mr. Jose G. Borges, Jr. Manager/Owner**  
**289 Acushnet Avenue**

**Closed 08/21/18**

**Prior Renewal Hearings: (8)**

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2019. The hearing is also being held at the request of the members of this Board to discuss your plans for your liquor license for the year 2019 prior to this Board considering approval of your 2020 renewal application.

If warranted, the Board may cancel the license of any license holder who "ceases to conduct the licensed business" that is, *any license holder who closes the business or stops doing business*. Licensees should be conducting the licensed business on all days authorized by the license. Any licensee that does not comply with its obligation to conduct the licensed business and holds a so-called "pocket License" is subject to possible action by the Board.

Notice is given in accordance with Massachusetts General Laws Chapter 138, section 77, which states that the licensing authorities may, after hearing or reasonable opportunity therefore, cancel any license issued under this chapter if the licensee ceases to conduct the licensed business.

You **must submit** to the Board that evening, a letter stating your intentions regarding the license that has been issued to you detailing either an opening date, plans to transfer, or change of location, as it applies to your situation.

**Decision of 11/19/18 Meeting**

As a result of the open hearing held on Monday, November 19, 2018 to determine the status of your annual liquor license for the year 2018, the **Board voted unanimously to approve your 2019 renewal and to table the matter until this Board's March 25, 2019 meeting.**

The Board's decision was based on the information you provided to the Board in which you stated that you have surrendered your license and will reopen as a restaurant with a completely new staff. The Board has given you the additional time in order for you to complete your renovations, so that you can re-open in a timely manner.

The Board has the expectation that you will be operational by March 1, 2019, if so, you will not be required to attend the March 25, 2019 meeting.

**Present: Jose G. Borges, Jr. Manager/Owner**

When asked by Chairman Beauregard as to the status of the renovations, Mr. Borges stated that everything has been built out and that he was just waiting for his final inspections, so that he could get his permits to open.

When asked by Chairman Beauregard, so if you received your CO by Friday, what is your game plan; to which Mr. Borges responded, to be open by May 1<sup>st</sup>.

**VOTED:** On a motion by Commissioner Almeida, the **Board voted unanimously to table the matter until this Board's**

**May 20, 2019 meeting with stipulations.**

**Board's Written Decision of 04/09/19**

As a result of the open hearing held on Monday, March 25, 2019 to determine the status of your annual liquor license for the year 2019, the **Board voted unanimously to table the matter until this Board's May 20, 2019 meeting.** The Board's decision was based on your intention to open as soon as the ongoing renovations are complete. The Board has the expectation that you will be operational by this date, if so, you will not be required to attend the May 20, 2019 meeting.

**14. Hearing: Ying Dynasty Nauset, LLC**

**d/b/a Ying Dynasty**

**Mr. Shang Ying Zhao, Manager of LLC**

**114-116 Nauset Street**

**Approved 06/03/14 – Renovations**

**Prior Renewal Hearings: (10)**

Your presence is respectfully requested at a hearing to discuss your plans for your liquor license for the year 2019 prior to this Board considering approval of your 2020 renewal application.

Notice is given in accordance with Massachusetts General Laws Chapter 138, section 77, which states that the licensing authorities may, after hearing or reasonable opportunity therefore, cancel any license issued under this chapter if the licensee ceases to conduct the licensed business.

If warranted, the Board may cancel the license of any license holder who "ceases to conduct the licensed business" that is, *any license holder who closes the business or stops doing business*. Licensees should be conducting the licensed business on all days authorized by the license. Any licensee that does not comply with its obligation to conduct the licensed business and holds a so-called "pocket License" is subject to possible action by the Board.

You must submit to the Board that evening, a letter stating your intentions regarding the license that has been issued to you detailing either an opening date, plans to transfer, or change of location, as it applies to your situation.

**Minutes of 11/19/18 Meeting**

As a result of the open hearing held on November 19, 2018 to determine the status of your annual liquor license for the year 2018, the **Board unanimously voted to table the matter until this Board's February 25, 2019 meeting; along with a request that Inspectional Services once again does an inspection of the premises prior to said meeting, and submit a progress report to the Board at said meeting.**

The Board's decision was based on the information provided by Atty. (Christopher) Markey on your behalf, in which he stated that you met with Bay Coast Bank to get funding to complete the remainder of the renovations; and that they were very enthusiastic in helping you as a customer, and that he expected that to happen very shortly but you haven't got the final decision yet.

Atty. Markey also addressed the issue of the pending application that is still waiting on a Certificate of Good Standing from the DOR and a Certificate of Compliance from the DUA, of which he stated that he was still waiting to receive in order for your application for a Change of LLC Members and Transfer of Financial Interest to be submitted to the ABCC for approval.

