



## ***Licensing Board***

June 26, 2013 – 7:00 PM – **Agenda**  
City Hall, 133 William Street, Room 314

**LICENSING BOARD MEETING**

**-AGENDA-**

**Wednesday, June 26, 2013**

**Room 314 - 7:00 p.m.**

**REQUIRED:** Steven A. Beauregard, Chairman

Marcelino “Sonny” G. Almeida, Commissioner

A/O 06/20/13

Edmund F. Craig, Jr., Commissioner

Atty. John Flor, Asst. City Solicitor

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

Lt. Scott Sylvia, Detail Officer

Nick Nanopoulos, Director

**MOTION TO ACCEPT THE MEETING MINUTES OF FEBRUARY 25, 2013**

**MOTION TO ACCEPT THE MEETING MINUTES OF MARCH 27, 2013**

### **APPROVALS RECEIVED FROM THE ALCOHOLIC BEVERAGES CONTROL COMMISSION**

#### **Transfer of License - Trans. #151 - Plot # 28--140**

**Rocks and Rolls, LLC d/b/a Black Watch Pub, Andrew Laubi, Manager of LLC**, who is petitioning to transfer a **Common Victualler (Restaurant) All Alcoholic Beverages License** to 266 Dartmouth Street Realty, LLC d/b/a Black Watch Pub. Upon approval, Leo R. Tremblay will be the Sole Member and Manager of the LLC, and the Sole Interest Holder (100%); and Joseph Tremblay is the **Proposed New Manager of the Liquor License**. Premises will remain the same at **266-268 Dartmouth Street**.

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**’ with regard to Chapter 304 Fire Acts Compliance; along with a copy of ‘**Proof of Liquor Liability**’.

**Approved By ABCC – 05-21-13**

### **DISAPPROVALS RECEIVED FROM THE ALCOHOLIC BEVERAGES CONTROL COMMISSION**

#### **Change of Description - Trans. #054 – Plot # 93--92**

**Club Recordacoes De Portugal, Inc. Antonio DaSilva, President** who is petitioning to **Change the Description of the Club All Alcoholic Beverages License**, as a result of planned renovations. Upon completion of the renovations, the new description of the licensed premises will include two rooms on the first floor of a one-story building in a total area approximately 6,600 sq. ft., which will include one room, approximately 5,300 sq. ft., that will be used as a function hall, and will include a bar area, stage, and two restrooms; there will also be an additional room, approximately 1,300 sq. ft., that will be used as a ‘Club Members Lounge’, and will include a seated bar area and five (5) tables as well as a small storage room. This room will have a members only entrance/exit onto Coggeshall Street as well as an additional entrance/exit through the main foyer on Coggeshall Street and two (2) entrances/exits into the function hall area. The function room will have two (2) additional entrances/exits that will lead into the club parking lot on North Front Street, as well as an emergency exit on both the North and East side of the building. The licensed premises will

also include the basement area which includes a kitchen area, locker room, and an additional area for the storage of alcohol only; as well as a walk-in cooler also for the storage of alcohol only. **There is to be no service (sale) or consumption of alcohol in the basement area.** The premises will remain situated on the North side of Coggeshall Street between North Front Street and Belleville Avenue, and will remain **numbered 249-253 Coggeshall Street.**

**“Return No Action” 06/13/13** – Missing loan agreement that explains the sources of money for this transaction – *1st Attempt*

*Only upon receipt of missing documents will application be sent back to the ABCC “For Reconsideration”.*

**1. PETITION - Trans. #165 – Plot # 136--263**

**Velozo Management, Inc. d/b/a Lyndon’s Convenience Store & Liquors, Donald Velozo, President,** who is petitioning to transfer a **Retail Package Store All Alcoholic Beverages License** to **Laxmiji Corp. d/b/a Lyndon’s Liquor and Convenience.** Upon approval, Twinkle Patel will be the President, Treasurer, Secretary, and Co Shareholder (75 %), and Anandsaran Patel will be the Sole Director and Co-Shareholder (25 %); and **Shilpa T. Patel** is the **Proposed New Manager;** the applicant is requesting approval of a **Pledge of the Retail Package Store All Alcoholic Beverages License** to **Donald Velozo, (Seller), 22 Chocktaw Drive, Buzzard’s Bay, MA.** as security to authorize and execute two (2) promissory notes in the total amount of Three Hundred Thousand Dollars (\$300,000.00), pursuant to Massachusetts General Laws Ch.138 s.23.. Premises will remain the same at **3963 Acushnet Avenue.**

