

PRESENT: Steven A. Beauregard, Chairman

Marcelino “Sonny” G. Almeida, Commissioner

Edmund F. Craig, Jr., Commissioner – (Unable To Attend Due To A Family Matter)

Atty. Kreg Espinola, Asst. City Solicitor

Capt. Adelino Sousa, Police Department Liaison to the Lic. Bd.

Nick Nanopoulos, Director

- **APPROVALS RECEIVED FROM THE ABCC (4)**

“NEW” CV Wine & Malt Only Beverages License & Pledge of License – New Trans #04927-RS-0778. - Plot # 103--97 (Old # 238-RS-0778)

JME Enterprises, Inc. d/b/a David’s Restaurant Grill and Mix Foods, David Jimon-Guarcas, President, who is petitioning for a **New Common Victualler (Restaurant) Wine and Malt Only Beverages License**. Upon approval, David Jimon Guarcas will be the President, Treasurer, Secretary, Co-Director, and Sole Shareholder (100%); and **Kathyria Ayala** will be a Co-Director and the **Proposed Manager of the Liquor License**. The petitioner is also requesting approval of a **Pledge of the Common Victualler (Restaurant) Wine & Malt Only Beverages License to ALA Leasing, LLC**, with an address of **3035 Anderson Drive, Dighton, MA.** as security to authorize and execute a promissory note in the amount of **Three Hundred & Forty-Three Thousand Dollars (\$343,000.00), pursuant to Massachusetts General Laws Ch.138 s.23.** The proposed licensed premise consists of an area approximately 4,861 sq. ft., which will include a bar area, dining area, function room, kitchen and kitchen prep area, storage room, office, coolers for alcohol, and two restrooms on the first floor of a three-story building. Alcohol will also be stored in the basement. The premise is situated on the southeast corner of Church and Earle Streets, and will be numbered **70-76 Church 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’**.

Approved by the ABCC – 05/24/19

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

Transfer of License - Trans. #00124-RS-0778 – Plot # 53--252

Black Whale, LLC d/b/a Black Whale, Albert J. Santos, Sole Director, who is petitioning to **Transfer a Common Victualler (Restaurant) All Alcoholic Beverages License to Servedwell Fisherman’s Pier, LLC d/b/a Black Whale**. Upon approval, Stephen T. Silverstein will be the Sole Member, Sole Manager, and Sole Interest Holder (100%); and **Stephen T. Silverstein** is also the **Proposed Manager of the Liquor License**. The premise will remain the same as follows: The licensed premises consist of an area approximately 4,266 sq. ft. on the first floor of a one-story building, which includes a dining area and bar area, which has an occupancy of 150 patrons, and a kitchen, and two handicapped restrooms; which will have one main entrance/exit on the north side of the building onto Co-Op Wharf, and an emergency exit located on the northwest corner of the building. The licensed premises will also include a raised outdoor patio area approximately 3,280 sq. ft., which is contiguous to the main dining area on the east side of the building with an occupancy of 180, and is located on the east side of the building with two entrances/exits into the main restaurant area, along with a handicap ramp adjacent to the main entrance. **** The indoor and outdoor occupancy shall not exceed 150 patrons combined. ****There is also an area for the storage of alcohol in the basement. The premise is situated on Co-Op Wharf and is **numbered 104-106 Co-Op Wharf**.

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’**.

Approved by the ABCC – 06/03/19

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

Change of Description (Addition of Sidewalk Café) - Trans. #03804-RS-0778 – Plot # 53--132L

Noodle Bowl New Bedford, LLC d/b/a The Noodle Bowl, James G. Jezierski, Co-Manager of the LLC, who is petitioning for a **Change of Description** of the **Common Victualler (Restaurant) Wine & Malt Only Beverages License to include an outdoor ‘Sidewalk Café’ seating area**. The 130 sq. ft. outdoor ‘Sidewalk Café’ area, which will be enclosed with a 2” Nautical Rope and Bollards, will be used for **seated dining purposes only**. The enclosed area, which will include three (3) tables with seating for three (3) patrons, which will allow for the seating of nine (9) patrons, will be located on the West side (front) of the building, which is contiguous to the licensed premises.

The proposed outdoor area will only be accessible by way of an entrance/exit on the north side of the enclosed area in the front of the building and will be accessible by ‘Hostess Seating’ only; the area will also be monitored by the hostess and waitstaff at all times. There will be one entrance/exit that leads to the front door of the establishment.

The proposed hours of operation are **daily from 11:00 a.m. until Close of Business or Midnight, whichever is earlier, at which time all outdoor activity must cease. Also, yearly use of the license is allowed and no permanent structures are allowed**, in accordance, and as specified in the ‘Revised’ City of New Bedford Sidewalk Café Permit Ordinance. (Ord. Ch. 15, Article VI, sec. 15-100 (As Adopted 06/05/18)). The premises will remain numbered **768 Purchase Street**.

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

Change of Officers & Directors - Trans. #00085-CL-0778– Plot # 99—132 – “LATE FILE”

Portuguese American Athletic Club of Greater New Bedford, Inc., Jose Ferreira (new) President, who is petitioning for a **Change of Officers and Directors of the Club All Alcoholic Beverages license**. The petitioner is requesting that the resignations of the current slate of Officers and Directors 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, Jose Ferreira will be the New President, Domingos Adao will remain as the Vice-President, Jose Ribeiro will remain as the Treasurer, Albertino DeSousa will remain as the Secretary, **Arlindo Moura** will remain as a Co-Director and **Manager**, and Jose Rodrigues will remain as a Co-Director; Nikita Ferreira and Carmino Teixeira will be New Co-Directors. Premises will remain the same at **56 Holly Street**.

