



Licensing Board

June 30, 2014 – 7:00 PM – **Minutes**
City Hall, 133 William Street, Room 205

LICENSING BOARD MEETING
RE-SCHEDULED FROM 06/23/14

-MINUTES-

Monday, June 30, 2014
Room 205 – 7:00 p.m.

PRESENT: Steven A. Beaugard, Chairman

Marcelino “Sonny” G. Almeida, Commissioner

Edmund F. Craig, Jr., Commissioner

Atty. John A. Markey, Jr., Asst. City Solicitor

Capt. Steven Vicente, Police Department Liaison to the Lic. Bd.

Nick Nanopoulos, Director

MOTION TO ACCEPT THE MEETING MINUTES OF MARCH 24, 2014 - Unanimous

MOTION TO ACCEPT THE MEETING MINUTES OF APRIL 22, 2014 - Unanimous

MOTION TO ACCEPT THE MEETING MINUTES OF MAY 19, 2014 - Unanimous

APPROVALS RECEIVED FROM THE ALCOHOLIC BEVERAGES CONTROL COMMISSION

Transfer and Change of Location - Trans. #124 – Plot # 78--98

1846 Bar & Grille, Inc., Manuel D. McLean, President, license formerly exercised on premises located at **1846 Purchase Street**, who is petitioning to transfer a **Common Victualler (Restaurant) All Alcoholic Beverages License** to **Black Whale, LLC d/b/a Black Whale**, which was acquired through a **Public Auction Sale on 10/30/12**. Upon approval, Alberto J. Santos will be the Sole Member, Sole Manager, and Sole Interest Holder of the LLC; **Albert J. Santos** is also the **Proposed Manager of the Liquor License**. The new proposed licensed premises consist of an area approximately 4,266 sq. ft. on the first floor of a one-story building, which will include a dining area and bar area, which will have an occupancy of 150, 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 will be contiguous to the main dining area on the east side of the building; which will include a dining area and bar area with an occupancy of 180, and will be 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. There will also be an area for the storage of alcohol in the basement. The premises is situated on Co-Op Wharf, and **numbered 104-106 Co-Op Wharf.All ‘outdoor entertainment’ must cease at midnight.**

Final approval will require a **‘Certificate of Inspection’** from the Building Department, a **‘Food Permit’** from the Health Department, and a signed **‘Fire & Building Certificate’** as required under the Chapter 304 Fire Acts Compliance; along with a copy of **‘Proof of Liquor Liability’**.

Approved By ABCC –06/03/14

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

Note: Next two items are related items. (1 license transferred out/1 license transferred in)

Transfer & Pledge of License - Trans. #191 – Plot # 97--175

China Lantern Restaurant, Inc., Wah Fong Leung, President, license formerly exercised on premises located at **116 Nauset Street**, who is petitioning to **transfer a Common Victualler (Restaurant) Wine & Malt Only Beverages License** to **Izzy's Restaurant, LLC d/b/a Izzy's Restaurant**, who is also requesting approval of a **Pledge of the Common Victualler (Restaurant) Wine & Malt License** to **China Lantern, Inc., 536 Hawthorn Street, Dartmouth, MA.** as security to authorize and execute a promissory note in the amount of **Ten Thousand Dollars (\$10,000.00)**, pursuant to Massachusetts General Laws Ch.138 s.23.

Upon approval, Izidora D. Goncalves will be the Sole Member, Sole Manager, and Sole Interest Holder of the LLC; **Izidora D. Goncalves** is also the **Proposed Manager of the Liquor License**. The new proposed licensed premises consist of an area approximately 1,144 sq. ft. on the first floor of a two-story building, which will include one room for dining (6 tables) with a small bar (4 seats), a kitchen, and one restroom. Alcohol will be stored in the kitchen as well as in the small bar area. The premises is situated on the south side of Spring Street between North Sixth and Pleasant Streets, and a main entrance/exit in the front of the building onto Spring Street, with an emergency exit on the southwest corner of the building onto North Sixth Street; **and numbered 72 Spring Street.**

Final approval will require a signed '**Fire & Building Certificate**' as required under the Chapter 304 Fire Acts Compliance; along with a copy of '**Proof of Liquor Liability**'.

Approved By ABCC –06/03/14

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

Transfer, Pledge of License & Stock, and Altering of Premises - Trans. #100 – Plot # 97--175

Pastime, Inc. d/b/a Continental Tavern, Jose Teixeira, President, for a license formerly exercised on the premises located at **114 Nauset Street**, who is petitioning to **transfer a Common Victualler (Restaurant) All Alcoholic Beverages License** to **Ying Dynasty Nauset, LLC d/b/a Ying Dynasty**, who is also petitioning to **Alter the Premises** to include an additional room; as well as requesting approval of a **Pledge of License and Stock of the Common Victualler (Restaurant) All Alcoholic Beverages License** to **Jose Teixeira, 40 Quakers Lane, Acushnet, MA.** as security to authorize and execute a promissory note in the amount of **Four Hundred and Fifty-Five Thousand Dollars (\$455, 000.00)**, pursuant to Massachusetts General Laws Ch.138 s.23.

Upon approval, Shang Ying Zhao will be the Sole Manager and Sole Interest Holder of the LLC; and Melanie Jiang and Shang Xiong Zhao will be members of the LLC. **Shang Xiong Zhao** is also the **Proposed Manager of the Liquor License**. Upon completion of the renovations, the new proposed licensed premises will consist of two rooms within an area approximately 6,184 sq. ft. on the first floor of a street level building. The first room will have a bar area with seating for 18 people and two restrooms, with an access way into the dining area.

The second room will be a dining area that will include fifteen (15) - four (4) person booths, four (4) - six (6) person booths, and four (4) tables with seating for eight (8) people each; as well as two restrooms and a room for the storage of alcohol. In the middle of the restaurant between the two rooms, there will be an area that will include a kitchen, a storage room, and an office. The premises, which is situated on the south side of Nauset Street between Mt. Pleasant and Myrtle Streets, will have three (3) entrances/exits in the front of the building onto Nauset Street, and three (3) emergency exits in the rear of the building, and **will be numbered 114-116 Nauset Street.**

Final approval will require a '**Certificate of Inspection**' from the Building Department, a '**Food Permit**' from the Health Department, a signed '**Fire & Building Certificate**' as required under the Chapter 304 Fire Acts Compliance; along with a copy of '**Proof of Liquor Liability**'.

Approved By ABCC –06/03/14

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

New Retail Package Store Wine & Malt Only License - Trans. # 226 – Plot # 130A-1

Nar Fuel, Inc. d/b/a Hi Lo Gas, Ghada Hamzeh President, who is petitioning for a **New Retail Package Store Wine and Malt Only Beverages License**. Ghada Hamzeh is the President, Secretary, Co-Director, and Co-

Shareholder (50%), and **Adel Eldehni** is the Treasurer, Co-Director, Co-Shareholder (50%), and **Proposed Manager**. The proposed licensed premises is a convenience store located in a street level building in an area approximately 1,400 sq. ft., which will include a walk-in cooler for the storage of alcohol, as well as three (3) coolers and shelving for the sale and display of alcohol; the area also includes an office, two (2) storage rooms, and one (1) restroom. There is one (1) entrance/exit in the front of the building, as well as one (1) additional exit located on the south side of the building.

The premise is situated on the corner of Chaffee Street and Acushnet Avenue, **and numbered 2780 Acushnet Avenue**.

Final approval will require a **‘Certificate of Inspection’** from the Building Department and a **‘Food Permit’** from the Health Department.

Approved By ABCC –06/19/14

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

Transfer - Trans. # 182 – Plot # 84—202

Sakellarios Vallas d/b/a Premium Liquors, who is petitioning to **transfer a Retail Package Store All Alcoholic Beverages License** to **Vallas Enterprises, Inc. d/b/a Premium Liquors**. Upon approval, **Sakellarios Vallas** will be the President, Treasurer, Secretary, Sole Director, and Sole-Shareholder (100%); and **Sakellarios Vallas** is also the **Proposed Manager**. Premises will remain the same at **1926 Purchase Street**.

Approved By ABCC –06/24/14

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

1. PETITION - Trans. #064 – Plot # 53--134

Daniels Goggin, Inc. d/b/a ‘Brick’, John Goggin, Treasurer/Co-Owner, who is requesting permission to **Change the Description of the Common Victualler (Restaurant) All Alcoholic Beverages** license to include an outdoor area approximately 585 sq. ft. (39’ x 15’) to be used as a ‘Sidewalk Café’, which will be enclosed by a 45” high Wrought Iron designed temporary patio fence, and will be used for **seated dining purposes only**. The enclosed area will include four (4) tables with four (4) dining chairs for the seating of sixteen (16) people, and is located on the west side of the building, which is contiguous to the licensed premises. The proposed outdoor area **will only be accessible** from an entrance/exit leading from the side door of the restaurant, along with one (1) emergency only exit, and is located in the area known as Wing’s Court. 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 in effect from May 1ST through October 30th**, in accordance, and as specified in the City of New Bedford Sidewalk Café Permit Ordinance. (Ord. Ch. 15, Article VI, sec. 15-100 (B) (items 8 & 15)

The licensed premises will remain as **163 Union Street**.

Application has been advertised; Abutters have been notified.

Final approval will require approval from the **Building Department and Health Department**, along with a **new copy of ‘Proof of Liquor Liability’**, which includes the patio in Wing’s Court and names the City of New Bedford as additionally insured.

****Note: Request must be approved by the Planning Board at its 07/09/14 Meeting.**

Present: John Goggin, Treasurer/Co-Owner & Jeffrey Goggin, Manager

Responding to questions from Chairman Beaugard, Mr. (John) Goggin stated that patrons would only be able to enter and exit the patio area through the side door of the restaurant, and that there would only be an emergency exit from the patio area.

Chairman Beaugard informed Mr. Goggin that it was the policy of the Board that all alcohol consumed in an outdoor area on city property must be served in plastic cups.

Voted: Commissioner Almeida made a motion to approve the petition as presented pending approval from the Planning Board, and to forward the application to the Alcoholic Beverages Control Commission for their approval; along with the stipulation that all alcohol is to be served in plastic cups – **Unanimous**

NOTE: 07/09/14 - Planning Board approved the use of Wing’s Court with the stipulation that area be

enclosed by Ballard and Chain. A copy of the Panning Board's approval was received on 07/14/14 and the application was forwarded to the ABCC.

2. PETITION - Trans. #227 – Plot # 93--258

World Famous Pizza and Subs, Inc., Jose G. Borges, Jr., President, who is petitioning for a **New Common Victualler (Restaurant) Wine and Malt Only Beverages License**. Upon approval, Jose G. Borges, Jr. will be the President, Sole Director, and Co-Shareholder (50%); Mary K. McGinn will be the Treasurer, Secretary, and Co-Shareholder (50%). **Jose G. Borges, Jr.** is the **Proposed Manager**. The new proposed licensed premises consist of an area approximately 2,600 sq. ft. on the first floor of a street level building, which will include one room for dining with seating for nineteen (19), food prep and storage area, and one restroom. Alcohol will be stored in a cooler behind the rear counter area, as well as in the storage area in the rear of the restaurant. The premises is situated on the east side of Acushnet Avenue between Beetle and Coggeshall Streets, which has one main entrance/exit in the front of the building onto Acushnet Avenue, with an emergency exit in the rear of the building; and numbered **1114 Acushnet Avenue**.

Application has been advertised; Abutters have been notified.

Final approval will require a **new signed 'Fire & Building Certificate'** as required under the Chapter 304 Fire Acts Compliance; along with a **new copy of 'Proof of Liquor Liability'**.

Present: Jose G. Borges, Jr., President/Applicant and Anthony M. Holloway, Former Officer, Director, and Stockholder of the Corporation; Ricardo Santos, an Abutter who spoke in opposition.

When asked by Mr. Nanopoulos if he had the slips and cards with him regarding the abutter's notification, Mr. Borges stated that he did not, adding that only two had come back, and stated that he would bring in what he had tomorrow.

Upon asking their names for the record, Mr. Nanopoulos asked Mr. Holloway for clarification as to what Mr. Holloway's full name was for the record, to which Mr. Holloway responded that his full name was Anthony Mafia Holloway.

When asked as to whom Mafia Anthony Holloway was, a name he had seen on the original application that was submitted for review, Mr. Holloway stated that it was his son.

Chairman Beauregard opened the hearing on the petition by asking Mr. Holloway, in reviewing the application that was presented and that before us today, your name is nowhere to be found on this application, however, you were the individual that won the lottery for the license, how come your name is not on the application?

Mr. Holloway responded, no, we did, because we're a corporation.

Chairman Beauregard responded, not we! ... You submitted it in your name ... you won the lottery ... let me back up ... why don't you explain to the Board what's going on here from the original application to what we're voting on here this evening.

Mr. Holloway responded, what we did was ... we changed our Board of Directors (Officers) ... because my son is not up here ... he lives in North Carolina ... which he was on the Board ... so my girlfriend ... and since my partner here (Mr. Borges) owns a little bit more shares ... we figured because he had a liquor license already ... that it would be easier just to go with Mr. Borges.

Chairman Beauregard responded, so what happened to you?

Mr. Holloway responded, those are me and my girlfriend's shares ... I have shares too ... but they're with my girlfriend on it.

When asked by Chairman Beauregard as to how many shares he owned in the corporation, Mr. Holloway responded, forty!

As a result of Mr. Holloway's response, Chairman Beauregard referred to the liquor license application, and stated, your name is not here ... Mr. Borges owns 50% as the President and Co-Director ... and Mary McGinn owns 50% as the Treasurer and Secretary ... but you were awarded the license.

Mr. Holloway responded, I thought it was the company that was awarded the license.

Chairman Beauregard responded, you were awarded the license ... you submitted your name for the 'lottery' ... and now, your name is nowhere to be found on the second (final) application that was submitted.

Mr. Borges responded, we changed it (the application).

Chairman Beauregard responded, he can't win a license in a 'lottery' then simply decide that he's going to assign it to somebody else.

Mr. Borges responded, I was already on it ... that's what were saying ... we we're assuming that it was the company that was the one that won it ... not an actual person.