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

**2. APPLICATION, “Representation Required”**

**Pursuit for Courage, Jeffrey Costa, Representative,** who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a ‘Fundraiser/Benefit for the Wounded Warriors Project’, to be held at **Marine Park on Pope’s Island (under a tent);** and to be held on **Saturday, June 29, 2013, from 5:00 p.m. until 11:00 p.m. (Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)**

**3. APPLICATION, “Representation Required”**

**Cape Verdean Association in New Bedford, Inc., Emanuel B. Dias, Treasurer,** who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Fundraiser/Cape Verdean Day Parade’, to be held in Monte Park; and to be held on **Saturday, July 6, 2013, from 11:00 a.m. until 11:45 p.m. (Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)**

**Note:** Item #'s 4-10 are related applications and will be taken up at the same time.

**4. APPLICATION, “Representation Required”**

**N. B. Harbor Development Commission, Jeffrey D. Stieb, Executive Director,** who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Friday Nights on the Pier Summer Concert Series’, to be held on the **State Pier, 93 State Pier;** and to be held on **Friday, July 12, 2013, from 6:00 p.m. until 8:30 p.m. (Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)**

**5. APPLICATION, “Representation Required”**

**N. B. Harbor Development Commission, Jeffrey D. Stieb, Executive Director,** who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Friday Nights on the Pier Summer Concert Series’, to be held on the **State Pier, 93 State Pier;** and to be held on **Friday, July 19, 2013, from 6:00 p.m. until 8:30 p.m. (Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)**

**6. APPLICATION, “Representation Required”**

**N. B. Harbor Development Commission, Jeffrey D. Stieb, Executive Director**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Friday Nights on the Pier Summer Concert Series’, to be held on the **State Pier, 93 State Pier**; and to be held on **Friday, July 26, 2013, from 6:00 p.m. until 8:30 p.m.** *(Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)*

**7. APPLICATION, “Representation Required”**

**N. B. Harbor Development Commission, Jeffrey D. Stieb, Executive Director**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Friday Nights on the Pier Summer Concert Series’, to be held on the **State Pier, 93 State Pier**; and to be held on **Friday, August 9, 2013, from 6:00 p.m. until 8:30 p.m.** *(Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)*

**8. APPLICATION, “Representation Required”**

**N. B. Harbor Development Commission, Jeffrey D. Stieb, Executive Director**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Friday Nights on the Pier Summer Concert Series’, to be held on the **State Pier, 93 State Pier**; and to be held on **Friday, August 16, 2013, from 6:00 p.m. until 8:30 p.m.** *(Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)*

**9. APPLICATION, “Representation Required”**

**N. B. Harbor Development Commission, Jeffrey D. Stieb, Executive Director**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Friday Nights on the Pier Summer Concert Series’, to be held on the **State Pier, 93 State Pier**; and to be held on **Friday, August 23, 2013, from 6:00 p.m. until 8:30 p.m.** *(Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)*

**10. APPLICATION, “Representation Required”**

**N. B. Harbor Development Commission, Jeffrey D. Stieb, Executive Director**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Friday Nights on the Pier Summer Concert Series’, to be held on the **State Pier, 93 State Pier**; and to be held on **Friday, August 30, 2013, from 6:00 p.m. until 8:30 p.m.** *(Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)*

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

**Centro – Luzo American Club, Inc., Scott Tripp, Manager**, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a ‘Fundraiser/Family Cookout’, to be held in the ‘Club Parking Lot,’ located at **34 Beetle Street**; and to be held on **Thursday, July 4, 2013, from 12:00 p.m. until 8:00 p.m.**

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

**Cape Verdean Recognition Day Committee, Mary Ann Rogers, 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’, to be held in the Morse Twist Drill Parking Lot; and to be held on **Saturday, July 6, 2013, from 10:00 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)*