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

1. Petition - Trans. #00114-GP-0778 – Plot # 52--224

Hungry Whale Hospitality Group, Inc. d/b/a Hungry Whale Pub, Phillip C. Beard, Sole-Director, for a license currently issued at **672-674 Pleasant Street**, who is petitioning to **Transfer a General on Premise All Alcoholic License to Union Flats Seafood, LLC d/b/a Union Flats Seafood Co.** The petitioner is also requesting a **Change of Location from 672-674 Pleasant Street to 37 Union Street; and a Change of License Type from a General On-Premise AA to a Restaurant AA license**. Upon approval, Amelia Ruvich will be a Co-Manager and Co-Interest Holder (34%) of the LLC, and Joshua Lemaire and Christopher Cronin will also be Co-Managers and Co-Interest Holders (33% ea.) of the LLC. **Amelia Ruvich** will be the **Manager of the Liquor License**. The petitioner is also requesting approval of a **Pledge of the Common Victualler All Alcoholic Beverages License to the New Bedford Economic Development Council, Inc.** with an address of **1213 Purchase Street, New Bedford, MA.** as security to authorize and execute a promissory note in the amount of **One Hundred & Twenty Thousand Dollars (\$120,000.00)**, pursuant to **Massachusetts General Laws Ch.138 s.23**. Upon completion of the proposed renovations, the premise will consist of one room on the first floor of a one – story building, in an area approximately 2,700 sq. ft., which includes a dining area and a bar area, a food prep area, a kitchen, three (3) handicapped access restrooms, and a walk-in cooler. There will also be an outdoor patio area approximately 448 sq. ft. (16’ X 28’) to be used as a ‘Sidewalk Café’, which will be enclosed with 21” high planters that will be used to rope off the described area and will be used for seated dining purposes only. The enclosed area, which will include Six (6) Tables for the seating of Twenty-Four (24) patrons, will be located on the south side of the building, which is contiguous to the licensed premises. The proposed outdoor area will only be accessible by way of an entrance/exit on the south side of the enclosed area in the front of the building and will be accessible by ‘Hostess Seating’ only; the area will also be monitored by the hostess and waitstaff at all times. There will also be an additional exit that leads to the front door of the establishment. The proposed 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 an annual license, which will expire on December 31st**, 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)). The licensed premise is situated on the North Side of Union Street between Johnny Cake Hill and Front Street, with an entrance/exit onto Union Street, with an emergency exit located at the rear of the building on the North Side of the building. The premises will be numbered **37 Union 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 Notification Not Required

Present: Amelia Ruvich, Co-Owner and Proposed Manager along with Joshua Lemaire and Christopher Cronin, Co-Owners

Responding to questions from Chairman Beauregard, Ms. Ruvich stated, we will be doing a seafood restaurant ... along with an oyster bar with some upscale cocktail options ... there will not be any entertainment ... and the restaurant hours will be from 11:30 a.m. until 10:00 p.m. ... and that she did not have any plans on being open until 2 a.m. ... stating, I really don’t want to be in the bar business ... but I would like to keep the flexibility to do so if things change.

When asked by Commissioner Almeida if all the staff would be T.I.P.S. Certified, Ms. Ruvich stated that they would be.

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. Ruvich 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**

2. Petition - Trans. #04950 – RS – 0778 – Plot # 53--252 (No Representation Required)

Servedwell Fisherman’s Pier, LLC d/b/a The Black Whale, 104-106 Co-Op Wharf, Stephen T. Silverstein, Co-Manager of LLC, is requesting approval of a **Pledge of the Common Victualler (Restaurant) All Alcoholic Beverages License** to **St. Anne’s Credit Union.** with an address of **3087 Acushnet Avenue, New Bedford, MA.,** as security to authorize and execute two promissory notes in the amounts of **One Million Four Hundred Fifty Thousand Dollars (\$1,450,000.00)** and **One Million Four Hundred Forty Thousand Dollars (\$1,440,000.00),** pursuant to **Massachusetts General Laws Ch.138 s.23:** both given by the **Pledgor and Servedwell Dartmouth, LLC to St. Anne’s Credit Union.**

Advertisement nor Abutters Notification Required

Present: No One Was Required To Attend

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**

3. Petition - Trans. #00209-CL-0778 – Plot # 93--181 (No Representation Required)

Centro Luso Americano Club, Inc., John Gomes, President, who is petitioning for a **Change of Officers and Directors of the Club All Alcoholic Beverages license.** The petitioner is requesting that the resignations of the current slate of Officers and Directors 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, John Gomes will remain as the President, Dean Pires will remain as the Vice-President, Michelle Pereira will be the new Treasurer, and Billie Jo Cardella will be the new Secretary; and Luci Carvalho, and Kimberly Medeiros will remain as Co-Directors. **Michelle Pereira** will remain as the **Manager.** Premises will remain the same at **34 Beetle Street.**

Advertisement nor Abutters Notification Required

Present: No One Was Required To Attend

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**

4. Petition - Trans. #00054 – CL – 0778 – Plot # 93--92 (No Representation Required)

Club Recordacoes De Portugal, Inc., Antonio DaSilva, President, who is petitioning for a **Change of Officers and Directors of the Club All Alcoholic Beverages license.** The petitioner is requesting that the resignations of the current slate of Officers and Directors 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, Antonio DaSilva will be the President and a Co-Director, Bruno Ramos will be the Vice-President and a Co-Director, Carlos Chaves will be the Treasurer and a Co-Director, and Jessica Miranda will be the Secretary and a Co-Director; and Avelino Sequeira and Alipio Dos Anjos will both be Co-Directors. Premises will remain the same at **249 – 253 Coggeshall Street.**

