



Licensing Board

July 22, 2013 – 7:00 PM – **Minutes**
City Hall, 133 William Street, Room 314

LICENSING BOARD MEETING

-MINUTES-

Monday, July 22, 2013
Room 314 - 7:00 p.m.

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

MOTION TO ACCEPT THE MEETING MINUTES OF APRIL 22, 2013 - Unanimous

MOTION TO ACCEPT THE MEETING MINUTES OF MAY 20, 2013 - Unanimous

MOTION TO ACCEPT THE MEETING MINUTES OF JUNE 26, 2013 - Unanimous

APPROVALS RECEIVED FROM THE ALCOHOLIC BEVERAGES CONTROL COMMISSION

Change of Officers, Director, Manager, Stockholder, & Transfer of Corporate Stock - Trans. # 062 – Plot # 16--1

First Base Café, Inc., Richard F. Perzentz, Jr., President, who is requesting a **Change of Officers, Director, Manager, (New) Stockholder, and Transfer of Corporate Stock** of the **Common Victualler (Restaurant) All Alcoholic Beverages License**; and the acceptance of his resignation as the President, Treasurer, Clerk, Sole-Director, and Manager; and allow the Transfer of all his Corporate Stock (200 Shares). **Richard F. Perzentz** will be the new President, Treasurer, Clerk, Sole Director, Sole Stockholder, and the **Proposed New Manager**. Premises will remain the same at **38-42 Cove Street**.

Approved By ABCC – 07/08/13

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

1. PETITION - Trans. #203 – Plot # 35--182

Jose A. Pinarreta d/b/a Talho Portugues, Jose A. Pinarreta, Licensee, who is petitioning to **transfer a Retail Package Store Wine & Malt Only Beverages License** to **ELN, Inc. d/b/a Talho Portugues**. Upon approval, **Eric S. Pinarreta** will be the President, Treasurer, Secretary, Sole Shareholder (100), and the **Proposed New Manager**. Premises will remain the same at **123 Dartmouth Street**.

Final approval will require a ‘**Change of Tenant**’ from the Building Department, and a ‘**Food Permit**’ from the Health Department. *Application has been advertised.*

Present: *Eric Pinarreta, Proposed New Manager and Owner along with Maria Pinarreta, (Jose A. Pinarretta’s Wife)*

Mr. Nanopoulos informed the Board that this was simply a transfer of the liquor license from the father (Jose A. Pinarretta) to his son (Eric Pinarreta).

Chairman Beauregard stated that Mr. (Eric) Pinarretta has worked alongside his father for the past thirty (30) years, and because of that experience, he had no questions for the applicant.

When asked by Commissioner Almeida if he was T.I.P.S. Certified, Mr. Pinarretta stated that he was.

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**

2. PETITION - Trans. # 070 – Plot # 53—231-A & B

Matterhorn RE, LLC d/b/a “Cork”, 90 Front Street, is requesting the approval of **David R. Hall**, who resides at **3 Meadow Lane, Mattapoissett, MA.** as their new manager.

Present: *Mr. Hall did not appear as required.*

Based on the applicant’s failure to appear as required, **the Board voted unanimously to table the matter to the Board’s next meeting on August 26th.** Mr. Nanopoulos stated that he would send a written notice of the Board’s action, as well as informing the applicant of the next meeting date.

3. PETITION - Trans. # 145 – Plot # 119--53

EML, Inc. d/b/a LeBeau’s Tavern, 65 Tarkiln Hill Road, is requesting the approval of **Kenneth J. Rapoza**, who resides at **527 Rockdale Avenue, New Bedford, MA.** as their new manager.

Present: *Atty. John (Jay) Williams along with Kenneth J. Rapoza, the Proposed New Manager.*

When asked by Chairman Beauregard to give the Board an overview of what’s going on, Atty. Williams stated, the last manager wasn’t quite working out recently ... so they decided they needed a full time manager ... Mr. Rapoza has experience as the former owner of Club Altitude in New Bedford ... and he’s T.I.P.S. Certified ... and he’s also going to re-institute the kitchen up there ... they haven’t had the kitchen up and running for a period of time ... he has experience in the food industry ... so he’s going to get the kitchen up and running ... and hopefully, work and control any other incidentals that may arise ... and that he plans to be there about forty (40) hours a week.