Chairman Beauregard responded, he (Mr. Holloway) applied for the lottery.

Mr. Borges responded, what happened was ... before this application ... he was on the corporation like you said ... we just switched the Board of Directors (Officers & Stockholders) ... we didn't know that he had to be on there because he won the 'lottery.

Atty. Markey (Asst. City Solicitor) responded ... the process was ... if you went in and you were the winner ... it wasn't designed ... and I'm not suggesting that you did this ... to go and get it and sell it to someone else or give it to a friend ... if you win ... it's assigned to you ... and then you have the right to come in and file an application for a site that's appropriate.

Mr. Borges responded, well everyone that's on the Board was on the Board prior to this ... the only one that was taken off was him (and his son) ... no one was added.

Atty. Markey responded, but he was the one that won ... that's what I understood the issue to be with the application.

Mr. Borges responded, well, if that was an issue ... we could have very easily put him back on the board ... it was just that ... he was giving ownership to his girlfriend ... since she was already on the Board ... like I said, we didn't know that per se that it was the person ... we thought that it was the company ... no one changed on the company ... except that he was taken off ... it wasn't like we got it ... and we automatically threw someone on to sell it ... everyone that was on the Board was always there ... I've always been there ... she's always been there ... before this ... it's proven.

Chairman Beauregard continued by stating, I know we'll come back to this ... but the other question I would raise is whether that particular neighborhood warrants another liquor establishment ... we had a shooting up there recently ... we had a stabbing up there recently ... and I can only speak personally ... but I just read your written request to open up after to 12:00 a.m. ... but I can tell you unequivocally, that's not going to happen ... my vote.

Mr. Holloway responded, we're not asking to be serving ... we're saying ... just do delivery ... we're not saying we'll be open ... the doors will be closed.

Chairman Beauregard responded, as I explained to you when you were awarded (right to apply) the license that you had to make the decision whether you wanted to remain open after 2 a.m. or apply for the license and close at 2 a.m., when you asked the question at the night of the lottery.

Chairman Beauregard continued voicing his concerns with regard to the location by stating, I question if that neighborhood warrants another liquor license ... I would suggest to you ... that it does not ... there are enough problems up on that end of Acushnet Avenue ... that another liquor license is not beneficial to that particular neighborhood.

Chairman Beauregard continued his comments by stating, the concern I certainly have are the issues we've had with you regarding your current establishment (Euphoria Lounge) ... and the problems we've had down there regarding various incidences ... whether it would be reasonable to this Board to grant you another liquor license ... and now as a 50% shareholder (and manager) and now taking the lead in this new corporation (structure) ... I would question whether that would be a wise decision on behalf of this Board ... and we can certainly open that up for discussion.

Chairman Beauregard then asked if anyone had any questions for either Mr. Borges or Mr. Holloway.

When asked by Commissioner Almeida, if you were to be the bar manager there, how many hours would you put in there?

Mr. Borges responded, obviously I have another business also ... so we already talked about it that I would be able to do at least 45 hours.

When asked by Commissioner Almeida, as to how many hours he does at Euphoria Lounge, Mr. Borges responded, about 55 hours ... when I first started Sapatinha's (Euphoria) 15 years ago ... I used to do 90 ... so I've obviously learned how to run it and get it where I don't have to be there 90 hours like I used to ... because I do have a family ... but like I said ... this is another business where I'll have to put time in to get it where I want to ... I definitely have the experience ... that's for sure ... I definitely know how to run it.

Commissioner Craig then stated the following regarding a prior hearing that Mr. Holloway and Mr. Borges had before the Board regarding late night issues (occupancy limits, loitering, late night disturbances, and the lack of

cooperation with the New Bedford Police Department), back in July of 2013 when you had some problems up there ... you brought in the discussion that you would hire some police officers ... that didn't go very far ... I think while the police officers were there ... when you did hire them ... I think everything was okay ... now in that area we're having problems ... we've had a shooting ... we've had a stabbing ... there have been some real problems up in that area.

Mr. Borges responded, to answer that ... with regard to the shooting incident ... the Greek (Golden Greek Rest., which is located across the street from World Famous Pizza) had police officers in there ... I don't know ... if someone wants to shoot a place up ... I really don't know how much an officer can do ... when someone intends to do harm to someone ... I don't even know how to answer that ... we had police officers but the cost was too high ... so what we did is ... we had it for a while ... it kind of cleaned up like you said ... and then we hired security ... and it's just been going from there ... its been working ... and the stabbing that you mentioned was actually in the parking lot area ... and the only reason we were mentioned was because someone said that they were outside of World Famous Pizza ... and it's probably the same with the Golden Greek ... that shooting may not have been even at the Golden Greek ... it's just that someone is going to use that address.

Mr. Holloway addressing the stabbing incident in which World Famous was mentioned in the report stated, I did hear that on the police report that it was on the back ... the back house back there ... that's where all the trouble was ... they were fighting on the side ... they ran to the house and kicked the door open ... but that was in back of us ... but that personally didn't have anything to do with us ... but it was in the back of World Famous.

Chairman Beauregard responded, but it just leads to more credence to my arguments that neighborhood does not need another licensed liquor establishment because of the problems around that neighborhood, to which Mr. Holloway responded, but they're not caused by us, and if we close early ... I think that's a benefit ... so they can't blame that on us ... if we close at 2 a.m. ... everything that happens down there usually happens after 2 o'clock ... when people are coming from the bars from a night of drinking ... so if we're selling beer and wine, and we close at 2 a.m. ... then anything that happens after that will have nothing to do with us because we'll be closed ... so anyone coming down there will realize we're closed ... and they'll go to the Golden Greek or whatever because we'll be doing deliveries only ... so I think personally ... that will be a plus because our doors will not be open for you to come down there.

Mr. Borges added, so we're just pretty much trying to get a beer and wine license, which would be beneficial for our sales ... we figured it would up sales by having alcohol ... which is something we think we need to stay in business in that neighborhood ... everyone knows that's not the best of neighborhoods ... everyone knows that ... you know that ... the police know that ... I know that ... but they're making the avenue more appealing for businesses like us to be there ... and to eventually have new businesses open ... it would clean up the neighborhood ... a lot of that has to do with landlords ... it's not really us business owner's fault ... it's not our fault ... it's not the Golden Greek's fault that people are coming in acting like idiots ... a lot of the problems in that area around there is the tenants ... the way they're living ... the way the landlords ... I don't know ... it's bigger than just us ... economically ... they're suppressed ... it's a suppressed area ... this city obviously has a lot of low income.

Chairman Beauregard responded, you understand you're making my argument, to which Mr. Borges responded, no, I am ... but what I'm saying is ... I'm making the argument that you're right ... I'm not saying it's not the best neighborhood ... but where my bar (Euphoria Lounge) is ... that's not in the best of areas.

Chairman Beauregard responded, and don't we have problems down there ... yes!

Mr. Borges responded, we have problems pretty much everywhere ... no?

Chairman Beauregard responded by stating, Correct! That's why we're trying to avoid adding to those problems by permitting a license in that establishment.

Mr. Borges responded by asking, so where would a license like this be okay?

Chairman Beauregard responded, that's not my call to make.

Chairman Beauregard then asked if anyone had any other questions for Mr. Borges and Mr. Holloway.

When asked by Commissioner Almeida, how much of your business is generated from seated sales ... how many people can you seat in there, Mr. Holloway responded, 19, but it should add at least another \$1,500.00 a week in sales, once people know that we have it.

Mr. Borges added, it's not like it's a big place ... it's not like we're going to have 100 people ... you're talking

about 20 patrons ... so it's not something we can't handle ... and if there was an issue ... we would not have a problem having an Officer or a Detail ... we're open to all that ... it's not a problem ... because we're going to add revenue.

Commissioner Almeida offered the following: based on location of the place ... I don't see need for another liquor license up there ... so for the 'Common Good' of the area ... I would make a motion to deny the application for a new wine & malt license, which Commissioner Craig seconded.

Prior to taking a vote, Atty. Markey, who sits as legal counsel for the Licensing Board, offered the following with regard to the motion: Just so the record is clear, a number of other issues you discussed and raised ... normally, if there are other concerns as you debate the issue ... then they should also be mentioned (as part of the motion) ... because the applicants have legal rights ... so I want to make sure that it's clear as possible (the Board's decision) ... so if there are other concerns that are key to your decision ... they need to be stated.

Chairman Beauregard then recognized Mr. Ricardo Santos, who stated that he wanted to speak on the petition, who stated, I live at 1118 Acushnet Avenue, which is a building that is immediately adjacent to the pizza shop ... we have a common wall ... that's how close I am to the business there ... I work there and I live there ... and my daughter is there as well ... I supported this business from the start when they had to go for a 'special permit' ... I do have a petition here from some neighbors that is signed ... which states their serious concerns with regard to the wine & malt license ... in all fairness ... this is not personal ... I supported this business from the start ... I wish them well ... but I do fear that the clientele that show up from 11 p.m. until 4 a.m. in the morning or 3 a.m. ... because that's usually when we've had problems ... and it's been months like this ... it's usually on weekends ... usually Saturdays ... that's when it gets worse ... these folks show up inebriated ... they go to the side of my building ... which is where there is a parking lot ... which is dark ... and they start partying ... they do drugs ... they're drinking more ... and they're having some food that they picked up somewhere ... we didn't have these kinds of problems before this business showed up ... we really didn't ... we had a lot of challenges ... but not to this extent ... so at 2:30 or at 3 in the morning ... there are all kinds of loud music from the cars with stereos blasting ... fights ... stabbings that we've heard about ... people screaming at one another for whatever reason ... with everyone waking up at 2:30 or 3 in the morning ... that's what we've been having up there ... I have a petition from some of my neighbors, which we signed ... honestly, some of my neighbors felt scared in signing ... they felt that there could be retaliation ... this is the kind of thing we're living with ... not with the pizza shop ... it's not the pizza shop ... it's the folks that show up ... it's the kind of folks that show up at 2 or 2:30 in the morning ... these are the kinds of problems that they're bringing into the neighborhood ... so I'm going to give you this petition (the petition was presented to the Board, which the Board in turn voted unanimously to receive and place on file) ... I wish the business well ... maybe they can have a business where their patrons bring in their own alcohol (BYOB), if that's what they want to do ... but I do feel ... based on the drug use I've seen and the alcohol use ... I think adding anymore alcohol to this equation will only make matters worse.

Chairman Beauregard then stated, I have a motion on the floor that needs an amendment stating that the application process was not submitted complete.

Atty. Markey advised the Board of the following: I think ultimately the application was complete ... I think the concern was that the person that wins the award ... should be permitted to originally file with himself on the application ... and then change the ownership structure so that it would come in another way ... and I also heard ... again, I don't know if this was a concern of yours ... if someone has an establishment they're working hard on ... because they've had problems in the past ... where they have to spend 50 hours a week ... and to have the same problematic hours late at night ... and to ask that same person to be responsible for another liquor location ... may be a concern as far as the manager is concerned ... those are things I heard tonight.

Mr. Borges responded, that's what I'm hearing, too ... I'm glad you put that in those terms ... if the Board has a problem with me being an owner and me running it ... and being the manager because it's a beer and wine license ... and you're saying that I pretty much don't know what I'm doing at my other place ... that's what I'm hearing.

Atty. Markey responded, what I understand it to be ... I've heard that you have your hands full there ... you're working hard at it ... you've made some improvements ... you've made some money ... they've had some issues there ... but the idea of taking someone whose the primary guard at one location ... and having him responsible for another is a lot to put on your plate.

Mr. Borges responded, if I'm the biggest problem for this place to have the beer and wine license ... I'll step down ... it's not a problem ... I'll sell my shares ... because I don't want to hurt Anthony ... because I came in after him ... Anthony started this on his own ... with his girlfriend ... so if that's a problem ... I'll step down. Chairman Beauregard responded, I can address what may be, I'm just telling you what's been presented before us.

Based on the additional information provided by Mr. Santos and the advice provided by Atty. Markey, Commissioner Almeida amended his motion by stating, I make a motion to not approve the application because of the Common Good people on behalf of Mr. Santos and those named on the petition because what's going to happen ... it's going to create a problem there ... we don't need another liquor license there.

Mr. Nanopoulos then asked Commissioner Craig if he had anything he wanted to add to the motion, to which Commissioner Craig responded by adding the following amendment to the motion, I want it recorded that I have an issue also with the applicant ... who won the 'wine & malt lottery' ... it appears now in the final application ... that he does not have any financial interest in the license.

The amended motion made by Commissioner Almeida and further amended by Commissioner Craig to deny the application for the reasons stated, passed unanimously.

The applicant has the right to appeal this decision to the Alcoholic Beverages Control Commission under the provisions of Ch. 138 of M.G. L. within five (5) days of receipt of the denial notice. A copy of said appeal must be submitted to this office as well.

The following written decision of denial was served in hand on July 15, 2014:

Per the hearing of June 30, 2014 for a New Common Victualler (Restaurant) Wine & Malt Only license, the Board voted unanimously to deny your application based upon several factors, including but not limited to the "lack of public need" of a license in that area.

In reviewing the issue of "public need", the Board considered the seven so-called "Ballarin Factors" that are set forth in Ballarin Inc. v. Licensing Board of Boston, 49 Mass. App. Ct. 506 (2000). In making their decision, the Board also considered the rules and regulations regarding the application process as prescribed in Massachusetts General Laws, Chapter 138, Sections 12, 15, 15A, & 23; and ABCC Regulation 204 CMR 2.01.

The Board's decision was based on information contained in the final application submitted for approval as well as the information provided by both yourself and Mr. (Anthony M.) Holloway.