Advertisement nor Abutters Notification Required

Present: No One Was Required To Attend

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**

5. Petition - Trans. #00004 – CL – 0778 – Plot # 104--7 (No Representation Required)

Club Sport Madeirense, Inc., Richard Fernandes, President, who is petitioning for a **Change of Officers and Directors of the Club All Alcoholic Beverages license.** The petitioner is requesting that the resignations of the current slate of Officers and Directors 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, Richard Fernandes will be the President and a Co-Director, Carlos Fernandes will be the Vice-President and a Co-Director, James Fernandes will be the Treasurer and a Co-Director, and John Fernandes will be the Secretary and a Co-Director; and Brian Fernandes and Robert Bertoldo will both be Co-Directors. Premises will remain the same at **1624 - 1632 Acushnet Avenue.**

Advertisement nor Abutters Notification Required

Present: No One Was Required To Attend

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**

6. Petition - Trans. #00027 – CL – 0778 – Plot # 108--8 (No Representation Required)

New Bedford Sports Club, Inc., Francisco Fonseca, President, who is petitioning for a **Change of Officers and Directors of the Club All Alcoholic Beverages license**. The petitioner is requesting that the resignations of the current slate of Officers and Directors 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, Francisco Fonseca, will remain as the President, Jose Pimentel will remain as Treasurer, and Maria Deolinda Vieira will be the (new) Secretary; and Joao Medeiros, Maria C. Vieira, Luis Vieira and Antonio Vieira will all be Co-Directors. **Luis Vieira** will remain as **Manager**. Premises will remain the same at **1792 Acushnet Avenue**.

Advertisement nor Abutters Notification Required

Present: No One Was Required To Attend

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. Petition - Trans. #00073 – CL – 0778 – Plot # 25--88 (No Representation Required)

Portuguese Sports Club, Inc. Nelson A. Rodrigues, New President, who is petitioning for a **Change of Officers and Directors of the Club All Alcoholic Beverages license**. The petitioner is requesting that the resignations of the current slate of Officers and Directors 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, Nelson A. Rodrigues will be the President, Vice-President, Treasurer, Secretary; and Sole Director. **Nelson A. Rodrigues** will remain as the **Manager**. Premises will remain the same at **56 Delano Street**.

Advertisement nor Abutters Notification Required

Present: No One Was Required To Attend

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**

8. Petition - Trans. #00034-CL-0778 – Plot # 127-D-200 (No Representation Required)

Private A. Poirier Post #3260, Veterans of Foreign Wars of the U.S., Inc., Dennis A. Pelletier, President, who is petitioning for a **Change of Officers and Directors of the Club All Alcoholic Beverages license**. The petitioner is requesting that the resignations of the current slate of Officers and Directors 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, Dennis A. Pelletier will be the President and a Co-Director, Paul N. Guilbeault will be both Treasurer and Secretary; and Richard D. Deneault and Delfino R. Garcia will be Co-Directors. **Paul N. Guilbeault** will remain as **Manager**. Premises will remain the same at **281 Appleton Street**.

Advertisement nor Abutters Notification Required

Present: No One Was Required To Attend

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**

9. Hearing: Cultivator Shoals, Inc. d/b/a Cultivator

Mr. Jason P. Lanagan, Owner

29 Union Street

Your presence is respectfully requested at a hearing to discuss compliance issues with your outside seating area and whether your establishment has a fully functional kitchen.

It has been brought to our attention that patrons have been observed smoking and drinking out of glass containers without the required presence of staff in the outside area. Additionally, if the establishment does not have an operational kitchen, then any use of the outside area is prohibited. Please note the following:

City Ordinance Chapter 15, Article VI - sec. 15-100 - Outdoor café permit

- (ii) No portion of an outdoor café may be used for any purpose other than seated dining or circulation. Outdoor cafés must serve food. No one shall be seated in an outdoor café for the sole purpose of drinking alcohol, nor can the outdoor café be used as a place for patrons to drink while standing.
- (iii) The outdoor café area cannot be used for smoking.

You are requested to bring with you your Sidewalk Café License to the hearing as you may be required to relinquish same depending on the Board's findings.

Present: Jason P. Lanagan, Owner: Damon Chaplin, Director of Public Health

Chairman Beauregard opened the hearing by asking Mr. Lanagan as to the status of the kitchen, to which Mr. Lanagan responded, the kitchen is now open ... we pulled plumbing and electrical permits and that work has been completed ... the kitchen is now functioning ... we're currently serving a seven item menu which will be changing every week... we did open the kitchen which was always our intention ... the reason we weren't open was due to the fact that we had a ventilation issue that we had to deal with ... then our tenant decided to move out next door ... so our plans changed ... so we kind of got caught up in all that ... so we got caught in this time frame where we we're not totally functional ... but it has been remedied 100% since the violation notice.

When asked by Chairman Beauregard, so that allows you to serve food outside, Mr. Lanagan responded, yes it does ... we've retrained our staff ... we've added signage outside that lets the patrons know what the rules are ... and everybody seems to be following the rules 100% ... I check in periodically unannounced to make sure everybody is doing the right thing ... smoking has never been permitted ... however, people weren't enforcing those rules ... but they have been retrained ... it's become a much more serious issue ... we've purchased more than enough plastic drink glasses ... to ensure that all drinks are being served in plastic glasses ... like I said earlier ... we take this very seriously ... we're very proud of what we do down there ... so we've done everything we can to fix this.

Mr. Damon Chaplin, who is the Director of the Health Department was then recognized by Chairman Beauregard, who stated, they currently do have a permit to operate the kitchen ... they have a Health Permit for the bar only ... we have not received an application for the kitchen ... so they're operating without a permit ... and the second thing is ... the bar permit expires June 30th ... and we have not received a new application which was due in May for the health inspection. Mr. Lanagan responded, so, if I may ...I did reach out to the health inspector immediately after being cited ...and I met with the health inspector on site ... and went over everything that we would be doing ... and I asked him if I should fill out the application at that time ... and he told me to wait and to submit them both at the same time ... and that's what I'm doing ... I'm more than happy to get that application in tomorrow ... we made sure that more than one staff person is ServeSafe Certified ... as well as getting the Allergy Certificate ... and CPR Certifications ... so I can easily have that application filled out 100% tomorrow ... but I did meet with an inspector down there.