Chairman Beauregard responded, his application states 20-30 hours a week ... our concern is that this establishment has been on our radar for a while ... and it never was ... it was a neighborhood tavern ... an after work establishment ... older clientele ... never a problem ... but something has changed ... I don’t know if it’s by direction of ownership that they’ve elected to go in a different direction ... or its just been discovered by a younger crowd ... I don’t know ... but it has started to become a problem for us as of late.

Atty. Williams responded, I know there have been a couple of incidents up there but hopefully they have someone more mature ... not that the last manager wasn’t mature ... but he was an elderly person who wasn’t there often ... so I think having someone there on a regular basis will help the situation ... it has a lot to do with the music being played ... what type of entertainment you have.

When asked if he would be on site on Thursday, Friday, and Saturday nights, Mr. Rapoza responded, I can say I’m going to be there every Thursday ... Friday ... or Saturday every week ... but I will be there.

Chairman Beauregard responded, but those are the nights where we have the most problems.

Mr. Rapoza responded, I’m going to try to change things ... I’m going to have a doorman at the door ... I think you need a doorman to keep the problems away ... and I’m going to re-open the kitchen because it hasn’t been utilized ... I’m going to incorporate food along with the alcohol ... I did tell Mike (Lajoie) ... if I’m going to be the manager ... this is what I want to do ... this is what I’m going to do ... my name is going to be on the license.

Chairman Beauregard responded, it was one of those places that never required that ... it used to be a good old fashioned neighborhood bar ... now something has changed.

With permission from Chairman Beauregard, Mr. Nanopoulos offered some insight to Mr. Rapoza by stating, you have a clientele there ... Acushnet bars close at 1:00 a.m. ... they’re getting their late night clientele after midnight from Acushnet ... after spending the whole night drinking there ... and then they’re coming down to the tavern on Friday and Saturday nights... so by the time they’re leaving there ... that’s the issue that could be the cause of some of the problems that are occurring late night.

Mr. Rapoza welcomed the insight and stated that he didn’t know.

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 take up **Item #'s 4 - 17** at one time; waive reading; and approve the applications as presented – **Unanimous**

4. APPLICATION, (No Representation Required)

New Bedford Festival Theatre, Inc., Armand R. Marchand, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Pre-Show Gala' to be held at the **UMD Star Store Gallery**, located at **800 Purchase Street**; and to be held on **Friday, July 26, 2013** from **5:00 p.m. until 11:00 p.m.**

5. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Sarah Budlong, Representative, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a 'Yacht Club Dinner', to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Saturday, July 27, 2013**, from **6:00 p.m. until 8:00 p.m.**

6. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Sarah Budlong, Representative, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a 'Yacht Club Dinner', to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **August 1, 2013**, from **6:00 p.m. until 8:00 p.m.**

7. APPLICATION, (No Representation Required)

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 '94th 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 & Friday, August 1st & 2nd, 2013** from **6:00 p.m. until 11:45 p.m.** and **Saturday & Sunday, August 3rd & 4th, 2013** from **12:00 p.m. until 11:45 p.m.** (*'Security Plan' was approved at 06/26/13 meeting*)

8. APPLICATION, (No Representation Required)

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 '97th Feast of the Blessed Sacrament' to be held at the **Museum of Madeira Heritage**, located at **1 Funchal Place**; and to be held **Thursday & Friday, August 1st & 2nd, 2013** from **6:00 p.m. until 11:45 p.m.** and **Saturday & Sunday, August 3rd & 4th, 2013** from **12:00 p.m. until 11:45 p.m.** (*'Security Plan' was approved at 06/26/13 meeting*)