The basis for the denial was the following:

1. As for location, the Board considered the fact that there are already licenses in the general area. The Board expressed serious concerns about placing another liquor license in that area of Acushnet Avenue – especially at World Famous Pizza. Even without a liquor license, World Famous Pizza has had issues with occupancy limits, loitering and late night disturbances. The Board also expressed concern that the immediate area had been the site of two recent incidents that included a shooting(s) and a stabbing. Finally, the Board had concerns that a previously agreed to recommendation of hiring a police detail was discontinued after six (6) weeks.
2. As for location, the Board also took into consideration the testimony of Mr. Santos, an abutter, who spoke in opposition to the Application / Petition. During his testimony, Mr. Santos presented a petition signed by several neighbors stating their concern about placing a liquor license in their neighborhood. The petition stated that since the establishment opened in 2013, there have been numerous cases of fighting (including stabbings) and late night noise including screaming, loud music, littering, and drug use by individuals who visited World Famous Pizza late night.
3. As to the appropriateness of the applicant, the Board was concerned that the lottery applicant and the winner of the lottery (Mr. Holloway) did not submit the application as an owner / manager / officer of the business.
4. As to the appropriateness of the applicant, the Board had concerns that there may be an undeclared (hidden) interest in the license. This is not allowed by law. The original (subsequently withdrawn) application indicated that Mr. Holloway was an officer, director and 60 % shareholder in the corporation and that Mr. Borges was a 40% shareholder. However, the final application indicates that Mr. Borges is

a 50% shareholder and Mary McGinn as 40% shareholder and that Mr. Holloway was no longer listed as an officer or stockholder. To further complicate matters, at the hearing, Mr. Holloway claimed to be an owner of some portion of the corporation. This lack of candor and transparency was a concern.

5. Finally, as to the appropriateness of the applicant, the Board had concerns regarding the ability of the proposed manager to devote the time needed to ensure proper oversight of the licensed premises. As the majority stockholder and the proposed manager, the Board was concerned about your ability to be on site forty-five (45) hours a week while continuing to manage your other licensed establishment. The Board also took into consideration past late night issues at Euphoria Lounge (Sapatinha's) and felt that you would need to spend significant time at that location to properly manage its operations.

As indicated above, the Board's decision to deny the application was based upon: (a) the location as it relates to the 'common good' and neighborhood concerns; (b) troubling issues regarding the lottery / application process and the conflicting stories regarding Mr. Holloway's involvement; and (c) concerns regarding Mr. Borges' ability to serve as the manager of two separate licensed premises – each of which would be facing late night challenges / problems.

Voted: Commissioner Almeida made a motion to remove item # 3 from the table. – **Unanimous**

Tabled at 05/19/14 Meeting

3. PETITION - Trans. #078 – Plot # 52--229

Almost Brothers, Inc. d/b/a Hibernia Pub, Barry (Bartholomew) W. Flynn, President, who is petitioning to transfer a **General on Premise All Alcoholic Beverages License** to **Carrig, Inc. d/b/a Hibernia Brew Pub**, who is also requesting approval of a **Pledge of the General on Premise All Alcoholic License** to the **New Bedford Economic Development Council, 1213 Purchase Street, N.B., MA.** as security to authorize and execute a promissory note in the amount of **One Hundred and Thirty-Five Thousand Dollars (\$135,000.00)**, pursuant to Massachusetts General Laws Ch.138 s.23. **Barry (Bartholomew) W. Flynn** will be the President, Sole Director, a Co-Shareholder (51%), and the **Proposed Manager**; and Catherine Flynn will be the Treasurer, Secretary, and a Co-Shareholder (49%). Premises will remain the same at **109 William Street.**

Application has been advertised

Final approval will require a '**Change of Tenant**' from the **Building Department**, a new '**Food Permit**' from the **Health Department**, a new signed '**Fire & Building Certificate**' as required under the Chapter 304 Fire Acts Compliance; along with a new copy of '**Proof of Liquor Liability**'.

Minutes of 04/22/14 Meeting

Present: *No one was required to appear based on the applicant's failure to complete their application..*

Mr. Nanopoulos informed the Board that Mr. Flynn failed to submit the following documents that were needed to complete his application:

1. Petition for a Change of License – Pledge of License
2. New Vote Including Pledge of License
3. P & S Agreement
4. Assignment of License
5. Pledge Agreement
6. Promissory Note
7. DOR Certificate of Good Standing from Almost Brothers, Inc.

Mr. Nanopoulos recommended to the Board that they table the matter until its next meeting (May 19th), in order to give Mr. Flynn 30 additional days to submit the missing documents to complete his application; and added, if the applicant fails to submit the missing documents in time for the next meeting, then the applicant would have to re-advertise his application, which would require an additional \$175.00 advertising fee.

Voted: Commissioner Almeida, based on the information provided by Mr. Nanopoulos, made a motion to table the matter to the Board's next meeting (May 19th). – **Unanimous**

Minutes of 05/19/14 Meeting

Present: **Barry W. Flynn, Owner**

Mr. Nanopoulos informed the Board that Mr. Flynn had dropped off some documents earlier in the day, but the

following documents were still needed to complete his application:

1. Pledge Agreement – “**STILL OUTSTANDING**”
2. Promissory Note – **REC'D**
3. DOR Certificate of Good Standing from Almost Brothers, Inc. – **REC'D**

Based on Mr. Flynn’s assurance that he would have all the missing documents by the end of the week, Mr. Nanopoulos recommended to the Board that they table it one last time; but if the missing documents were not received in time for the next meeting, then the application would have to be re-advertised once the missing documents were submitted.

Voted: On a motion by Commissioner Almeida, the Board **voted unanimously to once again table any action on the matter until the Board’s next meeting on June 23, 2014;** and instructed Mr. Flynn, that the three missing documents must be submitted by June 16th in order for the petition to be considered for approval by the Board at its next meeting. – **Unanimous**

Present: *Barry (Bartholomew) W. Flynn, President*

Mr. Nanopoulos informed the Board that all outstanding documents have been submitted and that the application was complete, therefore, the Board could now consider the application.

Mr. Nanopoulos explained that this was simply a transfer from one corporation to a new corporation based on Mr. Flynn’s buyout of his partner, and that there were no planned changes in the day to day operation of the premises, except for the addition of a couple of pool tables; and that Mr. Flynn would remain as the manager. Responding to questions from Chairman Beauregard, Mr. Flynn confirmed that there would be no changes to the operation except for the addition of a couple pool tables, for which he would fill out an application for when the time comes, in about 4 to 6 weeks.

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**

Voted: Commissioner Almeida made a motion to remove item # 4 from the table. – **Unanimous**

Tabled at 05/19/14 Meeting

4. PETITION - Trans. #109 – Plot # 19--53

United Fishermen Club, Inc., Jack Custodio, President, who per a vote taken at the Annual ‘Club’ Meeting held on December 29, 2013, is petitioning for a **Change of Officers, Directors, and Manager of the General on Premise All Alcoholic Beverages License.**

Upon approval, the New Officers and Directors will be as follows: Jack Custodio will remain as the President and a Co-Director, Paulo Vieira and Mark Custodio will serve as Vice – Presidents and Co-Directors, Manuel Gil will be the Treasurer and a Co-Director, John Santos will be the Secretary and a Co-Director, and Antonio Afonso will be a Co-Director, respectively: **Mark Custodio** is the **Proposed New Manager**. Premises will remain the same at **639 Orchard Street.**

Advertisement & Abutters Notification not required.

Minutes of 05/19/14 Meeting

Since the DOR Certificate hadn’t yet been submitted, Commissioner Almeida made a motion to table the matter to the Board’s next meeting (June 23rd).

Present: *Mark Custodio, Proposed New Manager*

Mr. Nanopoulos informed the Board that the DOR Certificate of Good Standing has been submitted and that the application was complete, therefore, the Board could now consider the application.

When asked by Chairman Beauregard if all the names listed on the application were still current as of this hour, Mr. Custodio responded that they were.

Chairman Beauregard reminded Mr. Custodio that any changes in the corporation or manager had to be filed with the Licensing Board, and that he had to continue to submit all the requested hall rental agreements to the office in a timely manner.

Mr. Nanopoulos also returned a duplicate \$200.00 check that had been made out to the ABCC to Mr. Custodio in hand.

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 the stipulation that Mr. Custodio complete an Alcohol ‘Server Certification’ course within Thirty (30) Days after final approval is received or prior; and that proof of his certification be provided to this office; and that all his staff be ‘certified’ as well, with copies of their certifications to be kept on file for review, if needed. – **Unanimous**

Tabled at 05/19/14 Meeting

5. Hearing: United Fisherman’s Club, Inc.

Jack Custodio, Manager

639 Orchard Street

You are hereby notified that **your presence** and that of the **Club’s Bookkeeper** is required at a hearing to determine whether you have violated certain provisions of M.G.L. Ch. 138, sec. 64-Failure to Comply with the Laws of the Commonwealth, To Wit: M.G.L. Ch. 138, sec. 12 & 26, as follows:

1. An application must be filed to obtain approval from the local licensing authority and the ABCC for a Change (New) of Officers and Directors.
2. Each Corporate Licensee shall appoint a manager (by a properly authorized and executed written delegation) who shall have full authority and control of the premises and who shall be satisfactory to the Board, and who shall be a United States citizen. Immediate notice of the appointment must be made to the Board in writing.

As well as your failure to comply with the requirements set by this Board with regard to hall rentals and special events, which require the filing of a ‘Hall Rental Agreement’ for all events held in your hall, as well as applying for police details in the club’s name; these conditions were reviewed with you at this Board’s November 18, 2013 meeting, at which time Atty. (Christopher) Markey stated the following on your behalf:

“He is under the understanding of the probation requirements and the bookkeeper is as well, that they are to notify the Director as to who is renting out the hall ... and provide that information to the Board ... as well as the need to hire a police detail every time it’s rented out. Mr. Custodio knows of those conditions ... he understands that he can’t have a promoter come in and do that ... so he’s fully aware of that ... he’s fully aware that he’s to put the Director on notice as to who is coming in for what purposes of renting out the facility.”

Please be advised that your failure to appear before this Board as requested may result in the suspension of your General on Premise All Alcoholic Beverages License until compliance is met.

Minutes of 03/24/14 Meeting:

Following the public hearing of March 24, 2014, at which time the above stated issues were discussed at length, this Board voted unanimously to table the matter to the Board’s April 22, 2014 meeting. The Board also warned the licensee that if a complete application was not submitted to the Office of the Licensing Board for the required changes **by Friday, April 4, 2014**, the Board would vote to suspend their license until an appropriate application was submitted.

Minutes of 04/22/14 Meeting:

Present: *Jack Custodio, President and Current Manager along with Mark Custodio, Proposed New Manager*
Chairman Beauregard re-opened the hearing by expressing his displeasure and concern that this matter is being delayed once again due to the 11th hour resignation of Mr. Pimentel; as well as the ‘club’s’ failure to secure a DOR Certificate of Good Standing to complete the application.

Chairman Beauregard stated to both Mr. Custodio and his son, the Board has attempted to work with the ‘club’ and has made every accommodation possible to resolve this matter since December of 2011; and that the Board has extended a ‘courtesy’ to this ‘club’ that no other licensee has received, and we still do not have an application before us that is complete and acceptable to this Board, for their approval.

Chairman Beauregard continued his remarks by stating, you were warned by this Board that if a complete application was not submitted to the Office of the Licensing Board for the required changes by Friday, April 4, 2014, the Board would vote to suspend your license until an appropriate application was submitted; I think this

Board has been more than fair with the time they have given the 'club' to resolve this issue, and I think the Board has been put in a position that it does not want to be in, in which it has to take action, based on the matter being delayed once again.

Upon discussing the matter further with those present on behalf of the 'club', as well as listening to input from Atty. Markey, the Board was in agreement that the licensee has been given more than sufficient time to resolve this matter, and that it hadn't met the April 4th deadline that had been set by the Board at its March 24th meeting; Commissioner Almeida stated he was going to make a motion to suspend the license until this matter is resolved.

VOTED: Upon discussing the matter with its legal counsel; a motion to suspend the General on Premise license effective May 13, 2014, if in fact a completed application is not submitted by May 12, 2014, including a Certificate of Good Standing from the Department of Revenue was made by Commissioner Almeida and seconded by Commissioner Craig. It was unanimously approved.

Minutes of 05/19/14 Meeting:

Present: Jack Custodio, President and Current Manager along with Mark Custodio, Proposed New Manager; Antonio F.D. Cabral, State Representative

Mr. Nanopoulos informed the Board that a 'new' application was submitted by the May 12th deadline, but the Certificate of Good Standing from the Department of Revenue still has not been received, which was a condition of the Board's decision of April 22, 2014 to suspend the United Fishermen Club's license until a complete application was submitted; therefore, based on the 'club's failure to meet the Board's deadline, the suspension was in effect based on the Board's 04/22/14 vote.

Chairman Beauregard opened the hearing by stating, I did speak to Representative Cabral and Albino Dias this afternoon, and they informed me that they went up and delivered a check to Boston ... and Representative Cabral left me a message this afternoon informing me that the check was delivered to the Department of Revenue ... and they anticipate that in a short period of time ... they will have the Certificate of Good Standing delivered to us ... so I would recommend that we table the start of the suspension until the Board's next meeting on June 30, 2014.

VOTED: Based on the licensee's assurance and that of State Representative Cabral, that the 'club' had satisfied all of his DOR issues, and that the DOR Certificate of Good Standing would be received within Ten (10) Days; the Licensing Board, on a motion by Commissioner Almeida, voted to hold their decision of 04/22/14, in which it suspended the General on Premise license effective May 19, 2014, in abeyance until its June 30, 2014 meeting. – **Unanimous**

Voted: Commissioner Almeida made a motion to remove item # 5 from the table with no further action to be taken; and to rescind the Board's Decision of 04/22/14 to suspend the General of Premise license, which was being held in abeyance. – **Unanimous**

Voted: Commissioner Almeida made a motion to take up items 6 & 7 at the same time. – **Unanimous**

6. PETITION - Trans. #074 – Plot # 12--287

The Edge Hospitality, LLC d/b/a The Edge Seafood and Bar, 1480 E. Rodney French Boulevard, is requesting the approval of **Kara Marie Bergeron** who resides at 18 Kearsarge Street, New Bedford, MA. as their new manager.

7. PETITION - Trans. #226 – Plot # 12--287

The Edge Hospitality, LLC d/b/a The Edge – Tiki Bar, 1480-S E. Rodney French Boulevard, is requesting the approval of **Kara Marie Bergeron** who resides at 18 Kearsarge Street, New Bedford, MA. as their new manager.