When asked by Mr. Chaplin as to when he met with the inspector, Mr. Lanagan responded, it was the week after Memorial Day Weekend, which was the weekend I was cited on.

When asked by Chairman Beauregard if what Jay just described is the problem as to why you can't issue the permit not the renewal but the permit for the kitchen and because of everything you just mentioned, Mr. Chaplin responded, that's correct ... we haven't received an application, which we would need to initiate the inspection of the facility ... so we can't issue the permit without first inspecting the facility, which we would do once we receive the application ... so, in a couple of weeks even the bar permit will be expired.

Chairman Beauregard responded, so the problem is ... if the kitchen isn't operational ... then the patio cannot be operational.

Mr. Lanagan responded, like I said earlier ... I did call the inspector to come down ... and I do understand what you're saying and that will be the first thing I do tomorrow morning to bring it all together ... but it wasn't something that I was trying to skirt around ... I have two other restaurants that filled out their applications and got them in on time and that's when I called ... and told them that I was submitting my applications for "Cork" and "Rose Ally" at this time ... and I have this situation going on at "Cultivator" ... finish everything ... get it up and running ... and then fill it out ... so that's really where I'm at now.

Mr. Chaplin responded; "you can't be serving food while that process is happening".

Chairman Beauregard responded, with that said ... where we're at now is ... the outdoor patio cannot be operational until you receive your food permit, so you need to surrender the patio license that we issued to you until such a time as you are issued your permit from the Health Department.

When asked by Chairman Beauregard, so how long is the turnaround time to get a permit issued? Mr. Chaplin responded, it's just a matter of scheduling an inspection once we receive his application ... and we don't know what we'll find once we get in there.

Chairman Beauregard informed Mr. Lanagan that, based on the information provided by both him and Mr. Chaplin, that use of the outdoor patio is prohibited until a food permit is received and submitted to Mr. Nanopoulos.

Voted: Commissioner Almeida made a motion to suspend the Sidewalk Seating License until such a time that a Food Permit has been submitted to this office; and that the patio not be used until that time. – **Unanimous**

As a result of the hearing, of which an audio version is on file; the Board made the following decision:

Board’s Written Decision of 06/24/19

Per your recent hearing to determine if your establishment has a fully functional kitchen, as well as to discuss compliance issues relative to your outside seating area, specifically City Ordinance Chapter 15, Article VI - sec. 15-100 - Outdoor café permit,

1. No portion of an outdoor café may be used for any purpose other than seated dining or circulation. Outdoor cafés must serve food. No one shall be seated in an outdoor café for the sole purpose of drinking alcohol, nor can the outdoor café be used as a place for patrons to drink while standing.

2. The outdoor café area cannot be used for smoking,

this Board took the following action:

Based on your testimony and that of Mr. Damon Chaplin, Health Director, who informed the board that the recently installed kitchen had not yet been inspected and that an application for a 2019-2020 Food permit had not yet been submitted and approved; therefore, the kitchen should not be used, which is required to offer food for use of the sidewalk seating, the Board unanimously voted to suspend the sidewalk café license, effective immediately, until a 2019-2020 Food permit is submitted to this office, and that all outdoor service be suspended until such a time as said document has been received, and the Sidewalk Café license has been re-issued.

See Item # 10

The Board also approved your request to serve coffee and other accompaniments prior to 8 a.m. Monday through Saturday; as well as on Sunday prior to 11:00 a.m., if all displayed alcohol is either stored away or covered up.

Under no circumstances may alcohol be served or sold prior to 8 a.m. on Monday through Saturday; as well as on Sunday prior to 11:00 a.m.

10. Request: Cultivator Shoals, Inc. d/b/a Cultivator

Mr. Jason P. Lanagan, Owner
29 Union Street

The licensee is requesting that he be allowed to serve coffee starting at 6 a.m. daily, with the understanding that all the liquor must be removed from the bar area. Under no circumstances can alcohol be allowed to be served prior to 8:00 a.m. on Monday through Saturday, and prior to 11:00 a.m. on Sunday.

Present: Jason P. Lanagan, Owner

As a result of discussing the matter at length with Mr. Lanagan, of which an audio version is on file; the Board made the following decision:

Voted: Commissioner Almeida made a motion to approve the request to serve coffee and other accompaniments prior to 8 a.m. Monday through Saturday; as well as on Sunday prior to 11:00 a.m., if all displayed alcohol is either stored away or covered up. ***Under no circumstances may alcohol be served or sold prior to 8 a.m. on Monday through Saturday; as well as on Sunday prior to 11:00 a.m..*** – **Unanimous**

11. Hearing: United Fishermen Club, Inc.

Mr. Jose Santos, President
639 Orchard Street

This office has been informed that there has been a change of Officers and Directors, and that Mark Custodio has resigned his position as an officer and manager of the organization. As your organization is aware from past practices, an application for change of manager as well as the new slate of Officers and Directors must be filed immediately.

Please be advised that should representation fail to appear; this Board may immediately suspend your General on Premise All Alcoholic Beverages License until this matter is resolved.

The Board also requests that you bring with you your 2019 Liquor License to the hearing as you may be required to relinquish same depending on the Board’s findings.

****Matter Has Been Ongoing Since the 10/23/17 Meeting---Matter Was Last Discussed At the 02/25/19 Meeting****

Present: Atty. Christopher Markey

Mr. Nanopoulos informed the Board that this matter has been ongoing for almost a year with no resolution, and that the club is currently operating without an approved manager, since Mr. Custodio resigned on 01/28/19.

Atty. Markey stated that it was his fault that an application has not been submitted yet, but he would have it ready to be put on next month's agenda.