Chairman Beauregard advised Atty. Markey that by the February meeting, a final decision (approved financing) must be made to finish the project or steps must be taken to sell the liquor license.

**Present: Atty. Christopher Markey along with Shang Ying Zhao, Owner/ Manager**

Atty. Markey stated that he was in the process of putting an application together to address the Change in the LLC and to address the reduction in size of the restaurant so that they can stay under the required seating capacity, so it doesn't have to be sprinklered, as discussed at the last meeting.

**VOTED:** On a motion by Commissioner Almeida, the **Board voted unanimously to table the matter until this Board's November 18, 2019 meeting with the stipulation that an application for the changes that are required be submitted in time for the April Meeting.**

**Board's Written Decision of 04/09/19**

As a result of the open hearing held on Monday, March 25, 2019 to determine the status of your annual liquor license for the year 2019, the **Board voted unanimously to table the matter until this Board's November 18, 2019 meeting.** The Board's decision was based on your intention to open as soon as the ongoing renovations are complete. The Board has the expectation that you will be operational by this date, if so, you will not be required to attend the November 18, 2019 meeting.

**VOTED:** Commissioner Almeida made a motion to take up **Item #'s 15– 24** at one time; waive reading; and approve the applications as presented – **Unanimous**

**\*\*\* Special One-Day Licenses (10) \*\*\***

**15. APPLICATION, (No Representation Required)**

**Clark's Cove Leasing & Storage, Inc. d/b/a Kilburn Fights, Peter Andrade, Representative**, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License for a "Boxing Event"**; to be held at the **Kilburn Mill**, located at **127 West Rodney French Boulevard**; and to be held on **Saturday, March 23, 2019, from 6:00 p.m. until 10:00 p.m.** *(Final approval will require a copy of the Police Detail Contract)* **\*NO CHANGES, AS PREVIOUSLY APPROVED\***

**16. APPLICATION, (No Representation Required)**

**New Bedford Fishing Heritage Center, Kerrie Burrer, Representative**, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a "Private Film Screening"; to be held at the **New Bedford Fishing Heritage Center**, located at **38 Bethel Street**; and to be held on **Thursday, March 28, 2019, from 7:00 p.m. until 9:00 p.m.**

**17. APPLICATION, (No Representation Required)**

**Immigrants' Assistance Center, Inc., Helena DaSilva Hughes, Executive Director** who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a "48<sup>th</sup> Anniversary Fundraiser"; to be held at the **Harbor View Gallery**, located at the **N.B. Whaling Museum, 18 Johnny Cake Hill**; and to be held on **Thursday, April 4, 2019, from 5:30 p.m. until 8:30 p.m.**

**18. APPLICATION, (No Representation Required)**

**New Bedford Whaling Museum, Joclyne Nunes, Representative**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Reception and Lecture'; to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Thursday, May 10, 2018, from 6:00 p.m. until 8:00 p.m.**

**19. APPLICATION, (No Representation Required) – "LATE FILE"**

**Clark's Cove Leasing & Storage, Inc. d/b/a Kilburn Fights, Peter Andrade, Representative**, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License for a "Comedy Show Event"**; to be held at the **Kilburn Mill**, located at **127 West Rodney French Boulevard**; and to be held on **Saturday, April 6, 2019, from 6:00 p.m. until 10:00 p.m.** *(Final approval will require a copy of the Police Detail Contract)*  
**\*\*NO CHANGES, AS PREVIOUSLY APPROVED\*\***

**20. APPLICATION, (No Representation Required)**

**New Bedford Art Museum, Jamie Uretsky, Representative**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'N. B. Historical Workshop' to be held at the **New Bedford Art Museum**, located at **608 Pleasant Street**; and to be held on **Thursday, April 18, 2019 from 6:00 p.m. until 8:00 p.m.**

**21. APPLICATION (No Representation Required)**

**Zeiterion Theatre, Inc., Justin LaCroix, Manager**, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a "Viva Portugal Fundraiser"; to be held **in the street under a tent**, located at **684-686 Purchase Street**; and to be held on **Saturday, May 4, 2019, from 11:00 a.m. until 10:00 p.m. (Last Call 9:30 p.m.)** *(Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)* **\*\*NO CHANGES, AS PREVIOUSLY APPROVED\*\***

**22. APPLICATION, (No Representation Required)**

**Friendly Sons of St. Patrick, Inc., Timothy Murray, Representative**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for their '12<sup>th</sup> Annual Taste of the Southcoast', which will be held **under a tent on Pier 3**; and to be held on **Sunday, May 19, 2019 from 12:00 p.m. until 5:00 p.m.** *(Liquor Liability with the City named as additionally insured on certificate is required along with a copy of the Police Detail Contract)* **\*\*NO CHANGES, AS PREVIOUSLY APPROVED\*\***