Present: Atty. Emile Morad along with Kara Marie Bergeron, Proposed New Manager

Responding to questions from Chairman Beauregard, Atty. Morad stated that Ms. Bergeron worked for Mr. Dolinsky for years when it was Davy's Locker, so she has experience with the building; she also worked at Cape Quality Food Market in Dartmouth, and is currently working at Seafire Grillhouse. So she should be a good fit, to fill the void left by Mr. Hernandez who left suddenly.

When asked by Chairman Beauregard if she was T.I.P.S Certified, Mr. Bergeron stated that she was. When asked by Chairman Beauregard as to when they planned on opening, Ms. Bergeron responded, "Around the 3rd week of July."

Voted: Commissioner Almeida made a motion to approve both petitions as presented, and to forward the applications to the Alcoholic Beverages Control Commission for their approval; with the stipulation that Ms. Bergeron complete an Alcohol 'Server Certification' course within Thirty (30) Days after final approval is received or prior; and that proof of her certification be provided to this office; and that all her staff be 'certified' as well, with copies of their certifications to be kept on file for review, if needed. – **Unanimous**

8. Hearing: Whaling City Club, Inc.
Carlos Barreira, President
447 Belleville Avenue

Your presence is requested at a hearing to discuss the recent resignation of your current manager on June 4, 2014. Failure to comply with this notice may result in the Licensing Board taking action to suspend your license until this matter is resolved.

Issue Summary

This office has received written notice that your current manager, Carlos Ferreira has resigned as manager due to health reasons.

Please be advised that you will be considered the acting manager until a new manager is approved by the Board and the ABCC; and that a **Change of Manager application must be submitted to the Licensing Board office by July 7, 2014** so that it may be placed on the July 28, 2014 Meeting Agenda.

The Licensing Board would like to remind you of the following:

MGL Chapter 138, sections 12, 23-

An application must be filed to obtain approval from the local licensing authorities and the ABCC for a change of manager.

Licensing Board Regulation No. 6-

Each corporate licensee shall appoint a manager who shall have full authority and control of the premises and who shall be satisfactory to the Board and who shall be a United States citizen. Immediate notice of the appointment must be made to the Board in writing.

****06/24/14** – Mr. Barreira came to the office and that matter was discussed with him, and he informed Mr. Nanopoulos that he would become the manager, and that he would submit an application by July 14th, so that it could be considered by the Board at its July 28th Meeting.

Present: No one was required to appear.

Mr. Nanopoulos informed the Board that Mr. (Carlos) Barreira had come in to see him upon receiving the written notice to appear, and informed him that he would be submitting an application to be the manager of the club, which would be submitted in time for the next meeting. Mr. Nanopoulos recommended that no further action be taken.

Voted: Commissioner Almeida made a motion to follow Mr. Nanopoulos recommendation, to take no further action on this matter. – **Unanimous**

*****Inactive Wine & Malt Licenses*****

9. Hearing: Ransan Rotisserie, Inc. d/b/a Braza Rotisserie
Mr. Randy R. Cardoso, Owner
566 Pleasant Street
Closed 12/31/13 – License for Sale

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2014. 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 2014 prior to this Board considering approval of your 2015 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 Wine & Malt Only Beverages License.

Present: Randy R. Cardoso, Owner (Requested letter was submitted)

Mr. Nanopoulos informed the Board that Mr. Cardoso has given his name to be added to the list of available licenses.

Mr. Cardoso submitted a letter to the Board, which was unanimously received and placed on file, which stated that it was his intention to try to sell the beer and wine license, with or without the business located at 566 Pleasant Street; and if that doesn’t work out, he’s planning to transfer the license to his new establishment located at 469 Ashley Boulevard.

Mr. Cardoso stated that Jeff Pontiff has the listing but it’s hard to sell with the Police Department there because of the parking.

Voted: Commissioner Almeida made a motion to follow Mr. Nanopoulos’s recommendation, to **table the matter to the Board’s October meeting.** – **Unanimous**

07/11/14 - Mr. Cardoso as holder of an inactive license was notified in writing that he has **until October 1, 2014 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.

The Licensee was also notified that failure to initiate one of the three options stated above prior to this date, would require him to appear before this Board once again, at which time the Board may consider revoking his Common Victualler Wine & Malt license for non-use.

10. Hearing: Salty Cod, LLC d/b/a Salty Cod

Mr. Luis Martins, Owner

1500 Cove Road

Closed 12/31/13 – License for Sale

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2014. 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 2014 prior to this Board considering approval of your 2015 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 Wine & Malt Only Beverages License.

Present: *No one was required to appear.*

Mr. Nanopoulos informed the Board that an application for transfer is being finalized and will be submitted in time for the Board’s July 28th meeting, and recommended that no further action be taken at this time

Voted: Commissioner Almeida made a motion to follow Mr. Nanopoulos recommendation, to take no further action on this matter. – **Unanimous**

11. Hearing: PI-ZAN, Inc.

Mr. Jason P. Lanagan, Owner

29 Union Street

Closed 07/01/13 – Closed for Renovations

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2014. 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 2014 prior to this Board considering approval of your 2015 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 Wine & Malt Only Beverages License.

Minutes of 11/18/13 Meeting

Present: *Jason P. Lanagan, Owner*

When asked by Chairman Beauregard as to what his plans were for Pi-Zans, Mr. Lanagan responded, Pi-Zans is currently closed ... the Route 18 project made it difficult to remain open ... we do have a building application submitted to Inspectional Services and it’s pending some code review with our architect ... and I expect that to be resolved in the next 30 days ... and we plan on starting construction as soon as the cobblestone work is finished on lower Union Street that’s currently being re-done ... so we’re kind of waiting to see how that all plays out before we start ... because we don’t want to run the risk of opening while it’s still under construction ... which is the reason we went out of business in the first place ... and if we do change any names or any ownership or any description with regard to the license ... we’ll make sure that we file everything with your office first.

Mr. Nanopoulos reminded Mr. Lanagan that any changes could take 6 to 8 weeks to come back from the ABCC, and suggested that he submit those changes in a timely manner as not to delay any planned opening, since those changes would have to be approved by the Board and the ABCC prior to his opening.

VOTED: Based on the information provided by Mr. Lanagan; Commissioner Almeida made a motion to approve the renewal for 2014. – **Unanimous**

Present: *Jason P. Lanagan, Owner (No letter submitted as requested)*

Mr. Nanopoulos informed the Board that he had contacted Mr. Lanagan and asked him to be prepared to give the Board an update of any changes that he may have planned for ‘Cork’, located at 90 Front Street and for

Rose Alley Ale House, located at 94 Front Street; and added that the request was based on information that he had received from the Health Department and the New Bedford Historical Commission that referenced some changes that had occurred or were planned.

Chairman Beauregard asked Mr. Lanagan to first give the board an update as to the status and as to his intentions regarding Pi-Zans, which has been closed for renovations since July of 2013.

Mr. Lanagan responded, my intentions are the same as they were the last time I checked in with you ... we have 'stamped' architectural plans, which we've worked through the Building Department regarding some egress stuff in the back yard ... now I'm just working on internally just to finalize some LLC changes ... signing some leases, which I've talked to Nick about ...

And as soon as those things are wrapped up ... I'll be filing an application to notify you of all those changes ... towards moving forward to re-opening ... so it's just been challenging to coral everybody back together ... through that fall, winter, and spring sidewalk and roadway projects ... it just kind of jammed us up some ... I'm just kind of picking up where I left off ... hoping to get it going and open ASAP!

When asked by Chairman Beauregard if he had a timeframe for re-opening, Mr. Lanagan responded, I would like to put a frame on it ... but right now ... I'm smack dab right in the middle of organizing LLC's ... a set of paperwork goes to one attorney ... they review and comment on it ... then it goes to another one ... I'm ready to go ... so I'm just working through that ... but all parties involved want to get this resolved and get it re-opened ... and move it along ... so I'm just going as fast as I can ... and I'd love to have it open by the end of the year for sure! I just don't want to promise you that.

Chairman Beauregard then asked Mr. Lanagan to review any changes that have or will be made at Cork', located at 90 Front Street, which came to the attention of the office from a communication from the Health Department.

Mr. Lanagan responded, there have been no changes ... so from a licensing perspective ... the description on the license is exactly the way it's been since the last time that I changed it ... we've added the sprinklers ... but these are all things that I've gone over with this Board ... I've been working with Joe Kaufman, who's with Inspectional Services, to finalize the occupancy permit ... and they were pushing us to resolve those issues , again, egress issues in the backyard with those stairs and to Union Street and to Rose Alley ... and we resolved those issues ... railings and things ... we went through some renovations adding some capacity ... he had a checklist ... and we finished that checklist at the beginning of the year ... and since then, I've been trying to get my hands on an occupancy permit ... it's been kicked back to DPI because they needed an internal signoff within the system ... they signed off ... then it got kicked to the Board of Health ... and they had us fill out a brand new Board of Health package as you would if you were opening a brand new restaurant ... so to them ... it appears to be new ... but there have been no changes whatsoever ... it's just been the process that they brought us through to get us our occupancy permit, which has been signed by Inspectional Services ... so there's been no changes ... I've just been working within the system and process that Joe Kaufman's been guiding me through.

Chairman Beauregard then asked Mr. Lanagan to explain the letter that the Board received from the New Bedford Historical Commission regarding a deck at Rose Alley Ale House, located at 94 Front Street.

Mr. Lanagan responded, at Rose Alley, we put together some architectural plans with some elevations from the street for the Historical Commission ... I haven't formed a formal application with Nick yet ... to extend our licensed premise onto a deck on the north side of the building between the Rose Alley building and the McAuliffe building ... the Historical Commission signed off on the design and the materials ... and all those things ... with no opposition ... I spoke to Nick and I told him that I was waiting to have this meeting to see exactly what I needed to do other than to revise the drawings based on the conversation we have here tonight ... and then I was going to file a formal application with you.

Chairman Beauregard instructed Mr. Lanagan to submit a set of plans to Mr. Nanopoulos, so that the Board could take a look at them before it gets submitted officially.

When asked by Chairman Beauregard if he had gone before Planning and Zoning as of yet, Mr. Lanagan responded, I just went through Historical ... so my next stop was to go before you guys.

Mr. Nanopoulos informed Mr. Lanagan that the plans would have to be approved by Building, Planning, and Zoning, prior to the application being submitted to the Licensing Board for approval.

Atty. Markey suggested to Mr. Lanagan that he follow Chairman Beauregard's suggestion to submit a set of plans to this Board so they can review it, so if they have any suggested changes, they can be made before you go to Planning and Zoning.

Mr. Lanagan stated that he would submit a copy of the plans that went before the Historical Commission, which has an occupancy calculation on it as well.

When asked by Mr. Nanopoulos if this was an outside deck or an enclosed deck, Mr. Lanagan responded, outside ... but it will have a roof ... but it won't be totally enclosed ... it will be 'open air'.

Voted: Commissioner Almeida made a motion to follow Mr. Nanopoulos's recommendation, to **table the matter to the Board's October meeting.** – **Unanimous**

07/11/14 - Mr. Lanagan, as a holder of an inactive license, was notified in writing that he has **until October 1, 2014 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.

The Licensee was also notified that failure to initiate one of the three options stated above prior to this date, would require him to appear before this Board once again, at which time the Board may consider revoking his Common Victualler Wine & Malt license for non-use.

*****Inactive All Alcohol Licenses*****

12. Hearing: Giraldo's Restaurant, Inc. d/b/a Adriana's Mexican Restaurant

Mr. Fernando Giraldo, President/Owner

1262 Acushnet Avenue

Approved 02/07/13 – Renovations - Proposed 'May Opening' per 02/24/14 Meeting

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2014. 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 2014 prior to this Board considering approval of your 2015 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 All Alcoholic Beverages License.

Minutes of 02/24/14

Present: *Fernando Giraldo, Co-Owner along with Charlie McGregor, Contractor*

When asked by Chairman Beauregard to give the Board an update regarding the ongoing renovations, Mr. Giraldo stated that the renovations were going really good, and that over the past few days they've had an electrical inspection ... a gas inspection ... but they were still on the Fire, Health, and Building inspections ... all the construction is done ... we're just waiting for approvals and permits.

When asked by Chairman Beauregard if they had an anticipated opening date at this point, Mr. Giraldo responded, not really ... as you know these things take time coordinating ... it's something we can't control ... if everything goes smooth ... hopefully we can open within a month, I hope ... everything should be all set.

Mr. Nanopoulos recommended to the Board that the matter should be tabled to the Board's May meeting, which

would give Mr. Giraldo almost three months to finish the project and open up, which should be ample time based on the information he provided at this meeting.

VOTED: Commissioner Almeida made a motion to follow the recommendation to table the matter to the Board's May meeting, with the stipulation, if the premise is operational by that date then there would be no need for Mr. Giraldo to appear at the May meeting. – **Unanimous**

Present: *Fernando Giraldo, Co-Owner along with Martha Gonzalez, Manager (Requested letter was submitted)*

Mr. Nanopoulos informed the Board that the licensee had some parking issues with regard to the adjacent parking lot, and that Jill Mclean, who's the City Planner, came by the office and stated that her office was going to issue a temporary variance, so that the parking lot could be used the way it should be in order for the licensee to open up; which would allow the licensee to raise some funds to complete the renovations that are required on the parking lot.

Ms. Gonzalez submitted a letter outlining the current status of the work being done and the plan moving forward, which was unanimously received and placed on file by the Board.

When asked by Chairman Beauregard as to what their time frame was now, Ms. Gonzalez responded, it really depends on whether we are going to be able to get the parking issue resolved ... first we have to put the property (an income property) to be sold because we don't have the \$70, 000.00 it will take to get the work done ... so as soon as that's sold ... the money will be put into the parking lot.

Chairman Beauregard responded by asking, is this a surprise ... why wasn't this already included in the plans and design when you started?

Mr. Gonzalez responded, because of the cost of the opening of the restaurant ... I ran out of money ... and I can't get money from anywhere now except to sell the house to have money to fix the parking lot according to the Building Department's requirements.