When asked by Chairman Beauregard if he felt there would be a problem with the DOR and DUA, Atty. Markey responded, I don't think so ... it's my understanding that it was part of the agreement to get these guys on the Board was to have that all resolved ... I know when we were here in February ... a significant check went to the DOR but I will double check that to make sure.

Voted: Commissioner Almeida made a motion to table the matter for thirty (30) days, to give the licensee sufficient time to submit an application to address those issues. – **Unanimous**

As a result of the hearing, of which an audio version is on file; the Board made the following decision:

Board's Written Decision of 06/24/19

As a result of the open hearing held on Monday, June 17, 2019, regarding your failure to submit an application to address certain changes you've made to your corporate structure as well as naming a new manager; the Board voted unanimously to table the matter for thirty (30) days, to give you sufficient time to submit an application to address those issues.

The Board's decision was based on the assurances by your Attorney (Christopher Markey) that he would have an application submitted by July 3, 2019, so that it may be placed on the July 22, 2019 Agenda.

The Board has the expectation that an application will be filed in a timely manner, if so, you will not be required to attend the July 22, 2019 meeting.

12. Hearing: Ying Dynasty Nauset, LLC

Mr. Shang Ying Zhao, Manager

114-116 Nauset Street

As previously discussed, because of changes made to your corporate structure as well as the description of your premises, you had been advised to file an application to address these changes. To date, said application has not been filed.

As a result of your failure to comply, you are required to attend a hearing to address this issue.

****Matter Has Been Ongoing Since 05/11/18---Matter Was Last Discussed At the 02/25/19 Meeting****

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

Atty. Markey stated that he was in the process of resolving any outstanding DOR & DUA issues and that he would have an application submitted in time for the July meeting.

He also stated that the new plans were submitted to the Building Department in May and they are just waiting for approval to get a new building permit; and then he'll resume his renovations.

Voted: Commissioner Almeida made a motion to table the matter for thirty (30) days, to give the licensee sufficient time to submit an application to address those issues. – **Unanimous**

As a result of the hearing, of which an audio version is on file; the Board made the following decision:

Board's Written Decision of 06/24/19

As a result of the open hearing held on Monday, June 17, 2019, regarding your failure to submit an application to address certain changes you've made to your corporate structure as well as the planned changes to the description (reduction in size) of your premises; the Board voted unanimously to table the matter for thirty (30) days, to give you sufficient time to submit an application to address those issues.

The Board's decision was based on the assurances by your Attorney (Christopher Markey) that he would have an application submitted by July 3, 2019, so that it may be placed on the July 22, 2019 Agenda.

The Board has the expectation that an application will be filed in a timely manner, if so, you will not be required to attend the July 22, 2019 meeting.

13. Hearing: Columbus Group, LLC d/b/a Columbus Restaurant

Ms. Xiaohui Yang, Owner

218 Union Street

As you are aware, the Alcoholic Beverage Control Commission (ABCC) returned your application because the following issues need to be addressed. Please be advised that this matter has been pending since the declination of November 11, 2018.

1. A transfer from Columbus Group, LLC to NB Hotel MT, LLC;
2. A change of license type from a restaurant to a hotel;

3. A change of location from 218 Union Street to 218 - 222 Union Street;
4. A Change of Description
5. Approval of a Management Agreement with Waterford Hotel Group

In order for these issues to be resolved, you are required to attend a hearing to address this issue

****Matter Has Been Ongoing Since 03/16/18---Matter Was Last Discussed at the 02/25/19 Meeting****

Present: Atty. Christopher Markey

Atty. Markey stated, this is a new business and they've gone through some changes ... we actually applied with a manager who is no longer there ... with regard to the entity itself ... the confusion with the ABCC and myself when we had communications early on to figure it out because of the money that was coming through a U.S. Customs scenario ... so the financial component is one that is complicated but I think we're clear on how to proceed ... but there are still a couple of management agreement issues still to be resolved, which I have to talk to the ABCC about.

Responding to questions from Chairman Beauregard, Atty. Markey stated that the hotel portion (rooms) is being run by Waterford but the bar ... restaurant ... and function room are being run by NB Hotel MT, LLC ... we want the liquor license to stay with the owners of the hotel ... Ms. Yang's group.

Voted: Commissioner Almeida made a motion to table the matter for thirty (30) days, to give the licensee sufficient time to submit an application to address those issues. – **Unanimous**

As a result of the hearing, of which an audio version is on file; the Board made the following decision:

Board's Written Decision of 06/24/19

As a result of the open hearing held on Monday, June 17, 2019, regarding your failure to submit an application to address certain changes you've made to your corporate operation as well as other changes to your issued license; the Board voted unanimously to table the matter for thirty (30) days, to give you sufficient time to submit an application to address those issues.

The Board's decision was based on the assurances by your Attorney (Christopher M. Markey) that he would have an application submitted by July 3, 2019, so that it may be placed on the July 22, 2019 Agenda to address the following issues:

1. A transfer from Columbus Group, LLC to NB Hotel MT, LLC;
2. A change of license type from a restaurant to a hotel;
3. A change of location from 218 Union Street to 218 - 222 Union Street;
4. A Change of Description
5. Approval of a Management Agreement with Waterford Hotel Group

The Board has the expectation that an application will be filed in a timely manner, if so, you will not be required to attend the July 22, 2019 meeting.