9. APPLICATION, (No Representation Required)

Club Sports Madeirense, Inc., Serafim J. Correia, Treasurer, who is requesting approval of an application for a **Special One Day All Alcoholic Beverage License** for a 'Fundraiser' to be held in the 'Club – Parking Lot', located at **1626 Acushnet Avenue**; and to be held **Thursday & Friday, August 1st & 2nd, 2013** from **6:00 p.m. until 11:45 p.m.** and **Saturday & Sunday, August 3rd & 4th, 2013** from **12:00 p.m. until 11:45 p.m.** (*'Security Plan' was approved at 06/26/13 meeting*)

10. APPLICATION, (No Representation Required)

Panthers Athletic and Social Club, Inc. Jose 'Zack' DaSilva, President, who is requesting approval of an application for a **Special One Day All Alcoholic Beverage License** for a "Fundraiser" to be held in the **Club – Parking Lot**, located at **43 Madeira Avenue**; and to be held **Thursday & Friday, August 1st & 2nd, 2013** from **6:00 p.m. until 11:45 p.m.** and **Saturday & Sunday, August 3rd & 4th, 2013** from **12:00 p.m. until 11:45 p.m.** (*'Security Plan' was approved at 06/26/13 meeting*)

11. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Sarah Budlong, Representative, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for their annual 'Over The Top Fundraiser' to be held at the **N. B. Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Saturday, August 3, 2013 from 5:30 p.m. until 10:00 p.m.**

12. APPLICATION, (No Representation Required)

Immigrants' Assistance Center, Inc., Helena S. Martins, Executive Director, who is requesting approval of an application for a **Special One Day Wine & Malt Only Alcoholic Beverages License** for a 'Fundraiser' to be held at the **Museum of Madeira Heritage**, located at **1 Funchal Place**; and to be held on **Thursday Aug. 8, 2013, from 7:00 p.m. until 10:00 p.m.**

13. APPLICATION, (No Representation Required)

Buttonwood Park Zoological Society, Inc., Kristen Gray, Representative, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License**, for a '**Feast in the Wild**' fundraiser to be held at the **Buttonwood Park Zoo**, located at **425 Hawthorn Street**; and to be held on **Saturday, August 17, 2013, from 6:00 p.m. until 10:00 p.m. (Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)**

14. APPLICATION, (No Representation Required)

Society of Senhor Da Pedra, George Viveiros, Feast 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 16, 2013 from 7:00 p.m. until 11:45 p.m., Saturday, August 17, 2013 from 7:00 p.m. until 11:45 p.m., and Sunday, August 18, 2013 from 6:00 p.m. until 11:00 p.m. (A Copy of the Police Detail Contract is required)**

15. APPLICATION, (No Representation Required)

First Citizens' Federal Credit Union, Frank Almeida, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for an 'After Hours/Chamber Event' to be held within the **First Citizens' Federal Credit Union**, located at **570 North Front Street**; and to be held on **Thursday, August 15, 2013, from 5:00 p.m. until 8:00 p.m.**

16. APPLICATION, (No Representation Required)

Y.C.V.A.A., Inc., Dulcie Ann Mello, Manager, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a 'Family Fun Day', to be held in the 'Club Parking Lot', located at **418 South Front Street**; and to be held on **Saturday, August 24, 2013, from 2:00 p.m. until 7:00 p.m.**

17. APPLICATION, (No Representation Required)

Emanuel Alves, Applicant, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a 'Wedding Reception', to be held in **Fort Taber**; and to be held on **Saturday, August 31, 2013, from 4:00 p.m. until 10:00 p.m. (Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)**

18. Hearing: World Famous Pizza & Subs, Inc.

Mr. Mafia A. Holloway, Director
1114 Acushnet Avenue

Your presence and that of Jose Borges, Co-Director is requested at a hearing to determine whether you have violated certain provisions of the City Ordinances of New Bedford, regarding complaints submitted to this office by the New Bedford Police Department.

Violations: New Bedford Code Section 15 - 1.2.