When asked by Chairman Beauregard, didn't you know in the beginning that the parking lot had to be done?

Mr. Gonzalez responded, yeah, I knew that ... and I was working really hard on that but ... everything comes with expenses and money pours out like crazy ... then I ran out of money ... so, that's the issues we have now ... we have Worker's Comp & Insurance that we're been paying for two months ... so I just came to the city to ask if they would give me a temporary permit for handicap parking ... and that's what we're working on right now ... and I told them that I don't have money to fix the lot the way they want it ... the cost is \$70, 000.00 ... I'm not a big business man ... I'm just a local person ... it's a small business ... I'm spending more money on the parking lot than on everything else.

Mr. Gonzalez added, the restaurant only seats 50 people ... and it's a big parking lot ... and we've been talking to different companies to see if he who could do it for a cheaper cost ... but it has to be done well ... so it doesn't crack and it lasts ... and that's going to cost a lot of money ... we just never imagined that it would cost that amount of money.

Mr. Nanopoulos stated to both Mr. Giraldo and Ms. Gonzalez, I spoke to Jill McLean a few days ago, and she told me that they were going to authorize a temporary variance so that you could open ... so the parking isn't a hold up at this point.

Mr. Giraldo responded, they haven't given us anything yet ... they're going to authorize that ... as soon as they say the parking is okay.

When asked by Mr. Nanopoulos, if they authorize the parking in 10 days, when would you open, Mrs. Gonzalez responded, as soon as we get that authorization ... all I have to do is call the Health Department to get their permit ... because we've already set up our accounts with our liquor and food distributors.

When asked by Mr. Nanopoulos, so if we can expedite the temporary permit for you, then there are no other roadblocks for you to open ... right?

Mr. Gonzalez responded, no, nothing! ... Everything is done!

Atty. Markey instructed Mr. Giraldo to call him tomorrow so that he could set up a conference call with Jill McLean to find out what it is she feels she needs, and to talk to Danny Romanowicz who's with the Building Department to see if he has issues, and added, Building and Planning should be helping you at this stage with regard to the parking lot.

Voted: Commissioner Almeida made a motion to follow Mr. Nanopoulos's recommendation, to **table the**

matter to the Board's September meeting. – Unanimous

07/11/14 - Mr. Giraldo as a holder of an inactive license was notified in writing that he has **until September 1, 2014 to be open and operating at the current location;** and failure to be operational by this date, will be require him to appear before this Board once again, at which time the Board may consider revoking his license for non-use.

13. Hearing: Calypso Hospitality, LLC d/b/a Fernando's Grille & Bar

Mr. Gregory Kulpinski, Owner

418-420 Rivet Street

Closed 10/01/13 – License for Sale

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2014. 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 2014 prior to this Board considering approval of your 2015 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 All Alcoholic Beverages License.

Present: Atty. Emile Morad representing Calypso Hospitality, LLC (Requested letter was submitted); Derek Santos, Director, NBEDC

Mr. Nanopoulos handed out a letter to the Board along with a copy of a P & S Agreement attached that had been received earlier in the day from Atty. Jay R. Peabody, who represents Candleworks Ventures, LLC, who plans to transfer the license to the site of the proposed new hotel; the letter went on to state that it was his client's intention to transfer the license to an appropriate location within a reasonable period of time.

When asked by Chairman Beauregard as to the status of the liquor license, Atty. Morad responded, it's under agreement with Candleworks Ventures, LLC ... quite frankly ... if they don't do something with it soon ... we will.

When asked by Atty. Markey if there was a signed P & S Agreement with them, Atty. Morad responded, yes, it was signed on September 6, 2013, before we closed ... then we turned the license in pursuant to the agreement ... so the ball is in their court.

Atty. Morad continued his comments by stating, but obviously, we're not going to allow the license to be surrendered ... it's my understanding that they're asking for another reasonable amount of time to file a transfer application with the Board ... if not ... we will!

Chairman Beauregard responded, basically, we don't even have a location for the transfer of this license, to which Atty. Morad responded, I understand your concerns and tried to get someone to come here because I don't want to be answering those questions ... I'm just the seller!

Chairman Beauregard responded that the problem we have is that the license is going to be sitting in someone's pocket whether it be in Calypso's or in the Candleworks' pocket; someone is going to be sitting on it!

Mr. Santos offered the following in response to the prior comments, the unique situation here is ... where it would go ... is in the second hotel in downtown at the Candleworks site ... so that project has been fully designed and has made its way through the rest of the municipal permitting process ... the Historical Commission ... Planning ... ZBA ... and the Historical Commission, again ... it's made it through all of that ... it's now ready to go to finance ... we understand that there's nuance in terms of ... the hotel will have a full

restaurant as well as a catering facility as part of the hotel ... but the structure is not built yet ... it's on a plot and lot that was subdivided ... so they're in the process of getting their planning done ... lining up financing ... and then going to groundbreaking ... so all the same steps for the waterfront hotel with Richard Lafrance ... were in the same place now ... and the goal is I think ... is to have a ground breaking in 2015 ... so whatever flexibility the Board can offer ... with the understanding that this a major investment ... and that it does take time to execute and get through that process.

Chairman Beauregard responded by asking Mr. Santos, I have two questions ... one ... why wouldn't you consider getting ... there are always licenses available ... a license closer to the time that you plan on opening? ... Two ... why wouldn't you consider just filing for a Special Legislation license specific to the hotel?

Mr. Santos responded, those two particular questions I can't answer ... those are questions that should be asked of Atty. Peabody.

Atty. Markey offered the following to Atty. Morad and Mr. Santos, just so you get a sense of the Board's perspective ... they get pressure from the state, which does not allow you to keep it open (pocket license) forever ... you've got a guy that has potential money tied up in the license who would like to get paid ... so they need to do something with it ... they're not blaming you ... but the reality of it is ... it's going to be some time (until the hotel is going to be built) ... there are other licenses that are inactive that people are looking to buy ... the market may go up or it may go down ... I don't know what the price was or if it was a good deal or not... but the Board is looking for movement.

Atty. Morad responded, what basically happened to be frank is that ... when Fernando's closed ... at the same time it closed ... they bought the Candleworks license from the bankruptcy court ... so we (Mr. Kulpinski) sold them (hotel developer) this license because the hotel wasn't yet ready ... so we used the Candleworks license because we were in a rush to get in there ... since it was already assigned there ... so it was quicker to it that way ... but again ... I understand the Board's concerns... I don't know if the Board would consider tabling this to the next meeting ... I'll make sure that Mr. Peabody or somebody on behalf of Candleworks Ventures, LLC is here ... and if at that point ... they don't have an applicable resolution for you ... then Mr. Kulpinski will take the necessary steps to put it someplace that's going to open in 2014.

Mr. Nanopoulos offered the following, it's just not Mr. Kulpinski and the hotel developer that have financial interest in getting this resolved ... there are two other parties being affected by this lack of movement on this license ... I've had several conversations with the owner of the building at Rivet Street ... and the problem is ... he has a building there at which he's not getting any rent since Fernando's closed ... he has a license at Café San Paulo, which he wants to transfer to that location ... because the Fernando's license is still at that location ... he (Mr. Coelho) originally bought (signed P & S) the Octane license from Fernanda Carvalho, who will be becoming in for a hearing on her license later in the evening ... and she'll tell you her story ... to be moved to the Rivet Street location (Fernando's space) ... she's been closed since 10/31/13 ... so she had an agreement with Mr. Coelho to sell her license ... she wants to get out ... she's got bills to pay ... she can't get her money ... because the license that is at Rivet Street is holding up the transfer to that location ... so, one gentleman is losing rent ... and the other person can't pay her bills because she can't sell her license.

Atty. Morad responded, with all due respect ... and I understand everything Mr. Nanopoulos said is accurate ... but you also have to understand is ... that ... both lawyers for both of those individuals are with the same law firm ... and they're aware of everything that you said ... and if anybody made a phone call to me ... I wouldn't leave the license there ... jamming somebody up ... I haven't heard any of this.

Atty. Markey offered the following, the other possibility is to swap rights with regard to the two licenses in question ... if you've got one that is already at the building ... that can stay there... and the other one can go to the hotel when they're ready for it.

Atty. Morad responded, I didn't want to mention that but that was something that's being discussed ... but I'm not sure where that's at this point.

Mr. Nanopoulos informed everyone that he had suggested that to all parties involved at a meeting that was held to discuss the hotel project last year, and also warned them that this situation could potentially arise, if they didn't proceed as suggested.

Chairman Beauregard confirmed that he also suggested the same scenario a year ago as well to those involved in the project, after Mr. Nanopoulos informed him of what was discussed at that meeting.

Atty. Markey and Atty. Morad stated that they would both contact Atty. Peabody who represents Candleworks

Ventures, LLC and inform him of the situation, and to convey the Board's concerns and request that a resolution to this matter be reached as quickly as possible; since this issue is also affecting both Mr. Coelho, who owns the property at 418-420 Rivet Street and Ms. Carvalho who is the holder of an inactive license, and who has a signed P & S Agreement to sell her license to Mr. Coelho, who wants to transfer the license to that location, which is now vacant.

Voted: Commissioner Almeida made a motion to follow Atty. Markey's recommendation, to **table the matter to the Board's July meeting.** – **Unanimous**

Voted: Commissioner Almeida made a motion to **take item #16 out of order**, since Atty. Morad represents Trans-City, Inc. – **Unanimous**

14. Hearing: JAMA, LLC d/b/a Major League Burgers

Ms. Jane A. Magan-Askew, Owner

914 Mt. Pleasant Street

Approved 11/25/13 – Renovations

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2014. 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 2014 prior to this Board considering approval of your 2015 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 All Alcoholic Beverages License.

Minutes of 10/21/13

Present: Atty. Greg Koldys along with Jane A. Magan-Askew, Sole Manager of LLC and Proposed New Manager.

When asked by Mr. Nanopoulos as to when they planned to open, Atty. Koldys responded, it's a build out ... but the hope was to open by the beginning of December ... but obviously the build out is going to take some time ... so we're not actually sure at this time; the plans had been submitted to the Building Department and approved.

Note: When informed of the date change, Atty. Koldys stated that he would be vacation and would be unavailable on June 23rd, he was informed that they would have to appear at the Board's July 28th meeting, to which he agreed to.

Present: *No one was required to appear.*

Voted: Commissioner Almeida made a motion to follow Mr. Nanopoulos's recommendation, to **table the matter to the Board's July 28th meeting.** – **Unanimous**

15. Hearing: Tane Corporation d/b/a Octane Sports Bar

Ms. Fernanda Carvalho, Owner

1430 Acushnet Avenue

Closed 10/31/13 – License for Sale

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2014. 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 2014 prior to this Board considering approval of your 2015 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.

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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 All Alcoholic Beverages License.

Present: Fernanda Carvalho and Claudio Cabral, Co-Owners

Ms. Carvalho submitted a copy of a Purchase & Sales Agreement, which the Board voted unanimously to receive and place on file. The P & S agreement was with Goulart Square Realty, LLC.

Chairman Beauregard informed Ms. Carvalho that she’s going to have a problem because there’s already a liquor license assigned to that location, therefore, her license cannot be transferred to the location stated on the P & S, until such a time the current license issued for that location is transferred out.

Ms. Carvalho stated that she was not aware of that and asked if Mr. Coelho was aware of that, to which Chairman Beauregard responded, oh yes, he’s aware of it.

Atty. Markey informed Ms. Carvalho of what the current situation is and stated that the Board is hopeful that something can be worked out to break the logjam at this location in the very near future; he also stated that they discussed the situation with the other party involved earlier and informed them of your situation, and we encouraged them to take the steps that are necessary to allow you to move your license.

Atty. Markey advised Ms. Carvalho that she should contact either Atty. Michael Kehoe or Atty. Emile Morad for further information regarding the status of 318 Rivet Street.

Chairman Beauregard informed Ms. Carvalho that the Board and the City are trying to get this resolved as soon as possible, and suggested that the matter be tabled until the Board’s October meeting; Chairman Beauregard also advised Ms. Carvalho that if another deal came along, I would probably take it.

Mr. Nanopoulos informed the Board that Ms. Carvalho had a prior P & S in place and that they have been actively trying to sell the license; and stated that the situation they’re in, is not a result of their lack of effort to move the license, and they’ve done everything that they’ve been instructed to do.

Voted: Commissioner Almeida made a motion to follow Chairman Beauregard’s recommendation, to **table the matter to the Board’s October meeting.** – **Unanimous**

16. Hearing: Trans. - City, Inc.

d/b/a Wharf Tavern & Deli

Mr. Rene S. Servais, Owner

216 Herman Melville Boulevard

Closed 03/04/14 – License for Sale

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2014. 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 2014 prior to this Board considering approval of your 2015 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.

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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 All Alcoholic Beverages License.

Present: Atty. Emile Morad on behalf of Trans-City, Inc. (Requested letter was submitted)

A letter was submitted by Atty. Morad on behalf of his client, Rene Servais, which was unanimously received and placed on file by the Board. Atty. Morad stated that his client closed on March 4, 2014 and that a purchase and sales agreement has been executed for the sale of his liquor license with Columbus Group, LLC; and that Atty. Christopher Markey representing the buyer, and that he would be submitting an application for transfer shortly.

Mr. Nanopoulos informed the Board that he had spoken to Atty. (Chris) Markey, and that he stated that he was preparing an application for transfer.

Voted: Commissioner Almeida made a motion to follow Mr. Nanopoulos recommendation, to take no further action on this matter. – **Unanimous**

17. Hearing: Sugar & Pico, Inc. d/b/a Sugar Daddy’s Campino Lounge

Mr. Jose Matos, Owner

821 South First Street

Approved 01/21/14 – Renovations

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2014. 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 2014 prior to this Board considering approval of your 2015 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.

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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 General on Premise All Alcoholic Beverages License.

Present: Jose Matos, Owner

Responding to questions from Chairman Beauregard, Mr. Matos stated that he still plans to open at this location, and that they were in the process of cleaning up, and that he was a little behind in the process due to being busy with his other business, as well as with his involvement with the feast held by the Irmandade Do Divino Espirito Santo Do Pico Club, which just ended yesterday.