VOTED: Commissioner Almeida made a motion to take up **Item #'s 14– 27** at one time; waive reading; and approve the applications as presented – **Unanimous**

***** Special One-Day Licenses (8) *****

14. 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 **Friday, June 7, 2019, from 5:00 p.m. until 6:45 p.m.**

15. APPLICATION, (No Representation Required)

Giraldo's Rest., Inc. d/b/a Adriana's Mexican Restaurant, Martha Gonzalez, Manager, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for the 'Day of Portugal Celebration' to be held on **Acushnet Avenue (from Bullard Street to Beetle Street** and to be held **Friday, June 7, 2019 from 6:00 p.m. until 11:45 p.m., Saturday, June 8, 2019 from 12:00 p.m. until 11:45 p.m., and Sunday, June 9, 2019 from 12:00 p.m. until 10:00 p.m. **NO CHANGES, AS PREVIOUSLY APPROVED****

16. APPLICATION, (No Representation Required)

Rotch-Jones-Duff House, Jessica Brodeur, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a 'Fundraiser' event to be held at the **Rotch-Jones-Duff House**, located at **396 County Street**; and to be held on **Saturday, June 15, 2019, from 6:00 p.m. until 9:00 p.m.**

17. APPLICATION, (No Representation Required)

Azorean Maritime Heritage Society, Diane Kieltyka, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a 'Sail of Portugal Wine Tasting' ; to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Saturday, June 15, 2019, from 6:00 p.m. until 8:00 p.m.**

18. APPLICATION, (No Representation Required)

Group Folkloric Madeirense, Michael Canastra, Representative who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Fundraiser Dinner', to be held at the **Madeira Field – Main Pavilion**, located on **Madeira Avenue**; and to be held on **Saturday, June 29, 2019 from 6:00 p.m. until 11:45 p.m.** ****NO CHANGES, AS PREVIOUSLY APPROVED****

19. APPLICATION, (No Representation Required)

Verdean Veteran's Memorial Foundation, Diane Pina, President, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a 'Fundraiser/Cape Verdean Day Parade', to be held in the **Club - Parking Lot**, located at **561 Purchase Street**; and to be held on **Saturday, July 6, 2019, from 10:00 a.m. until 7:00 p.m.** *(Final approval will require a copy of the Police Detail Contract)*
****NO CHANGES, AS PREVIOUSLY APPROVED****

20. APPLICATION, (No Representation Required)

The Monte Pio Luso Americano Corp., Helder Almeida, Treasurer, requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for their 'Annual Holy Ghost of Acores Feast' to be held in the '**Club Parking Lot**', located at **540 Orchard Street**, and to be held on **Friday, July 19, 2019 and Saturday, July 20, 2019, from 6:00 p.m. until 11:45 p.m. each night; and Sunday, July 21, 2019, from 12:00 p.m. until 10:30 p.m.** *(A Copy of the Police Detail Contract is Required)* ****NO CHANGES, AS PREVIOUSLY APPROVED****

21. APPLICATION, (No Representation Required)

Lisa Rockwell, Applicant, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a 'Wedding Reception', to be held at the **Fort Taber Community Center**, located within **Ft. Taber**; and to be held on **Saturday, July 27, 2019, from 3:00 p.m. until 10:00 p.m.** *(Final approval will require Liquor Liability with the City of New Bedford named as additionally insured; along with a copy of the Catering License)*

- **Friday Nights on the Summer Concert Series - Special One-Day Licenses (6) - (No Representation Required)**

Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract; Concert series will begin on Friday July 5th and will be held every Friday through August 9 ****NO CHANGES, AS PREVIOUSLY APPROVED****

22. APPLICATION,

City of New Bedford Tourism, Dagny Ashley, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Summer Sound Series - Friday Concert on the Pier', to be held on the **City Pier – Pier 3**; and to be held on **Friday, July 5, 2019, from 6:00 p.m. until 8:00 p.m.**

23. APPLICATION,

City of New Bedford Tourism, Dagny Ashley, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Summer Sound Series - Friday Concert on the Pier', to be held on the **City Pier – Pier 3**; and to be held on **Friday, July 12, 2019, from 6:00 p.m. until 8:00 p.m.**

24. APPLICATION,

City of New Bedford Tourism, Dagny Ashley, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Summer Sound Series - Friday Concert on the Pier', to be held on the **City Pier – Pier 3**; and to be held on **Friday, July 19, 2019, from 6:00 p.m. until 8:00 p.m.**

25. APPLICATION,

City of New Bedford Tourism, Dagny Ashley, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Summer Sound Series - Friday Concert on the Pier', to be held on the **City Pier – Pier 3**; and to be held on **Friday, July 26, 2019, from 6:00 p.m. until 8:00 p.m.**

26. APPLICATION,

City of New Bedford Tourism, Dagny Ashley, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Summer Sound Series - Friday Concert on the Pier’, to be held on the **City Pier – Pier 3**; and to be held on **Friday, August 2, 2019, from 6:00 p.m. until 8:00 p.m.**

27. APPLICATION,

City of New Bedford Tourism, Dagny Ashley, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Summer Sound Series - Friday Concert on the Pier’, to be held on the **City Pier – Pier 3**; and to be held on **Friday, August 9, 2019, from 6:00 p.m. until 8:00 p.m.**

28. Hearing: County Liquors, Inc.

Mr. Divyesh Patel, Manager/Owner
642 County Street

1st Offense

Your presence is requested at a hearing to be held in this office to determine whether you have violated certain provisions of M.G. L., ABCC, and/or Licensing Board Rules & Regulations. This hearing will address two incidents, with the first one occurring on April 25, 2019 and the second occurring Five (5) days later April 30, 2019, which involved the same person who was served while being intoxicated.

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, section 69-

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

NOTE: It does not matter whether or not 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 offering assistance to 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 premises.

Licensing Board Regulation No. 10-

Alcoholic beverages shall not be served to a person who is or appears to be intoxicated.

Please be advised, failure to appear at this meeting will result in immediate suspension of your liquor license until this matter is resolved.

Police Report #'s #19 – 1191-AR & #19 – 1247 - AR

Present: Divyesh Patel, Manager/Co-Owner; Capt. Adelino Sousa, Liaison to the Licensing Board along with Officer Jenna Touchette, Reporting Officer

Upon being asked by Mr. Nanopoulos if he had received a copy of the ‘Hearing Notice’, and if he had read the summary contained in the notice, and if he understood why he was before the Board based on the summary and the list of alleged violations contained in the ‘Notice’, Mr. Patel stated that they did receive the notice and he was fully aware of why he was before the Board here tonight, and waived the reading of the summary.