Any business operating under a Common Victualler (Restaurant) license which abuts a residential property shall be subject to a restriction after a hearing before the City of New Bedford Licensing Board, which may restrict the overnight or late night operating hours between the hours of 10:00 p.m. and 7:00 a.m., so as not to menace the health or interrupt or disturb the sleep of residents, and said City of New Bedford Licensing Board may restrict or prohibit or otherwise regulate said establishment between said hours. Any residential abutter may request a hearing before said City of New Bedford Licensing Board to seek such a restriction.

Summary of Incident Report

Police Department Incident Report states that several units were dispatched to your establishment regarding a large fight in progress during which several subjects were placed under arrest. It was also reported that other Officers have been dispatched to this location on the weekends within the last several weeks, with arrests made outside of the shop, as a result of fights that originated inside the shop and spilled outside. It's also noted in the report that both Mr. Borges, and yourself, were uncooperative when questioned about the incident, and when you were asked to produce your identification, as well as the license for the restaurant.

Date and time of alleged violations: Saturday, June 15, 2013 @ approximately 3:11 a.m. - Police Report #13 - 6613 - OF

Present: Mafia A. Holloway & Jose Borges Co-Directors; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd.; Henry Bousquet, Ward 3 City Councilor (Appeared in support of the licensee)

Upon being asked by Mr. Nanopoulos if they had received a copy of the 'Hearing Notice', and if they had read the summary contained in the notice, and if they understood why they were requested to appear before the Board based on the summary, and the list of alleged violations contained in the 'Notice', both Mr. Holloway and Mr. Borges stated that they did. When asked by Mr. Nanopoulos if they wanted him to read the written incident summary contained in the 'Hearing Notice', Mr. Holloway stated that wouldn't be necessary, and waived the reading of the summary.

Chairman Beauregard in referencing why they were called in stated, I'll defer to you to tell us how we're going to resolve this ... because we cannot allow these types of late disturbances to continue ... we can't have 3 or 4 officers responding to a call only to find 60 or 70 people hanging around outside at 3 o'clock in the morning ... so we want to hear from you how you're going to resolve this.

In response, Mr. Holloway stated, when it happened that night ... the following weekend I hired a Police Detail ... I did that automatically ... and the last couple of weeks, it's been perfect ... we had no problems at all ... this past weekend I guess ... the cops threw somebody out and he was fighting with somebody across the street ... at least that's what I heard ... I wasn't there ... I was out doing deliveries ... when I got back ... I saw him banging on a window across the street and another incident happened ... but with regard to that first incident, which got us in here ... people were out front ... they were fighting out front in the street ... people then started to come back in ... I locked the door because I didn't want people coming back in if they weren't buying anything ... so I locked the door ... then the police came ... they asked us to unlock the door, which we did ... and they asked why we locked the door and I told them ... the Officer then informed me that I had too many people inside ... and I think the whole commotion started with the people inside who were bumping into each other ... or people coming in and out ... and us not controlling how many people were coming in to order their food ... so I guess that's how that incident occurred.

Chairman Beauregard responded to Mr. Holloway's reference to the capacity by stating, you weren't even close to the amount of people that you're allowed to have in your establishment ... which according to your C.I. ... only allows you to have 19 people at one time in the establishment ... and you probably had at least 3 times that amount.

Mr. Holloway responded, the officer was there ... he saw people going in and out ... with people going in and out ... there were probably 30-40 people, to which Chairman Beauregard responded, that's a far cry from 19 ... your place is a shoebox.

When asked by Chairman Beauregard about their failure to produce their licenses when asked by the police officers, Mr. Holloway stated, the police officer said to me ... we have to get these people out of here ... and, where are your licenses? ... And, I was trying to get their (food) tickets out, so I could get them out of there ... so as to resolve that issue in the future ... what we thought we would do is put a security person at the door who would only allow a certain amount of people to come in at one time, so we can keep track of that ... I've hired a