Mr. Matos continued, it’s in the process of getting cleaned up and getting the old stuff out of there, and I also have to get a new cooler, so I’m hoping by the end of this month, everything will be all set.

When asked by Chairman Beauregard if he would be open by the end of the month (July), Mr. Matos responded, I’m 99% sure.

Voted: Commissioner Almeida made a motion to **table the matter to the Board's October meeting**, and informed the licensee that he has **until August 1, 2014 to be open and operating at the current location**, and if he fails to be operational by this date, he will be required to appear before this Board once again, at which time the Board may consider revoking his license for non-use. – **Unanimous**

18. Hearing: New Bedford Lodge No. 73 – BPO Elks
Mr. Francis E. Wynn, Jr., Trustee-Chairman
23 South Sixth Street
Closed 01/01/14 – License for Sale

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2014. 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 2014 prior to this Board considering approval of your 2015 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: Francis E. Wynn, Jr., Trustee-Chairman

A letter which was submitted by Mr. Wynn on 06/28/14, which stated that the sale of the liquor license was put into the hands of a real estate broker (Pontiff Real Estate), and it's the intent of the Wareham - New Bedford Elks Lodge to sell the liquor license and the real estate located at 23 South Sixth Street; it was also stated in the letter that the New Bedford Lodge of Elks was merged with the Wareham Lodge of Elks in Late February, which caused a significant delay in obtaining the necessary approvals to place the liquor license and real estate for sale and that the sale of the license is currently being advertised, was unanimously received and placed on file by the Board.

Responding to questions from Chairman Beauregard, Mr. Wynn stated that the Building and license were being sold separately and that as of Thursday when he spoke to the realtor, he was informed that he may have two people that are interested in purchasing the license.

Voted: Commissioner Almeida made a motion to follow Mr. Nanopoulos's recommendation, to **table the matter to the Board's October meeting**. – **Unanimous**

07/11/14 - Mr. Wynn, as a holder of an inactive license, was notified in writing that he has **until October 1, 2014 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.

The Licensee was also notified that failure to initiate one of the three options stated above prior to this date, would require him to appear before this Board once again, at which time the Board may consider revoking Club All Alcoholic Beverages t license for non-use.

VOTED: Commissioner Almeida made a motion to take up **Item #'s 19-40** at one time; waive reading; and approve the applications as presented – **Unanimous**

19. APPLICATION, (No Representation Required)

TJA Foundation, Steven Martins, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Bike Run to Benefit Trevor & Jordan Alves' to be held at the **Madeira Field – Main Pavillion Area**, located on **Madeira Avenue**; and to be held on **Sunday, June 1, 2014 from 12:00 p.m. until 6:00 p.m.**

20. APPLICATION, (No Representation Required)

N.B. Historical Society, Inc., Lee Blake, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverage License** for a 'Book Signing Reception', to be held in the **Fort Taber Community Center**, located within **Fort Taber**; and to be held on **Thursday, June 5, 2014, from 6:30 p.m. until 8:30 p.m.**

21. APPLICATION, (No Representation Required)

Jessica Gouveia and John Glass, Applicants, who are requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a 'Wedding Reception', to be held in the **Fort Taber Community Center**, located within **Fort Taber**; and to be held on **Saturday, June 7, 2014, from 5:00 p.m. until 11:00 p.m.**

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

22. APPLICATION, (No Representation Required)

Club Madeirense – S.S. Sacramento, Edward Camara, Jr., Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for their '2014 Night of St. John Clamboil' to be held at the **Madeira Field – Main Pavillion Area**, located on **Madeira Avenue**; and to be held on **Sunday, June 8, 2014 from 1:00 p.m. until 4:00 p.m.**

23. 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 'V.I.P. Membership Lounge Fundraiser', to be held in the 'Penler Space', located at **686 Purchase Street**; and to be held on **Monday, June 9, 2014, from 6:00 p.m. until 11:30 p.m.**

24. 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 'V.I.P. Membership Lounge Fundraiser', to be held in the 'Penler Space', located at **686 Purchase Street**; and to be held on **Tuesday, June 10, 2014, from 6:00 p.m. until 11:30 p.m.**

25. APPLICATION, (No Representation Required)

Pier 37, LLC d/b/a Pier 37, Steven Perry, Manager, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverage License** for a 'Block Party', to be held on **Union and Front Streets**; and to be held on **Saturday, June 21, 2014 from 4:00 p.m. until 8:00 p.m. (Last call at 7:30 p.m.)** and **Sunday, June 22, 2014, from 2:00 p.m. until 6:00 p.m. (Last Call at 5:30 p.m.)**

(Final approval will require Liquor Liability with the City named as additionally insured, and a copy of the Police Detail Contract) ABCC Guidelines, Security Plan, and Board Stipulations were reviewed, approved, and accepted by the Board and representatives of the Royal Front and Union Neighborhood Association on behalf of all the participants; Written Notice of what was approved was submitted to each participant on 05/28/14.

26. APPLICATION, (No Representation Required)

Cork County, Inc. d/b/a Slainte Irish Pub, Barry Flynn, Manager, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverage License** for a 'Block Party', to be held on **Union and Front Streets**; and to be held on **Saturday, June 21, 2014 from 4:00 p.m. until 8:00 p.m. (Last call at 7:30 p.m.)** and **Sunday, June 22, 2014, from 2:00 p.m. until 6:00 p.m. (Last Call at 5:30 p.m.)**

(Final approval will require Liquor Liability with the City named as additionally insured, and a copy of the Police Detail Contract) ABCC Guidelines, Security Plan, and Board Stipulations were reviewed, approved, and accepted by the Board and representatives of the Royal Front and Union Neighborhood Association on behalf of all the participants; Written Notice of what was approved was hand delivered to each participant on 05/28/14.

27. APPLICATION, (No Representation Required)

Matterhorn, RE, LLC d/b/a “CORK”, Jason Lanagan, Owner, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverage License** for a ‘**Block Party**’, to be held on **Union and Front Streets**; and to be held on **Saturday, June 21, 2014 from 4:00 p.m. until 8:00 p.m. (Last call at 7:30 p.m.)** and **Sunday, June 22, 2014, from 2:00 p.m. until 6:00 p.m. (Last Call at 5:30 p.m.)**

(Final approval will require Liquor Liability with the City named as additionally insured, and a copy of the Police Detail Contract) ABCC Guidelines, Security Plan, and Board Stipulations were reviewed, approved, and accepted by the Board and representatives of the Royal Front and Union Neighborhood Association on behalf of all the participants; Written Notice of what was approved was hand delivered to each participant on 05/28/14.

28. APPLICATION, (No Representation Required)

The Pequod, Inc. d/b/a Rose Alley Ale House, Jason Lanagan, Owner, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverage License** for a ‘**Block Party**’, to be held on **Union and Front Streets**; and to be held on **Saturday, June 21, 2014 from 4:00 p.m. until 8:00 p.m. (Last call at 7:30 p.m.)** and **Sunday, June 22, 2014, from 2:00 p.m. until 6:00 p.m. (Last Call at 5:30 p.m.)**

(Final approval will require Liquor Liability with the City named as additionally insured, and a copy of the Police Detail Contract) ABCC Guidelines, Security Plan, and Board Stipulations were reviewed, approved, and accepted by the Board and representatives of the Royal Front and Union Neighborhood Association on behalf of all the participants; Written Notice of what was approved was hand delivered to each participant on 05/28/14.

29. APPLICATION, (No Representation Required)

Pub 6 Social Corp. d/b/a Pub 6 at the Sixth Bristol, George Oliveira, President who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for the ‘**Normandin Teacher’s End of Year Cookout**’, to be held in the **Sixth Bristol Parking Lot**, located at **736 Ashley Boulevard**; and to be held on **Tuesday, June 24, 2014, from 1:00 p.m. until 8:00 p.m.**

30. APPLICATION, (No Representation Required)

New Bedford Art Museum/Artworks!, Lindsay Mis, Event Manager, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for an ‘**Opening Reception**’, to be held at the **New Bedford Art Museum**, located at **608 Pleasant Street**; and to be held on **Friday, June 27, 2014 from 6:00 p.m. until 8:00 p.m.**

31. APPLICATION, (No Representation Required)

Centro – Luso American Club, Inc., John Tomasia, Manager, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a ‘**4th of July Cookout**’, to be held in the ‘**Club Parking Lot**’, located at **34 Beetle Street**; and to be held on **Friday, July 4, 2014, from 12:00 p.m. until 8:00 p.m.**

32. APPLICATION, (No Representation Required)

The Bisca Tournament Club, Jose S. Duarte, Manager, 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 **161 Acushnet Avenue**; and to be held on **Saturday, July 5, 2014, from 11:00 a.m. until 8:00 p.m.**

(Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract) Note: ‘Security Plan’ Approved at 05/19/14 Meeting

33. APPLICATION, (No Representation Required)

Verdean Veteran’s Memorial Foundation, Kenneth Gilbert, Finance Officer, 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 5, 2014, from 10:00 a.m. until 6:00 p.m.**

(Final approval will require a copy of the Police Detail Contract)

Note: ‘Security Plan’ Approved at 05/19/14 Meeting

34. APPLICATION, (No Representation Required)

The New Cape Verdean Ultramarine Band Club, Inc., Ramona C. Silva, Representative, 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 **185 Acushnet Avenue**; and to be held on **Saturday, July 5, 2014, from 11:00 a.m. until 11:45 p.m.** *Note: ‘Security Plan’ Approved at 05/19/14 Meeting*

35. APPLICATION, (No Representation Required)

Cape Verdean Recognition Day Committee, Charles Perry, Jr., Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Fundraiser/Cape Verdean Day Parade Festival’, to be held in the **Morse Twist Drill Parking Lot**; and to be held on **Sunday, July 6, 2014, from 11:00 a.m. until 8:00 p.m.** *(Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract) Note: ‘Security Plan’ Approved at 05/19/14 Meeting*

36. APPLICATION, (No Representation Required)

Society of Senhor Da Pedra, Inc., Fernando Arruda, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a ‘Clamboil – Feast Fundraiser’, to be held in the **Club Parking Lot** located at **81 Tinkham Street**; and to be held on **Saturday, July 12, 2014, from 12:00 p.m. until 6:00 p.m.**

37. APPLICATION, (No Representation Required)

Nancy Wadman, Applicant, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverage License** for a ‘David Tatelbaum & Jan Goodall Wedding Rehearsal Dinner’, to be held in the **Fort Taber Community Center (Indoors Only)**, located within **Fort Taber**; and to be held on **Friday, July 18, 2014, from 4:30 p.m. until 10:30 p.m.** *(Final approval will require Liquor Liability with the City named as additionally insured.)*

38. APPLICATION, (No Representation Required)

Low Tide Yacht Club, Edward Lobo, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Steak Cookout’, to be held inside the **Low Tide Yacht Club**, located within **Fort Taber Park**; and to be held on **Saturday, July 19, 2014, from 6:00 p.m. until 10:00 p.m.** *(Final approval will require Liquor Liability with the City named as additionally insured and name of alcohol provider)*

39. APPLICATION, (No Representation Required)

Society of Senhor Da Pedra, Fernando Arruda, Feast Vice-President, who is requesting approval of an application for a **Special One Day All Alcoholic Beverage License** for a ‘Fundraiser/ A Feast of Senhor Da Pedra’ to be held on the **Madeira Field – Stands 1 & 2**, located on **Madeira Avenue**; and to be held on **Friday, August 15, 2014 from 7:00 p.m. until 11:45 p.m., Saturday, August 16, 2014 from 7:00 p.m. until 11:45 p.m., and Sunday, August 17, 2014 from 6:00 p.m. until 11:00 p.m.** *(Final approval will require*

Liquor Liability and a copy of the Police Detail Contract)

40. APPLICATION, (No Representation Required)

New Bedford Jewish Convalescent Home, Ruth Glicksman, Representative, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a 'Cocktail Party Fundraiser' to be held at the **New Bedford Jewish Convalescent Home**, located at **200 Hawthorn Street**; and to be held on **Sunday, September 14, 2014, from 5:30 p.m. until 9:30 p.m.**

41. Meeting: The Club Madeirense S.S. Sacramento, Inc.

100th Feast of the Blessed Sacrament

Mr. Larry A. Jacques, President

50 Madeira Avenue

Note: New proposed start time of Noon (12:00 p.m.) on Friday from the previously approved time of 6:00 p.m.

Your presence is requested at a meeting to discuss any concerns the Board may have **regarding security and enforcement of Licensing Board & ABCC Rules & Regulations**, concerning the weekend of the **100th Feast of the Blessed Sacrament (July 31st, August 1st, 2nd & 3rd)** the meeting will include David Provencher, Police Chief, Capt. Steven Vicente, Liaison to the Licensing Board, and Lt. Joao Chaves, Detail Officer for Special Events.

With regard to this year's event, this Board is looking forward to working with you and your committee with the hope that you embrace the outstanding plan that has formulated over the past several years, and that, if possible, explore ways to improve on the plan.