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

**The Bisca Tournament Club, Ayres Gonzales, President**, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a ‘Fundraiser/Cape Verdean Day Parade’, to be held in the **Club - Parking Lot**, located at **161 Acushnet Avenue**; and to be held on **Saturday, July 6, 2013, 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)*

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

**Verdean Veteran's Memorial Foundation, Dennis Mendes, President**, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a 'Fundraiser/Cape Verdean Day Parade', to be held in the **Club - Parking Lot**, located at **561 Purchase Street**; and to be held on **Saturday, July 6, 2013, from 10:00 a.m. until 6:00 p.m.**

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

**15. 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 6, 2013, from 11:00 a.m. until 11:45 p.m.**

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

**Portugal Verde Soccer Academy, Isaias Furtado, Applicant**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Fundraiser', to be held in the **Soccer Academy Parking Lot**, located at **424 Nash Road**; and to be held on **Saturday, August 24, 2013, from 2:00 p.m. until 11:00 p.m.**

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

**Note:** The application was previously approved by the Board at its 05/22/13 meeting.

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

**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 15, 2013, from 5:30 p.m. until 9:30 p.m.**

**18. Hearing: Whaler's Wine & Spirits, Inc.**

**Atty. John Farrissey**

**3057-D Acushnet Avenue**

**Closed – 03/09/09**

Your presence is respectfully requested at a hearing to be held in this office to determine the status of your client's annual liquor license for the year 2013.

Notice is given in accordance with Massachusetts General Laws Chapter 138, section 77,.....Cancellation of license upon cessation of licensed business; the hearing is being held at the request of the members of this Board to discuss your client's plans for their liquor license for the year 2013 prior to this Board considering approval of their 2014 renewal application.

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

**NOTE:** St. Anne's Credit Union of Fall River, MA. currently holds the rights to the license obtained by a Judgment from the Third District Court of Bristol County against Whaler's Wine & Spirits, Inc. on 12/28/10.

**19. Hearing: Giraldo's Restaurant, Inc. d/b/a**

**Adriana's Mexican Restaurant**

**Fernando Giraldo, President/Co-Owner**

**1262 Acushnet Avenue**

**Approved by ABCC – 02/07/13**

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year **2013**.

Notice is given in accordance with Massachusetts General Laws Chapter 138, section 77,.....Cancellation of license upon cessation of licensed business; the hearing is being held at the request of the members of this Board to discuss your plans for your liquor license for the year 2013 prior to this Board considering approval of your 2014 renewal application.

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

**20. Hearing China Lantern, Inc.**

**Kenneth Leung, Treasurer**

**116 Nauset Street**

**Closed – 11/01/12**

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year **2013**.

Notice is given in accordance with Massachusetts General Laws Chapter 138, section 77,.....Cancellation of license upon cessation of licensed business; the hearing is being held at the request of the members of this Board to discuss your plans for your liquor license for the year 2013 prior to this Board considering approval of your 2014 renewal application.

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

**21. APPLICATION,**

**Renne DePina**, who resides at **813 Belleville Avenue, N.B., MA.**, who is requesting approval of his application for a **Motor Vehicle Class II (Used Car Dealer) License for Belleville Auto Sales**, with premises situated at **319 Belleville Avenue**.

**Note:** Site is currently licensed to Carlos Manuel Torres d/b/a Belleville Auto Sales, who's lease expires on 06/30/13, and will be vacating the premises; if approved, the current license issued for that location will have to be surrendered upon issuance of the new Class II license for that location; and the current license was previously approved for the display of Twenty (20) cars.

Approval of the Motor Vehicle Class II License will require a **'Change of Tenant'** from the **Office of Inspectional Services**, a **\$25,000.00 Bond**, and a **Notarized Letter** stating where repairs will be done.

**22. APPLICATION,**

**David Ducharme** who resides at 408 High Hill Road, Dartmouth, MA., who is requesting approval of his application for a **Motor Vehicle Class II (Used Car Dealer) License for 508 Sports and Luxury, Inc.**, with premises situated at **1288 Ashley Boulevard**.