**23. APPLICATION, (No Representation Required)**

**Community Boating Center, Caroline Conzatti, Representative**, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License**, for an 'Opening of the Bay Fundraiser' to be held **in Fort Taber Park – Under a Tent**; and to be held on **Saturday, June 1, 2019, from 6:00 p.m. until 11:00 p.m.** *(Final approval will require Liquor Liability with the City named as additionally insured, and a copy of the Police Detail Contract)* **\*\*NO CHANGES, AS PREVIOUSLY APPROVED\*\***

**24. APPLICATION, (No Representation Required) – “LATE FILE”**

**Kerrie Medeiros, Applicant**, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a “College Graduation Party”, to be held at the **Fort Taber Community Center**, located within Fort Taber; and to be held on **Saturday, June 29, 2019, from 5:00 p.m. until 11:00 p.m.**

*(Final approval will require Liquor Liability with the City of New Bedford named as additionally insured.)*

**25. Hearing: Perry’s Fireside Lounge, Inc. – “LATE FILE”**

Ms. Laura Perry, Manager/Co-Owner  
24 Clifford Street

**Re: Approved 11/27/18**

**Prior Renewal Hearings: (0)**

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2019. The hearing is also being held at the request of the members of this Board to discuss your plans for your liquor license for the year 2019 prior to this Board considering approval of your 2020 renewal application.

If warranted, the Board may cancel the license of any license holder who “ceases to conduct the licensed business” that is, *any license holder who closes the business or stops doing business*. Licensees should be conducting the licensed business on all days authorized by the license. Any licensee that does not comply with its obligation to conduct the licensed business and holds a so-called “pocket License” is subject to possible action by the Board.

Notice is given in accordance with Massachusetts General Laws Chapter 138, section 77, which states that the licensing authorities may, after hearing or reasonable opportunity therefore, cancel any license issued under this chapter if the licensee ceases to conduct the licensed business.

You **must submit** to the Board that evening, a letter stating your intentions regarding the license that has been issued to you detailing either an opening date, plans to transfer, or change of location, as it applies to your situation.

**Present:** *Laura Perry, Co-Owner Manager/*

Ms. Perry stated that the renovations are complete and that she plans to open on April 5<sup>th</sup>; and that she anticipates getting all her approvals in time for the opening.

**VOTED:** On a motion by Commissioner Almeida, the **Board unanimously voted to take no further action.**

- **CORRESPONDENCE**

**From: Atty. Madelyn H. Genereux** **Dated –03/05/19 Received – 03/07/19**

**Re: Alam & Sarker, LLC d/b/a Star Market** **317-321 Rivet Street**

**Notice of Appeal:** A written notice of an appeal to the ABCC, with regard to the Licensing Board’s Decision of February 25, 2019, to deny their application for a “New” Retail Package Store Wine & Malt Only Beverages license.

**From: ABCC** **Dated –03/12/19 Received – 03/13/19**

**Notice Of Hearing:** You are hereby notified that a hearing will be held by the ABCC on June 20, 2019 at 10:00 a.m. regarding an appeal from the action of the City of New Bedford License Commission for denying the sec. 15 Wines and Malt Beverages Retail Package Store Application of Alam and Sarker, LLC d/b/a Star Market to be exercised at 317-321 Rivet Street, N.B., MA.

\*\*\*TO BE RESCHEDULED\*\*\*

**ACTION TAKEN:** Received & Placed on File.

- **COMPLAINTS RECEIVED:**

--NONE--

- **DOWNTOWN DISTURBANCES**

Tuesday, 2/12/19

#19-15850 – 2:06 a.m. – Disturbance suppressed at **The Garden** - four males reported “in female bartender’s face.”

Friday, 2/22/19

#19-19626 - 9:00 p.m. – Male charged with disorderly conduct after disturbance at the Pour Farm.

- **REVIEW POLICE DEPARTMENT INCIDENT REPORTS/ COMPLAINTS**

<u>NAME</u>	<u>POLICE REPORT#</u>	<u>DATE</u>	<u>VIOLATION</u>
1. Fernando's Sports Bar	19 – 2171 – OF	02/24/19	<b>Patron Assaulted On The Premises/Intoxicated Patron</b> (Approximate Time of Violation 11:20 p.m.)

**Decision: Bring In For a Hearing – 04/22/19**

2. Whiskey Lounge	19 – 535 - AR	02/25/19	<b>Fight On The Premises</b> (Approximate Time of Violation 10:36 p.m.)
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**Decision: Bring In For a Hearing – 04/22/19**

- **NEXT TWO MEETING DATES: April 22<sup>nd</sup> & May 20<sup>th</sup> both on Mondays, in Room 314**
- **MEETING ADJOURNED: 8:05 P.M.**