Police Detail for the last three weeks ... this is the first time we've had a problem after having the officers there ... and it wasn't even from our place ... it started over at the Golden Greek after someone was thrown out ... and we also have a situation over there now since they redid the whole area ... people are hanging out over there in general ... especially over there near the flag poles are ... where people can sit down on the cement benches they put in ... so I want you to know that we're doing things to try to resolve these issues ... contrary to what's been reported by the police ... the first thing I did was hire a police detail, so you could see I was not just letting it go ... this is my business ... this is my livelihood down there ... I'm just starting to make money down there since the roads re-opened ... I told the officers ... whatever you need me to do ... I'll do to help you guys ... so we talked about it and came up with the following ... we'll continue to have a Police Detail ... along with one of our own security people at the door ... who would keep track of the amount of people going in and out ... and if that doesn't work ... my last resort would be that we close down at 2 a.m. ... before the clubs and bars let out ... and do deliveries only ... so that's what we came up with ... if you have any suggestions ... we'll gladly consider them.

Chairman Beauregard responded you do understand that we have the right to restrict your hours of operation, to which Mr. Holloway responded, exactly ... exactly ... that's why I'm here ... I understand that.

Commissioner Craig offered his thoughts by stating, it seem like you're on the right track ... having the police detail and someone else at the door ... should alleviate the problem of overcrowding ... which probably is the cause for the issues you've had ... and I think you realize the seriousness of what possibly could happen ... so I think you're on the right track.

Mr. Borges added, we aren't going to allow people to just get a soda and hangout ... we have people that want to come in and purchase food and eat ... the others will be asked to leave ... everyone inside must have a ticket for food to remain inside the premises ... so we're going to make sure that people are ordering their food and leaving ... and the people that do stay will be within the allowed capacity.

Councilor Bousquet spoke in support of the licensee and stated that he was in the area a couple of weekends ago, and he observed the people hanging out in that newly constructed wall off of Coggeshall Street across the street from the Dog House.

When asked by Chairman Beauregard if there were 'no loitering' signs posted around that area, Mr. Holloway responded, not yet ... but I've gone to all the neighborhood meetings ... and it has been discussed ... as well as putting security cameras up in that area; Councilor Bousquet stated that he would look into having no loitering' signs posted as well as to the status of the security cameras.

Mr. Holloway also stated that he would like to put up a sidewalk patio area in front of his storefront, and he was instructed that was an issue for the Planning Board to consider, and that he should contact that office for more information with regard to the application process.

Responding to questions from Commissioner Almeida, Mr. Holloway stated that they were open Sunday thru Wednesday from Noon until Midnight, and Thursday thru Saturday from Noon until 3:30 a.m.; and that they have police details on Friday and Saturday nights from Midnight until 4:00 a.m.

Action Taken: The Board was satisfied with the action taken by the licensee, as well as to what he stated he would do going forward, and chose not to take any action at this time.

Board's Decision Notice Dated 07/29/13:

Per your recent hearing to determine whether you have violated certain provisions of the City Ordinances, this Board voted unanimously to receive the reports and place them on file. The Board expressed its concerns regarding occupancy limits, loitering, disturbances and your cooperation with the New Bedford Police Department.

They Board weighed heavily your comments to address these issues including your decision to hire two police officers from midnight until 4:00 a.m. as well as providing a staff member at the door. The Board felt that you understood their concerns and those of the Police Department and will take all measures necessary to provide a safe and secure establishment. The Board also informed you that continued issues could result in a reduction of hours.

Although the Board placed the reports on file, this office would like to take this opportunity to remind you of the following City Ordinance:

New Bedford Code Section 15 - 1.2

Any business operating under a Common Victualler (Restaurant) license which abuts a residential property shall be subject to a restriction after hearing before the City of New Bedford Licensing Board, which may restrict the overnight or late night operating hours between the hours of 10:00 p.m. and 7:00 a.m., so as not to menace the health or interrupt or disturb the sleep of residents, and said City of New Bedford Licensing Board may restrict or prohibit or otherwise regulate said establishment between said hours. Any residential abutter may request a hearing before said City of New Bedford Licensing Board to seek such a restriction.