Chairman Beaugard informed Mr. Patel that the reporting officer was present to read, summarize, or give testimony to what was contained in her reports; and at the conclusion of her testimony, the Board would then ask any questions they may have, and then he would be given an opportunity to respond to the testimony presented, and address the Board before they make their decision.

Chairman Beaugard opened the hearing by asking Officer Touchette to either summarize or read her reports and give the Board an overview of what was contained in her reports.

Officer Touchette gave her testimony of what was contained in her two reports and she also gave the Board an overview of what has been occurring on or about the licensed premise, which continues to be an ongoing problem; including serving minors, serving intoxicated patrons, and their failure to curtail disturbances by the patrons on and about the premises.

Mr. Patel was afforded ample opportunity to respond to the testimony that was presented by Officer Touchette, as well as addressing those concerns presented by the Board.

VOTED: On a motion by Commissioner Almeida, **the Board voted unanimously not to take any action at this time;** but did issue a warning that all rules and regulations must be adhered to at all times, whether the licensee is on the premises or not.

As a result of the hearing, of which an audio version is on file; the Board made the following decision:

Board's Written Decision of 06/24/19

Per your recent hearing regarding violations of ABCC Regulation 204 CMR 2.05 (2) and Licensing Board Regulations on two incidents that occurred at your establishment on April 25th and April 30th, 2019, the Board, based on the testimony presented by the Officers and discussing the matter in detail with you and your legal counsel, **voted unanimously not to take any action at this time; but did issue a warning that all rules and regulations must be adhered to at all times, whether you are on the premises or not.**

At the conclusion of this hearing, you were forewarned that your failure to remain in compliance would result in *sanctions by this board.

***Massachusetts General Laws Chapter 138, section 64-**

This Board, after notice to the licensee and a public hearing may modify, suspend, revoke or cancel said license upon satisfactory proof that the licensee has violated or permitted any condition thereof (Chapter 138), or any law of the commonwealth.

This office once again reminds you of the following Rules and Regulations:

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.

29. Hearing: A.O.F. New Bedford, Inc. d/b/a Fernando's Sports Bar

Mr. Jose L. Ferreira, Co-Owner/Manager

116 County Street

1st Offense

Your presence and that of **Patricia Oliveira, Bartender**, is requested at a hearing to determine whether you have violated certain provisions of M.G. L., ABCC Regulations, and Licensing Board Rules and Regulations.

Based on their findings, the Licensing Board may take action to modify, suspend, revoke, or cancel your license.

They are as follows:

M.G.L Ch. 138, sections 63-

Agents of the local licensing authorities may enter a licensed premise at any time to ascertain the manner in which the business is being conducted; It is a violation to hinder, delay, refuse to provide information to or refuse to admit entrance to any ABCC investigator or authorized agent of the local licensing authority in the performance of his or her duty.

ABCC 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. 11 & 12-

Objectionable persons shall not be permitted on or about the premises, and it is the responsibility of the Licensee to enforce this rule; Premises must at all times be kept safe.

Summary of Incident Report #1

The Police Department Incident Report states that Officers were dispatched to Fernando's Sports Bar on a report of a fight in progress. Upon arrival, the Officers observed people in the middle of the street, which was causing traffic to stop, in turn causing a backup heading north and south on County Street; but did not see a fight. Other patrols arrived to assist in dispersing the large crowd which had come from the bar area, mainly patrons from Fernando's.

When asked by the reporting officer, if they had security on duty, both stated that they did not have security working that evening.

The officer noted in his report that the bar becomes very busy with gang affiliated members on weekend nights; and that upon arrival, the bar staff did not assist in clearing out their patrons from in front of their bar; and argued with police, that they could not force their patrons to clear the sidewalk during business hours.

Date and time of alleged violations: Sunday, May 19, 2019 @ approximately 2:01 a.m.

Police Report # 19 – 5589 - OF

Summary of Incident Report #2

The Police Department Incident Report states that Officers were dispatched to Fernando's Sports Bar on a report of a panic alarm. Upon arrival, Mr. Ferreira came to the door and stated that they did not need the police. Upon advising Mr. Ferreira that the panic alarm was pushed, the officers were allowed into the bar where they observed a few patrons sitting at the bar. When the officers were interviewing Mr. Ferreira, the officers overheard a female bartender say to one of the patrons, "you're not going to tell the police what happened?"

Upon speaking to the patron who appeared to have been assaulted, the male stated that three young males who were in the bar had assaulted him by punching him in the face. The male stated that he observed the three males steal a man's cell phone when he had fallen asleep at the bar, and who in turn became upset and assaulted him when he confronted him.

Mr. Ferreira (owner) stated that he did not see any of this happen but did agree to show the officers the video surveillance: but due to password errors, the officers were not able to view the video surveillance of what had occurred in the bar.

However, once we were back downstairs in the bar and while speaking to the victim again, the reporting officer heard Mr. Ferreira say, "I got in the middle of them when they started to fight to break it up. (*Note: Mr. Ferreira had stated earlier he did not see any fight and changed his story prior to the police leaving the bar.*) The reporting officer noted in his report that he felt that the staff may have been trying to cover minor disturbances to avoid penalties.

Date and time of alleged violations: Monday, May 20, 2019 @ approximately 1:47 a.m.

Police Report # 19 – 5622 – OF---"SEE UPDATED REPORT"

Please be advised, failure to appear at this meeting will result in immediate suspension of your liquor license until this matter is resolved.