**Note:** Site was previously licensed to RM Auto Sales, Inc. who was required to surrender his license for non-use on 06/12/13; location was previously approved for the display of Twenty (20) cars.

Approval of the Motor Vehicle Class II License will require a **'Change of Tenant'** from the **Office of Inspectional Services**, a **\$25,000.00 Bond**, a **Notarized Letter** stating where repairs will be done, and a **Copy of the Lease Agreement**.

**23. Meeting: The Club Madeirense S.S. Sacramento, Inc.**

**Feast of the Blessed Sacrament**

**Mr. Jeff Coutinho, President**

**50 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 (August 1<sup>st</sup> thru August 4<sup>th</sup>)**, the meeting will include David Provencher, Police Chief,

Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Scott Sylvia, Liaison to the Feast Committee. With regard to this year's event, this Board is looking forward to working with you and your committee, and we would hope you embrace the outstanding plan that has formulated over the past several years, and that, if possible, explore ways to improve on the plan.

**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 persons 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 NBPD 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 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, to 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.**
- \*Licenses for this year’s event must be applied for by **July 8, 2013**

**24. Meeting: Club Sports Madeirense, Inc.**  
**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 (Aug. 1<sup>st</sup> thru Aug. 4<sup>th</sup>)**, the meeting will include Chief Provencher, Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Sylvia, Liaison to the Feast Committee.

**Minutes of 06/25/12 Meeting**

**PRESENT:** *Richard Fernandes, representing the Club; Det. Sgt. Dean Fredericks, Police Department Liaison to the Lic. Bd., and Lt. Scott Sylvia, Detail Officer for Special Events*

Mr. Fernandes stated that they **would be applying** for a special license for the outside area behind the Club, with the same hours and procedures in place as they have in the past.

Responding to further questions from Chairman Beauregard, Mr. Fernandes stated that all the alcohol would be served in plastic cups; the Board of Directors would be monitoring the outside area to ensure that no alcohol leaves the area; and that they may have some light entertainment as they did last year (One Bad Ant & a Portuguese Singer)

- **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. 1:00 P.M. – 11:45 P.M. to be used in ‘Club’ Parking Lot.
- **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.
- **‘Club Security’** will be provided to insure **all Rules & Regulations** with regard to the consumption of alcohol will be enforced.

\*Licenses for this year’s event must be applied for by **July 8, 2013**

**25. Meeting: Clube Ponta Delgada, Inc.**  
**Julie Ann Alves, 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 (Aug. 1<sup>st</sup> thru Aug. 4<sup>th</sup>)**, the meeting will include Chief Provencher, Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Scott Sylvia, Liaison to the Feast Committee.

**Minutes of 06/25/12 Meeting**

**PRESENT:** *Julie Ann Alves, Manager along with Carlos ‘Gus’ Santos, President Det. Sgt. Dean Fredericks, Police Department Liaison to the Lic. Bd., and Lt. Scott Sylvia, Detail Officer for Special Events*

Ms. Alves stated that they **would not be applying** for a Special license, and she 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 Ms. Alves that they are not allowed to offer reduced drink prices for that weekend, which was the case last year.

\*Licenses for this year’s event must be applied for by **July 8, 2013**

**26. Meeting: Panthers Athletic & Social Club, Inc.**

**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 (Aug 1<sup>st</sup> thru Aug. 4<sup>th</sup>)**, the meeting will include Chief Provencher, Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Scott Sylvania, Liaison to the Feast Committee.

**Minutes of 06/25/12 Meeting**

***PRESENT: Jose 'Zack' DaSilva, President along with Joseph Oliveira, Vice-President, representing the Club; Det. Sgt. Dean Fredericks, Police Department Liaison to the Lic. Bd., and Lt. Scott Sylvania, Detail Officer for Special Events***

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.

\*Licenses for this year's event must be applied for by **July 8, 2013**

**27. Meeting: Saint Michael Social Club, Inc.**

**Valdir P. Araujo, Manager**  
**101 Madeira Avenue**

Your presence **is required** 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 (Aug. 1<sup>st</sup> thru 4<sup>th</sup>)**, the meeting will include Chief Provencher, Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Scott Sylvania, Liaison to the Feast Committee.