• CORRESPONDENCE,

"CANCELLATION OF HEARING"

From: Kim S. Gainsboro, ABCC Chairman **Dated – 06/17/13** **Received – 06/27/13**

Re: The Sky Room, Inc. d/b/a The Sky Room **651 Orchard Street**

Hearing Date: Thursday, August 22, 2013 @ 11:00 a.m. for a hearing to determine whether you have violated certain provisions of Massachusetts General Laws Chapter (M.G.L.) OR Code of Massachusetts Regulations (CMR) as follows: M.G.L. CH. 138, sec. 64, **Failure to Comply with the Laws of the Commonwealth, To Wit: M.G.L. Ch. 151A sec.14.**

DUA (Unemployment Insurance) CONTINUED FROM 05/02/13

ACTION TAKEN: Received & Placed on File.

From: Leanna M. Taylor & Joel A. Costa

Received – 06/26/13

Re: Euphoria Lounge,

289 Acushnet Avenue

Verdean Veterans Memorial Foundation

561 Purchase Street

A written request for an opportunity to speak to the full board at the next Licensing Board meeting in reference to two establishments in our community, which we feel have become a nuisance. The complaint is being filed as a result of loud music between the hours of 8:00 p.m. and 2:00 a.m. on Friday and Saturday nights with regards to Euphoria Lounge; and the same complaint between the hours of 7:00 p.m. and 12:00 a.m. also on Friday and Saturday nights with regards to the Verdean Vets.

Present: Leanna M. Taylor & Joel A. Costa; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd.

Both Ms. Taylor and Mr. Costa were given an opportunity to address their concerns regarding the loud music (bass) emanating from both the Euphoria Lounge and the Verdean Veterans Memorial Foundation, which can be heard in Ms. Taylor's residence, and interrupts her family's sleep.

That matter was discussed at great length with the Board as well as with Capt. Vicente, and it was the Board's decision to receive the complaints and place them on file, with the understanding that the members of the Board would personally monitor the situation; and that Capt. Vicente would have someone monitor the situation as well with the use of a noise decimal meter.

ACTION TAKEN: Received & Placed on File.

From: Kim S. Gainsboro, ABCC Chairman

Dated – 06/27/13 **Received – 07/03/13**

Re: Judith Lister d/b/a OCD Beverage Catering License

247 Dartmouth Street

Hearing Date: Wednesday, August 7, 2013 @ 1:00 p.m. for a hearing to determine whether your application under M.G.L. Chapter 138, should be approved or disapproved. **(New Catering License) CONTINUED**

FROM 06/04/13

ACTION TAKEN: Received & Placed on File.

From: Kim S. Gainsboro, ABCC Chairman

Dated – 07/08/13 **Received – 07/12/13**

Re: AMM Enterprises, LLC d/b/a Cobblestone Restaurant

7 South Sixth Street

Hearing Date: Thursday, October 10, 2013, @ 11:30 a.m. for a hearing to determine whether you have violated certain provisions of Massachusetts General Laws Chapter (M.G.L.) OR Code of Massachusetts

Regulations (CMR) as follows: M.G.L. CH. 138, sec. 64, **Failure to Comply with the Laws of the Commonwealth, To Wit: M.G.L. Ch. 151A sec.14 & 15.**

LATE FILE

DUA (Unemployment Insurance)

CONTINUED FROM 07/11/13

ACTION TAKEN: Received & Placed on File.

- **COMPLAINTS RECEIVED:**

Rec'd 07/15/13 – Davy's Locker, 1480 E. Rodney French Boulevard – A complaint was filed by Councilor Lopes (Ward 6) who stated that he's receiving calls from the neighbors that live around Davy's Locker. The neighbors' concerns are the employees at Davy's Locker who are parking on the street again which goes against what he agreed to at the meeting when the neighbors supported his license for the deck. They would like him to be called into the September Licensing Board meeting.

Action Taken - (07/15/13): The complaint was forwarded to Mr. Dolinsky's Attorney (Atty. Greg Koldys) with a request that he reviews the complaint with his client, and to please ask him to review the complaint with his employees in order to resolve this issue. He was also advised that if this matter is not resolved in a timely manner, and the complaints continue, a hearing will be called as requested by the neighbors on this issue.