We fully anticipate that this year's committee will work with us to help ensure that the 100th Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

PREVIOUSLY ADOPTED:

- The Feast grounds perimeter that patrons will be traveling in and out of, which includes the 'Feast and the Carnival area' will be enclosed with **only four (4) entrances/exits locations.** (See Attached Plan)
- Each entrance/exit will be manned by Police Officers full time and they **will be responsible for not allowing alcohol to leave that area.**
- The Feast Committee **agreed to hire five (5) additional officers for each night** of the Feast, who will be used to contain the alcohol in the enclosed area.
- Post signs at all entrances & exits – **"No Alcohol Beyond This Point"**.
- **Set up barrels at all exits** to help deter persons from leaving the contained area with alcohol.
- **I.D.'s will be checked before issuing wristbands;** also anyone consuming alcohol will be monitored to make sure they have a wristband and spot checks of person's with wristbands will be done to make sure they have proof of age on them.
- The Feast Committee has also **agreed to keep nine (9) Officers an additional hour (until 2:00 a.m.) to provide extra security for the neighborhood** and they will patrol the immediate neighborhood to ensure that those persons leaving the Feast Grounds do so in a timely manner with as minimal an amount of disturbance to the neighborhood as possible.
- They also **have eliminated the 28 oz. containers of Madeira Wine,** which will only be sold in 3 oz. & 7 oz. cups, which should eliminate some of the problems with intoxication and the consumption of the wine by minors purchased by persons of age. (New)

ADOPTED FOR 2007:

- **Police Officers** – stationed at each I.D. Station.
- **35 and Under Line** – will be used for the I.D. Scanning machines.
- **6 I.D. Scanning Machines** – 2 machines at 3 sites on the feast grounds linked to a common database,

which will issue only one wristband per night to any one person, which will allow the feast to:

1. Prohibit second hand use of the same license.
 2. Better identify those people less than 35 yrs. of age (different style of wristbands).
 3. AgeBand Bracelets – includes last name and last 4 digits of identification (social security) #'s.
 4. Wristbands will be placed on the person's right wrist for easier visibility.
 5. Police can override negative or misread readings.
 1. **35-Year-Old Plus Line** – I.D. checking for older adults will be done manually.
 2. **Special Alcohol Safety Team** – Club members designated to audit liquor service areas for compliance with all liquor laws.
- **Bartender Training** – Training will be provided to volunteers responsible for serving alcohol.
 - **Improved Signage** – Stating “The Feast Committee may revoke alcohol use at any time for any reason”.
 1. Signs at all locations where alcohol is served.
 2. On the Screen/Main stage.
 3. Drinking is a privilege provided by the Club S.S. Sacramento and the Feast of the Blessed Sacrament to those individuals that are of lawful age and responsible.
 - **Underage Sting Program** – The Feast welcomes state and local underage sting operations to help insure safety.
 - **Public Notice** – Feast will promote and inform the public of all new initiatives in place to curb underage drinking and intoxication.
 - **Cab Company/Transportation** – An arrangement has been formed with a local cab company to be available to drive home guests that appear to be under the influence.

Jocelyn Andrade of the Substance Abuse Task Force stated that she would be issuing posters that will help with verifying I.D.'s; and would be looking into holding a training seminar for the Committee and their servers, to which Mr. Colangelo stated would be held the Wednesday before the feast.

Chairman Beauregard once again stated his desire to see the alcohol contained within the fenced in feast grounds, by stating that this is the last weak spot we have, which is the sale of alcohol out onto Hathaway Street; and that is the place we have alcohol coming off the grounds and that is the only area where we don't have the control we would like to see.

ADOPTED FOR 2008:

- ✓ No vendors serving drinks outside the defined Feast perimeter*
- ✓ Two TIPS training sessions with more than 50 people completing the 4 hour course
- ✓ Improved ID / Age verification system – I Detect*
- ✓ There will be rope lines to maintain clearer access for Police and Emergency people and equipment at the Feast Entrance on Tinkham Street
- ✓ Feast Vendors have been located to Hathaway Street providing more handicap parking
- ✓ Hathaway Street will be better lit with the same flood-lights previously provided and lighting of vendor areas

****Recommendations by the NBPB and the NBLB***

Issuing Wristbands

- ✓ 10 handheld devices have been purchased
- ✓ All machines linked to computer and each other
- ✓ Separate lines for 30+/35+ years old
- ✓ ID visually checked to verify it is that of the person presenting it.
- ✓ ID scanned and if formatted with proper state encoding and of lawful age a barcode and numeric wristband is printed and information stored in computer – The barcode or id number on the wristband can be used to retrieve information from computer

- ✓ Wristband placed on individual's right-hand
- ✓ Software prohibits multiple uses of the same ID, and can be used to ban individuals from reuse
- ✓ Any questions are consulted with Police stationed at the Wristband booths
- ✓ In the event that a scanning machine appears to be a misread, police can override
- ✓ NB Substance abuse task force members will assist with issuing of wristbands

Special Alcohol Safety Team

- ✓ Larry Jacques – Club President
- ✓ Don Neves – Feast President
- ✓ Carl Colangelo – Club BOD
- ✓ John Nunes – Club Treasurer
- ✓ - Feast Vice President
- ✓ Other members of Club and Feast Committee TBD

Training and Policy review

- ✓ Review Alcohol and Safety Policy to all Feast Committee members – Mandatory (Wednesday before Feast) – Also, any other members present.
- ✓ Two TIPS training sessions offered to all volunteers and neighborhood bar personnel

ADOPTED FOR 2009

- ✓ “ONLY 2 Drinks would be served to a person at one time.

ADOPTED FOR 2010

- ✓ Enclosed 'Feast Area' will be expanded into the picnic area behind the charcoal pits for additional dining and for the sale of imported beers and wine only.
- ✓ Will hang banners and/or signage that notifies those consuming alcohol that “NO ALCOHOL IS ALLOWED PAST THIS POINT” at all exit points.

ADOPTED FOR 2012

- ✓ **Five (5) more wristband (I.D. Check) machines and Four (4) more ticket machines were added.**

ADOPTED FOR 2013

- ✓ **There were no new initiatives adopted for this year's Feast but all conditions which were previously approved and adopted as stated above, shall be in effect and should be strictly enforced during this year's event, as has been the practice in the past.**

***Licenses for this year's event have been applied for. (See Item #'s 42 & 43)**

Present: Larry Jacques, President, along with David Lucio, Vice-President, and Donald Neves, 2nd Vice-President; and Capt. Vicente, Police Department Liaison to the Lic. Bd., along with Lt. Joao Chaves, Detail Officer for Special Events

When asked by Chairman Beauregard if they were considering additional security due to the higher level of talent of the entertainment being offered during this year's feast, to which Mr. Jacques responded, I spoke with Officer Paiva and I told him what we were having, and he stated that they would take care of it accordingly; but we haven't met as of yet.

Lt. Chaves stated that Officer Paiva was on vacation this week but he would follow up and set up a meeting to discuss how many officers will be assigned.

The Board did not have any further questions for the committee at this point.

Capt. Vicente then stated that Chief Provencher asked him to address the issue of alcohol that's being sold onto Hathaway Street, which was an issue that was raised in the past but, was one that the Chief wanted the Board to take a look at again.

Capt. Vicente stated that the Chief has asked him to bring some concerns to the Board's attention, although there is a plan in place that we've worked with and adjusted over the years to where we are today, which has worked well since it's been implemented; the Chief wanted to make sure that everything that's been adopted

over the years is being implemented, including the exit signs that state, “no alcohol beyond this point”, as well as the barrels at the exits.

Capt. Vicente continued his comments, as it is now alcohol is allowed in the big framework of Tinkham Street including the carnival, so the Chief brought up the issue of the actual physical selling of alcohol onto Hathaway Street; over the years, alcohol was only sold in containers on the feast grounds, in 2010, it was expanded to include the barbeque pit in that area, but nothing has been expanded since then to allow the sale of alcohol onto Hathaway Street, and that’s the issue that the Chief wanted me to bring here to the table; there’s been nothing adopted that says that it’s allowed (approved), I know it’s been done in the past but it goes beyond the scope of the four walls of the feast grounds itself.

Chairman Beauregard responded, we raised this issue at some point in the past, but there was a concern that if you stopped the sale of alcohol onto Hathaway Street, it would create a backlog if everyone from the outside had to come into the inside to get a drink.

When asked by Chairman Beauregard, didn’t you just buy a couple of buildings, Mr. Neves responded, that’s way down the end, nothing to do with this area.

Chairman Beauregard responded, but it’s within the compound area, so you’ll have more room in that area.

Mr. Neves responded, I’ve always been under the impression that we get an approval for the street closings ... which make the streets part of the feast ... including the (Hathaway) street going down where we have the vendors ... and we’ve always been allowed to serve on that side ... whether it’s been okayed or not ... we have always done it in the past ... but here’s the problem ... we have a stage there that has entertainment ... if people who are in that area watching the entertainment and want to buy a drink ... they would have to go all the way around where it’s very congested down the bottom ... and it would create a big problem down there for flow ... for them to come around to get a drink ... when they can just get it right there ... to me it just makes sense logistically to do that then to walk all the way around ... there’s no other way to get in there and get a drink other than going down there where it’s already heavily congested so that’s why it becomes an issue.

Mr. Jacques added, my thing is ... I thought the reason we were blocking off the street on Hathaway, Madeira, Tinkham, and Belleville Avenue with the signs posted there with barrels saying no alcohol beyond this point, which is the street itself, was in order for alcohol to be sold and consumed on the street.

Capt. Vicente responded, which covers naturally the carnival side, so the Chief’s concern is that ... and this is where I agreed with him when he says this ... and again, this is something we can talk about here ... originally you had the feast grounds ... four squares ... four fences ... a one block area ... and that’s where you sold all the alcohol ... since then you’ve grown and expanded ... and in 2010, you wanted to amend it to include the expanded area in the barbeque pit area ... before 2010, you couldn’t sell alcohol in the barbeque pit area.

Capt. Vicente then read the following which was adopted in 2010, “The Enclosed ‘Feast Area’ will be expanded into the picnic area behind the charcoal pits for additional dining and for the sale of imported beers and wine only.”

Mr. Nanopoulos then clarified the statement that was just read by stating, you’re misinterpreting that ... that relates to the area which already existed within the feast grounds near the picnic tables ... the ‘new’ grapevine area ... which was expanded after you knocked down the house ... but alcohol was always allowed to be served and consumed in that area.

Capt. Vicente responded, the Chief’s concern still remains ... it was always contained within the fenced in area of the feast grounds ... now you’re telling me you’re going to serve outside those four walls ... whether we’ve done it in the past or we haven’t done it in the past ... it doesn’t make it right ... it’s a decision the Board’s going to have to make here ... and I’m just voicing the Chief’s concerns.

Mr. Neves responded, we’re going to be putting signage at the top of the street and the bottom of the street that states, “no alcohol beyond this point” ... which means you can have alcohol on the street ... so, if you can have alcohol on the street ... then why can’t we serve it there?

Capt. Vicente responded, because it’s never been addressed (approved) by the Board.

Chairman Beauregard responded by asking Mr. Neves, is there a way to prevent the alcohol from going across the street into the carnival area, to which Mr. Neves responded, sure, there’s a way to stop that.

Mr. Neves then re-iterated his point that once they get the street closing, that area becomes part of the feast grounds, so they should be allowed to serve alcohol onto Hathaway Street, and be able to walk up and down the street.

Chairman Beauregard responded by stating, but not entering the carnival area, which I believe may be the Chief's main concern, if I understood Capt. Vicente correctly.

Capt. Vicente responded, the Chief's concern is the "expansion of the sale of alcohol" ... he doesn't have a problem with the possession ... getting your beers and going to the carnival with your family or even going down the street to the museum ... again, the Chief's main concern is the expansion of the sale and serving of alcohol beyond the walls of the feast grounds.

There was an extended discussion of what procedures were in place to control the flow of alcohol within the feast area including the streets, which will be closed as they have been in the past.

Capt. Vicente responded, we're all in agreement up to a point here ... the point stops as to where we stop serving alcohol ... and by serving out onto Hathaway Street ... you are now out of your fenced in alcohol area.

Capt. Vicente acknowledged that he understood why it's being allowed, as not to add to the congestion within the feast grounds.

Mr. Neves responded, and we're not letting anybody go beyond that street ... all we're saying is that it's that street ...that's it!! ... again, because of the street closing, that's part of the feast grounds for the weekend that we have the feast going on ... the guidelines get extended with the street closings.

Chairman Beauregard responded, why don't we set the guidelines ... if you can block off the area going into the carnival area, whereas no alcohol is allowed onto that area ... and allow the sale and consumption of alcohol onto Hathaway Street ... let's see how that goes this year.

The Feast Committee agreed to the guidelines that were proposed and set by Chairman Beauregard.

When asked by Lt. Chaves as to the number of stands that sell onto Hathaway Street, Mr. Jacques stated that there were four but only one sold a significant amount of alcohol out onto Hathaway Street, and that was #12, which is located near the bandstand.

It was agreed by all that officers would be required to be posted, as previously adopted, on the end of all streets leading off the entire feast ground, which include locations at the top of Hathaway Street and Tinkham Street at Madeira Avenue, as well as at the bottom of those streets at Belleville Avenue; and that officers would be posted at the two entrances of the 'carnival area' to ensure that alcohol is not allowed to be taken into that area.

Mr. Nanopoulos reminded all present, that in prior to 2007, the Feast Committee **agreed to hire five (5) additional officers for each night** of the Feast, who will be used to contain the alcohol in the enclosed area, which became an adopted policy.

Chairman Beauregard advised the committee that they have to be mindful of the amount of people that may be attending based on this being the 100th Anniversary of the Feast, and that they should make sure that they have enough staff and police presence to handle what could be a record crowd, especially when you consider the upgrade in entertainment that's being offered on all four nights.

Responding to Chairman Beauregard's concerns regarding the possible record crowds and how it may affect crowds trying to use the urinals, Mr. Jacques stated that they added a whole new bank of 19 additional urinals to relieve that issue.

Chairman Beauregard suggested that the Board take a vote on the three issues that were discussed and agreed to, and that they be adopted, as part of the 2014 approval.

Commissioner Almeida made a motion that the following be approved and adopted:

1. Alcohol shall be allowed to be served onto Hathaway Street;
2. Alcohol shall not be allowed onto the 'carnival area';
3. The 'Feast' shall be allowed to start at **12:00 p.m. (Noon) on Fridays.**

VOTE: The Board **voted unanimously to approve and adopt the three (3) motions** set forth by Commissioner Almeida.

42. APPLICATION, "NEW – REQUESTING A START TIME OF 12:00 P.M. (Noon) ON FRIDAY"

Club Sports Madeirense, - S.S. Sacramento, Inc. Larry Jacques, President requesting approval of an application for a **Special One Day All Alcoholic Beverage License** for a '100th Feast of the Blessed Sacrament' to be held on the **Madeira Feast Grounds (88 Tinkham Street)**, located on **Madeira Avenue**; and to be held **Thursday, July 31, 2014 from 6:00 p.m. until 11:45 p.m., Friday, August 1, 2014 from 12:00**

p.m. until 11:45 p.m. and Saturday & Sunday, August 2rd & 3rd, 2014 from 12:00 p.m. until 11:45 p.m.