Present: Atty. Frank Ribeiro along with Jose L. Ferreira, Co-Owner/Manager along with Patricia Oliveira, Bartender and Arnaldo Oliveira, Co-Owner; Capt. Adelino Sousa, Liaison to the Licensing Board along with Det. Shaun Roberts, Reporting Officer

Upon being asked by Mr. Nanopoulos if he had received a copy of the 'Hearing Notice', and if he had read the summary contained in the notice, and if he understood why he was before the Board based on the summary and the list of alleged violations contained in the 'Notice', Mr. Ferreira stated that they did receive the notice and he was fully aware of why he was before the Board here tonight, and waived the reading of the summary.

Chairman Beauregard informed Mr. Ferreira that the reporting officer was present to read, summarize, or give testimony to what was contained in his reports; and at the conclusion of his testimony, the Board would then ask any questions they may have, and then he would be given an opportunity to respond to the testimony presented, and address the Board before they make their decision.

Chairman Beauregard opened the hearing by asking Det. Roberts to either summarize or read his reports and give the Board an overview of what was contained in his report.

Det. Roberts gave his testimony of what occurred during the two incidents reported as summarized above; the Officer also presented evidence of signs of drug activity by known gang members.

Mr. Ferreira and those present on behalf of Fernando's Sports Bar, were afforded ample opportunity to respond to the testimony that was presented by Det. Roberts, as well as addressing those concerns presented by the Board.

As a result of the hearing, of which an audio version is on file; the Board made the following decision:

VOTED: On a motion by Commissioner Almeida, **the Board voted unanimously not to take any action at this time;** but did issue a warning that all rules and regulations must be adhered to at all times, whether the licensee is on the premises or not to take no further action.

Board's Written Decision of 06/24/19

Per your recent hearing regarding violations of ABCC Regulation 204 CMR 2.05 (2) and Licensing Board Regulations on two incidents that occurred at your establishment on May 19th and May 20th, 2019, the Board, based on the testimony presented by the Officers and discussing the matter in detail with you and your legal counsel, **voted unanimously not to take any action at this time; but did issue a warning that all rules and regulations must be adhered to at all times, whether you are on the premises or not.**

At the conclusion of this hearing, you were forewarned that your failure to remain in compliance would result in *sanctions by this board.

*Massachusetts General Laws Chapter 138, section 64-

This Board, after notice to the licensee and a public hearing may modify, suspend, revoke or cancel said license upon satisfactory proof that the licensee has violated or permitted any condition thereof (Chapter 138), or any law of the commonwealth.

This office once again reminds you of the following Rules and Regulations:

M.G.L Ch. 138, sections 63-

Agents of the local licensing authorities may enter a licensed premise at any time to ascertain the manner in which the business is being conducted; It is a violation to hinder, delay, refuse to provide information to or refuse to admit entrance to any ABCC investigator or authorized agent of the local licensing authority in the performance of his or her duty.

ABCC 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 premise.

Licensing Board Regulation No. 11 & 12-

Objectionable persons shall not be permitted on or about the premises, and it is the responsibility of the Licensee to enforce this rule; Premises must always be kept safe.

The Reporting Officer also presented evidence of signs of alleged drug activity by known gang members on the premises, an issue the Board voiced serious concern with; therefore, please be advised of the following:

Note: Indications of illegal narcotics use include persons making frequent trips in and out of the premises or in or out of the restrooms, persons who receive a large number of phone calls or who are visited at the premises by an unusually large number of people at frequent intervals or persons who appear to be making exchanges of small packages or payment of money – Guide to M.G.L., ABCC.

- **CORRESPONDENCE**

--NONE

- **COMPLAINTS RECEIVED:**

--NONE—

- **DOWNTOWN DISTURBANCES**

Saturday, 5/4/19 - Call #19 - 45263 - 12:11 a.m. – Disturbance suppressed at **Greasy Luck.**

Monday, 5/6/19 - Call #19 - 46318 - 9:14 p.m. - Disturbance suppressed outside **Greasy Luck – Highly intoxicated female.**

Monday, 5/13/19 – Call #19 - 48842 – 2:00 a.m. – Large group reported fighting outside **Rose Alley. One male arrested and charged with disorderly conduct.**

Saturday, 5/25/ 19 – Call #19 – 53626 - 1:50 a.m. – A male was arrested and charged with disorderly conduct at the **Greasy Luck; detail officer observed two males arguing, told them to leave, and one wouldn't leave.**

Sunday, 5/26/19 - Call #'s 19 - -54006 & 54009 - 1:37 a.m. & 1:43 a.m. - Disturbance suppressed at **Greasy Luck.**

Friday, 5/31/19 – Call #19 – 56343 - 11:38 p.m. – Male charged with consuming alcoholic beverages on a public way after fight at **Greasy Luck.**

Saturday, 6/1/19 – Call #56362 - 12:17 a.m. - Male charged with disorderly conduct after disturbance at **Greasy Luck**

Sunday, 6/2/19 – Call #19-56809 - 1:40 a.m. - Male and female arrested after fight at **Rose Alley. Both were charged with disorderly conduct. Female also charged with interfering with a police officer and assault & battery on a police officer.**

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

<u>NAME</u>	<u>POLICE REPORT#</u>	<u>DATE</u>	<u>VIOLATION</u>
1. Ilha Verde Café	#19 – 6177 – OF	06/01/19	Patron Stabbed/ Patron Intoxicated (Approximate Time of Violation 9:39 p.m.)
	#19 – 6538 – OF	06/09/19	Intoxicated Male (Approximate Time of Violation 1:59 a.m.)
	19 – 1848 – AR	06/09/19	Intoxicated Female/Unruly Patron (Approximate Time of Violation 1:59 a.m.)

Decision: Bring in for a Hearing – 07/22/19

- **NEXT TWO MEETING DATES:** July 22nd August 26th both on Mondays, in Room 314- **APPROVED**
- **MEETING ADJOURNED:** 8:35 p.m.