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

<u>NAME</u>	<u>POLICE REPORT#</u>	<u>DATE</u>	<u>VIOLATION</u>
1. Hibernia Pub	#13-6934-OF	06/22/13	Late Night Disturbance/Excessive Crowds/Failure to Maintain Control of the Premises (Approximate Time of Violation 1:55 a.m.)
	#13-6983-OF	06/23/13	Late Night Disturbance/Excessive Crowds/ Failure to Maintain Control of the Premises (Approximate Time of Violation 2:01 a.m.)
	#13-7545-OF	07/05/13	Late Night Disturbance/Excessive Crowds/ Failure to Maintain Control of the Premises (Approximate Time of Violation 2:01 a.m.)
	#13-7656-OF	07/07/13	Late Night Disturbance/Excessive Crowds/ Failure to Maintain Control of the Premises (Approximate Time of Violation 2:08 a.m.)

The following Five (5) reports are related to the same incident:

#13-8004-OF	07/14/13	Late Night Disturbance/Excessive Crowds/ Intoxicated Persons Failure to Maintain Control of the Premises (Approximate Time of Violation 1:45 a.m.)
#13-2369-AR	07/14/13	Late Night Disturbance/Excessive Crowds/ Intoxicated Persons Failure to Maintain Control of the Premises

(Approximate Time of Violation 1:45 a.m.)

#13-2370-AR	07/14/13	Late Night Disturbance/Excessive Crowds/ Intoxicated Persons Failure to Maintain Control of the Premises (Approximate Time of Violation 1:45 a.m.)
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#13-2371-AR	07/14/13	Late Night Disturbance/Excessive Crowds/ Intoxicated Persons Failure to Maintain Control of the Premises (Approximate Time of Violation 1:45 a.m.)
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#13-2372-AR	07/14/13	Late Night Disturbance/Excessive Crowds/ Intoxicated Persons Failure to Maintain Control of the Premises (Approximate Time of Violation 1:45 a.m.)
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Decision: Bring In For a Meeting – 08/26/13

2.	Euphoria Lounge	#13-6931-OF	06/21/13	Late Night Disturbance/Neighbor Complaint (Approximate Time of Violation 10:57 p.m.)
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#13-7311-OF	06/29/13	Late Night Disturbance/Neighbor Complaint (Approximate Time of Violation 11:40 p.m.)
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Decision: Receive & Place on File

3.	Verdean Vets	#13-4641-OF	04/21/13	Late Night Disturbance/Neighbor Complaint (Approximate Time of Violation 9:10 p.m.)
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#13-4763-OF	04/21/13	Late Night Disturbance/Neighbor Complaint (Approximate Time of Violation 9:29 p.m.)
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Decision: Receive & Place on File

4.	XS Night Club	#13-6981-OF	06/23/13	Late Night Disturbance/Excessive Crowds/ Intoxicated Persons Failure to Maintain Control of the Premises (Approximate Time of Violation 1:24 a.m.)
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#13-6982 -OF	06/23/13	Late Night Disturbance/Excessive Crowds/ Intoxicated Persons Failure to Maintain Control of the Premises (Approximate Time of Violation 1:24 a.m.)
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*****Two Separate Incidents at the same time*****

Decision: Bring In For a Meeting – 08/26/13

Tabled at 07/23/12 Meeting

APPLICATION, - Plot # 107—33, 35, 37, & 39

Jose S. Adao, who resides at **9 Mary Ann Way, Dartmouth, MA.** who is requesting approval of his application for a **Motor Vehicle Class I (New Car Dealer) Annex License for Joe's Auto Mall, Inc. d/b/a Auto Mall Kia**, with premises situated at **548 Belleville Avenue.** (Note: Applicant was approved for a 'Special Permit' by the City Council on February 12, 2009.)

*****Referred to the Planning Board 07/24/12, per Jill Maclean, Acting City Planner*****

- **NEXT TWO (2) MEETING DATES:** August 26th & September 23rd - **Approved**
- **MEETING ADJOURNED:** 7:50 p.m.