43. APPLICATION, “NEW – REQUESTING A START TIME OF 12:00 P.M. ON FRIDAY”

Club Sports Madeirense - S.S. Sacramento, Inc. Larry Jacques, President requesting approval of an application for a **Special One Day All Alcoholic Beverage License** for a ‘100th Feast of the Blessed Sacrament’ to be held at the **Museum of Madeira Heritage**, located at **1 Funchal Place**; and to be held **Thursday, July 31, 2014 from 6:00 p.m. until 11:45 p.m., Friday, August 1, 2014 from 12:00 p.m. until 11:45 p.m. and Saturday & Sunday, August 2rd & 3rd, 2014 from 12:00 p.m. until 11:45 p.m.**

Voted: Commissioner Almeida made a motion to take up items #’ 42 & 43 at one time, and approve the applications as presented. – **Unanimous**

44. Meeting: Club Sports Madeirense, Inc.

Mr. Richard Fernandes, President
1624-1632 Acushnet Avenue

Your presence is requested at a meeting to discuss any concerns the Board may have regarding security and enforcement of Licensing Board & ABCC Rules & Regulations concerning the weekend of the **Feast of the Blessed Sacrament (July 31st, August 1st, 2nd & 3rd)**, the meeting will include Chief Provencher, Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

We fully anticipate that you will work with us to help ensure that the Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

Present: Richard Fernandes, representing the Club; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd., and Lt. Joao Chaves, Detail Officer for Special Events

NOTE: Mr. Fernandes did not appear as requested due to a family emergency but did come in the next day, and informed Mr. Nanopoulos that they **would not be applying** for a license for the back parking lot due to the fact that this was the 100th Anniversary of the Feast, and that all the members would be assisting on the feast grounds this year.

45. Meeting: Panthers Athletic & Social Club, Inc.

Mr. Jeffrey W. Baker, Manager
43-45 Madeira Avenue

Your presence is requested at a meeting to discuss any concerns the Board may have regarding security and enforcement of Licensing Board & ABCC Rules & Regulations concerning the weekend of the **Feast of the Blessed Sacrament (July 31st, August 1st, 2nd & 3rd)**, the meeting will include Chief Provencher, Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

We fully anticipate that you will work with us to help ensure that the Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

Present: Jeffrey W. Baker, Manager along with Jose ‘Zack’ DaSilva, President; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd., and Lt. Joao Chaves, Detail Officer for Special Events

Responding to questions from Chairman Beauregard, Mr. DaSilva stated that they **would be applying** for a special license for the parking lot area next to the Club, with the same hours and procedures in place as they have in the past; and that they were aware that alcohol is not to be allowed out of or into the club, and that they would once again have security at all entrances/exits.

- **Will Apply for a Special License for Four (4) Days** with the following hours: Thurs. & Fri. – 6:00 p.m. – 11:45 p.m. Sat. & Sun. 12:00 p.m. – 11:45 p.m. to be used in ‘Club’ Parking Lot. (**Closing Lot at 11:30 p.m.) (Alcohol will not be allowed in the Parking Lot after 11:30 p.m.)**
- **All Alcohol Must Be Consumed** within the parking lot and no alcohol should be allowed on the premises and no alcohol should be allowed off the premises.

- **Signs Must Be Posted** stating that '**No Alcohol**' is allowed in or out of the premises.
- **Barrels** will be set up at all exits to help enforce alcohol **from leaving** certain points.
- '**Club Security**' will be provided to insure **all Rules & Regulations** regarding the consumption of alcohol will be enforced; Security persons working this event will be supplied with 'Blue Event Shirts' for easier recognition.

46. Meeting: Clube Ponta Delgada, Inc.

Mr. Walter Gibau, Jr., Manager
61-65 Madeira Avenue

Your presence is requested at a meeting to discuss any concerns the Board may have regarding security and enforcement of Licensing Board & ABCC Rules & Regulations concerning the weekend of the **Feast of the Blessed Sacrament (July 31st, August 1st, 2nd & 3rd)**, the meeting will include Chief Provencher, Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

We fully anticipate that you will work with us to help ensure that the Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

Present: Walter Gibau, Jr., Manager; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd., and Lt. Joao Chaves, Detail Officer for Special Events

Mr. Gibau stated that they **would not be applying** for a Special license, and he understood that no one should be allowed in or out of the Club with alcohol, and that the club would be closing at 11:30 p.m. as they have done in the past.

Mr. Nanopoulos reminded Mr. Gibau that they are not allowed to offer reduced drink prices for that weekend, which was the case last year.

47. Meeting: Society of Senhor DaPedra, Inc.

Mr. Viriato M. Teves, Manager
81 Tinkham Street

Your presence is requested at a meeting to be held in **City Hall, Room 314, on Monday, June 23, 2014 at 7:00 p.m.**, to discuss any concerns the Board may have regarding security and enforcement of Licensing Board & ABCC Rules & Regulations concerning the weekend of the **Feast of the Blessed Sacrament (July 31st, August 1st, 2nd & 3rd)**, the meeting will include Chief Provencher, Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

We fully anticipate that you will work with us to help ensure that the Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

Present: Viriato Teves, Manager along with Mario Almeida; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd., and Lt. Joao Chaves, Detail Officer for Special Events

Mr. Teves stated that they **would not be applying** for a special license, and that they did not plan to do anything outside of the premises during this event. He went on to state that he was going to use plastic cups only during this event to prevent anybody from hiding and walking out with bottles. He also planned to have people working the door to make sure no one enters or exits with alcohol; and the 'Club' planned to close at 11:30 p.m., as they've done in the past.

48. Meeting: Saint Michael Social Club, Inc. – “No Action Required”

Mr. Albert Cardoso, Manager
101 Madeira Avenue

Your presence is requested at a meeting to discuss any concerns the Board may have regarding security and enforcement of Licensing Board & ABCC Rules & Regulations concerning the weekend of the **Feast of the**

Blessed Sacrament (July 31st, August 1st, 2nd & 3rd), the meeting will include Chief Provencher, Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

We fully anticipate that you will work with us to help ensure that the Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

Present: No One was Required to Appear; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd., and Lt. Joao Chaves, Detail Officer for Special Events

****Rec'd 06/20/14** – A letter was submitted by the manager stating the club would do as they have done in the past, and that they **would not be applying** for a special license; and that they were not planning to do anything outside of the premises during this event. He also stated that they were going to use plastic cups only during this event to prevent anybody from hiding and walking out with bottles. He also planned to have people working the door to make sure no one enters or exits with alcohol; and the 'Club' planned to close at 9:00 p.m. on Thursday, 11:30 p.m. on Friday and Saturday, and 8:00 p.m. on Sunday, as they've done in the past.

- **CORRESPONDENCE**

From: Atty. Richard J. Manning (Representing Howland Mills, Inc.) Dated – 05/19/14

Received – 05/20/14

Re: The Sky Room, Inc.

651 Orchard Street

**Re: Kenneth Rapoza, et al v The Sky Room Inc. et al
brcv2013-00227**

Bristol Superior Court, C. A. No.

An execution has been issued in regard to the above –captioned matter and it is my client's understanding that counsel for the plaintiff intends to proceed with a judicial sale of the All Alcoholic Beverages Liquor License in the name of the "The Sky Room, Inc.", for 651 Orchard Street, N.B., MA. Howland Mills', however, has asserted a claim as perfected first secured creditor based upon a Pledge and UCC filing, which predated any levy upon this execution. Pursuant to this perfected pledge, it is Howland Mills' position that it is entitled to possession of the liquor license free of any subsequent levy.

The purpose of this letter is to put your office on notice of Howland Mills' claim, and to request timely notification of any and all attempts to undertake a private or public judicial sale of the subject liquor license.

ACTION TAKEN: Received & Placed on File.

From: Steven Martins, City Councilor Ward Two Dated – 05/30/14 Received – 05/30/14

Re: Ferdade, Inc. d/b/a The Pub

317 North Front Street

A letter urging the Licensing Board once again to take immediate action against "The Pub" located at 317 N. Front Street, which was once again the highlight of a drug raid. (Complete Letter on File)

ACTION TAKEN: Received & Placed on File.

From: Kim S. Gainsboro, ABCC Chairman Dated – 06/18/14 Received – 06/18/14

Re: Ferdade, Inc. d/b/a The Pub

317 North Front Street

Hearing Date – Tuesday, July 29, 2014 @ 10:00 a.m.; a hearing will be held by the Alcoholic Beverages Control Commission to determine whether the licensee violated certain provisions of M.G.L. or Code of Massachusetts Regulations (CMR) as follows: **204 CMR 2.05 (2) – Permitting an Illegality on the Licensed Premises, to wit: M.G.L. Ch. 138, sec. 23 – Sale of alcoholic beverages other than those purchased from a licensee under sec. 18 or sec. 19 or from a holder of a special license under sec. 22a;**

204 CMR 2.05 (2) – Permitting an Illegality on the Licensed Premises, to wit: M.G.L. Ch. 94, sec. 186 – Falling below the Standard of Purity (24 Counts).

ACTION TAKEN: Received & Placed on File.

From: Kim S. Gainsboro, ABCC Chairman **Dated -06/18/14** **Received - 06/18/14**

Re: Ferdade, Inc. d/b/a The Pub (Time Amended) **317 North Front Street**

Hearing Date - Tuesday, July 29, 2014 @ 10:30 a.m.; a hearing will be held by the Alcoholic Beverages Control Commission to determine whether the licensee violated certain provisions of M.G.L. or Code of Massachusetts Regulations (CMR) as follows: 204 CMR 2.05 (2) – **Permitting an Illegality on the Licensed Premises, to wit: M.G.L. Ch. 94C Violations of the Controlled Substances Act (7 Counts).**

ACTION TAKEN: Received & Placed on File.

From: Carlos Ferreira, Manager **Received - 06/04/14**

Re: Whaling City Club **447 Belleville Avenue**

I, Carlos Ferreira hereby resign as manager due to health reasons.

Action Taken: Carlos Barreira, Club President was sent a written notice on 06/05/14, informing him that he would be considered the acting manager until a new manager is approved by the Board and the ABCC; and that a Change of Manager application must be submitted to the Licensing Board office by July 7, 2014 so that it may be placed on the July 28, 2014 Meeting Agenda.

ACTION TAKEN: Received & Placed on File.

From: Cellai Law Offices, P.C. **Dated - 06/12/14** **Received - 06/17/14**

Re: Kenneth J. Rapoza and Club Altitude, LLC, v. The Sky Room, Inc. & Audrey Carter (Owner)

Notice of Attorney Lien – Notice is hereby given that Carlo Cellai, Esq. and Cellai Law Offices, P.C. pursuant to M.G.L. c. 221, sec. 50 and common law, hold a lien for the reasonable value of their services and for expenses incurred with respect to the representation of Kenneth J. Rapoza and Club Altitude, LLC in the above referenced matter.

ACTION TAKEN: Received & Placed on File.

ORDERED: **Received 06/18/14**

That the sum of **ONE HUNDRED DOLLARS (\$100.00)** now standing to the credit of the account from **LICENSING SALARIES AND WAGES** be and the same is hereby transferred and appropriated to as follows:

LICENSING CHARGES AND SERVICES.....\$100.00

IN CITY COUNCIL, June 12, 2014

ADOPTED – Yeas 9, Nays 1

Presented to the Mayor for Approval June 16, 2014

Approved, June 16, 2014

Rita D. Arruda, City Clerk

Rita D. Arruda, City Clerk

Jonathan F. Mitchell, Mayor

ACTION TAKEN: Received & Placed on File.

ORDERED: **Received 06/18/14**

That the sum of **FOUR HUNDRED AND EIGHTY-EIGHT DOLLARS (\$488.000)** now standing to the credit of the account from **HEALTH SALARIES AND WAGES** be and the same is hereby transferred and appropriated to as follows:

LICENSING CHARGES AND SERVICES.....\$488.00

IN CITY COUNCIL, June 12, 2014

ADOPTED – Yeas 10, Nays 0

Presented to the Mayor for Approval June 16, 2014

Approved, June 16, 2014

Rita D. Arruda, City Clerk

Rita D. Arruda, City Clerk

Jonathan F. Mitchell, Mayor

ACTION TAKEN: Received & Placed on File.

GRANTED 'LATE FILE'

Received 06/30/14

The undersigned (**Ruben Jacob d/b/a Soft Touch Auto Detail, 6 Hathaway Street**) petitions the City Council to grant a **SPECIAL PERMIT** to allow **Auto Detailing (No Sales, Repairs, or Auto Body Work Allowed)**.

IN CITY COUNCIL, June 12, 2014

SPECIAL PERMIT GRANTED

Presented to the Mayor for approval June 16, 2014

Approved on June 19, 2014

Rita D. Arruda, City Clerk

Rita D. Arruda, City Clerk

Jonathan F. Mitchell, Mayor

ACTION TAKEN: Received & Placed on File.

GRANTED 'LATE FILE'

Received 06/30/14

The undersigned (**Antonio Camara & Jorge M. DaLuz d/b/a T & J Solutions, 38 Collette Street**) petitions the City Council to grant a **SPECIAL PERMIT** to allow **Auto Repair & Auto Sales (No Auto Body Work Allowed)**.

IN CITY COUNCIL, June 12, 2014

SPECIAL PERMIT GRANTED

Presented to the Mayor for approval June 16, 2014

Approved on June 19, 2014

Rita D. Arruda, City Clerk

Rita D. Arruda, City Clerk

Jonathan F. Mitchell, Mayor

ACTION TAKEN: Received & Placed on File.

• **COMPLAINTS RECEIVED:**

---NONE---

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

<u>NAME</u>	<u>POLICE REPORT#</u>	<u>DATE</u>	<u>VIOLATION</u>
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---NONE--

• **NEXT TWO MEETING DATES:** July 28th and August 25th both on Mondays in the Ashley Room – 120 @7:00 p.m. - **APPROVED**

• **MEETING ADJOURNED:** 8:55 P.M.