**Minutes of 06/25/12 Meeting**

***PRESENT: David DaSilva, Manager; Det. Sgt. Dean Fredericks, Police Department Liaison to the Lic. Bd., and Lt. Scott Sylvania, Detail Officer for Special Events***

Mr. DaSilva 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 9:00 p.m., as they've done in the past.

\*Licenses for this year's event must be applied for by **July 8, 2013**

**28. Meeting: Society of Senhor DaPedra, Inc.**

**Viriato M. Teves, Manager**  
**81 Tinkham Street**

Your presence **is required** 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 (Aug. 1<sup>st</sup> thru Aug, 4<sup>th</sup>)**, the meeting will include Chief Provencher, Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Scott Sylvia, Liaison to the Feast Committee.

**Minutes of 06/25/12 Meeting**

**PRESENT: David DaSilva, Manager; Det. Sgt. Dean Fredericks, Police Department Liaison to the Lic. Bd., and Lt. Scott Sylvia, Detail Officer for Special Events**

Mr. DaSilva 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 9:00 p.m., as they've done in the past.

\*Licenses for this year's event must be applied for by **July 8, 2013**

**29. Hearing: RM Auto, Inc.**

**Rody Moukhaiber, President (Licensee)**

**1288 Ashley Boulevard**

Your presence is requested at a hearing to be held in this office to determine the status of your Motor Vehicle Class II (Used Car Dealer) license for the year 2013.

The hearing is the result of several site inspections by this office in which it has been determined that you are not in compliance with the following MV Class II Licensing Board Rules & Regulations:

- A person whose principle business is the buying or selling of second hand motor vehicles, the "dealer" must be principally and substantially engaged in the business (not part time or for occasional sales) of buying, selling, or exchanging motor vehicles and must maintain a facility dedicated to carrying out said business.
- A permanently affixed Exterior sign & Posted Hours of operation.
- Required to comply with the number of cars specified on your license.

Please be prepared to submit your "Record Book" for this location for review by the Board. You are also ordered to bring the Board your current 2013 MV Class II license issued by this office.

Failure to comply as requested will be just cause for immediate revocation of your license.

**Note: Licensee voluntarily surrendered his license on 06/12/13, no further action required.**

**30. Meeting: Route Six Properties, Inc. d/b/a Temptation**

**Steven M. Camara, Owner/Manager**

**161 Pope's Island**

Your presence is requested at a meeting to be held in this office regarding an incident that occurred on Saturday, May 4, 2013. This meeting is in reference to a Police Report (#13-4775-OF) that was forwarded to this office regarding several patrons who were assaulted on or about the premises.

The meeting is being held at the request of the members of this Board to discuss the actions of your staff that evening, as well as concerns regarding the day to day management of the operation as they relate to the safety of your patrons.

- **CORRESPONDENCE,**

**"CANCELLATION OF HEARING"**

**From: Kim S. Gainsboro, ABCC Chairman**

**Dated – 05/20/13 Received – 05/24/13**

**Re: Jennicas, Inc. d/b/a The Candleworks Restaurant**

**72 North Water Street**

**Hearing Date: Thursday, June 6, 2013 @ 12:00 p.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**

**From: Kim S. Gainsboro, ABCC Chairman** **Dated – 05/29/13** **Received – 06/03/13**

**Re: Judith Lister d/b/a OCD Beverage Catering License** **247 Dartmouth Street**

**Hearing Date: Tuesday, June 4, 2013 @ 12:00 p.m.** for a hearing to determine whether your application under M.G.L. Chapter 138, should be approved or disapproved. **(New Catering License)**

**From: Kim S. Gainsboro, ABCC Chairman** **Dated –06/03/13** **Received – 06/07/13**

**Re: Jay Shakti, Inc. d/b/a Seaside Wine & Spirits** **37 Rockdale Avenue**

**Hearing Date: Tuesday, August 13, 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: **204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138 sec. 37 – Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age.**

**Date of Alleged Violations: Monday, May 6, 2013 at approximately 5:00 p.m.**

**From: Conrad C. Sullivan** **Dated – 06/11/13** **Received – 06/11/13**

**Re: EML, Inc. d/b/a LeBeau's Tavern** **65-69 Tarkiln Hill Road**

**Mr. Conrad submitted a letter stating that he's resigned as manager of LeBeau's Tavern effective 12/31/12.**

**From: Atty Donna M. Sowa** **Dated –06/12/13** **Received – 06/17/13**

**Re: Jalice Café, Inc.** **1468 Acushnet Avenue**

**In follow up to our telephone conversation of June 11, 2013, this is to confirm that Jalice Café, Inc. hereby withdraws its appeal of the decision of the New Bedford Licensing Board dated May 1, 2013.**

**Special One-Day License – Event Canceled for this Location by Applicant – 06/17/13**

**Pam-Lu Corporation d/b/a LePlace, Pamela Pinault, Manager** who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a 'Fundraiser/ Southcoast Equality Pride Event' to be held in the Parking Lot and Closed Street, located at 20 Kenyon Street; and to be held on **Saturday, June 22, 2013 from 12:00 p.m. until 10:00 p.m.** (Approved By Board on 05/20/13)

**ORDERED:** **Received 06/19/13**

That the sum of **ONE HUNDRED AND FIFTY SIX DOLLARS (\$156.00)** now standing to the credit of the amount from **HEALTH DEPARTMENT SALARIES WAGES** be and the same is hereby transferred and appropriated to as follows:

**LICENSES CHARGES AND SERVICES .... \$156.00**

To be certified by the Department Head

**IN CITY COUNCIL, June 13, 2013**

Adopted and Rule 40 waived – Yeas 10, Nays, 0

Rita D. Arruda, City Clerk

Presented to the Mayor for approval June 14, 2013

Rita D. Arruda, City Clerk

Approved on June 14, 2013

Jonathan F. Mitchell, Mayor

**ORDERED:** **Received 06/19/13**

That the sum of **TWO HUNDRED DOLLARS (\$200.00)** now standing to the credit of the amount from **HEALTH DEPARTMENT SALARIES WAGES** be and the same is hereby transferred and appropriated to as follows:

**LICENSES SALARIES AND WAGES .... \$200.00**

To be certified by the Department Head

**IN CITY COUNCIL, June 13, 2013**

Adopted and Rule 40 waived – Yeas 10, Nays, 0

Rita D. Arruda, City Clerk

Presented to the Mayor for approval June 14, 2013

Rita D. Arruda, City Clerk

Approved on June 14, 2013

Jonathan F. Mitchell, Mayor

• **COMPLAINTS RECEIVED:**

**Rec'd 06/12/13 – The Celtic Coffee House, 42 North Water Street – A (3<sup>rd</sup>) phone complaint was filed**

regarding the doors being open at The Celtic Coffee House, which occurred after being warned in writing by the Licensing Board (05/23/13); as well as voicing his frustration that the Police are not enforcing the regulation regarding open doors of liquor establishments.

**Action Taken** - (06/12/13): The person who made the complaint was given Capt. Vicente's number, and a follow-up e-mail was sent to Capt. Vicente regarding the complaint.

**Rec'd 06/20/13 – World Famous Pizza, 1114 Acushnet Avenue** – A compliant was received from Capt. Flood, Station #3, regarding late night disturbances, including fights and loud music until 3:30 a.m.

**Action Taken** - (06/20/13): Provided Capt. Flood with information that he requested regarding the licensee and City Noise Ordinances.

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

<b><u>NAME VIOLATION</u></b>	<b><u>POLICE REPORT#</u></b>	<b><u>DATE</u></b>
1. Andrews Dahill (VFW)	#13-6585-OF	06/14/13 Underage Graduation Party (Approximate Time of Violation 2:55 p.m.)
2. The Celtic Coffee House	# 13-6499-OF	06/12/13 Reports of Open Door Violations (Police Review of Complaints)

*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:** July 22<sup>nd</sup> & August 26<sup>th</sup>
- **MEETING ADJOURNED:**