



Licensing Board

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

LICENSING BOARD MEETING

-MINUTES-

“Tuesday”, January 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 DECEMBER 17, 2012 - Unanimous

MOTION TO ACCEPT THE MEETING MINUTES OF JANUARY 9, 2013 - Unanimous

APPROVALS RECEIVED FROM THE ALCOHOLIC BEVERAGES CONTROL COMMISSION

Change of Manager - Trans. # 093 - Plot # 106--185

Panthers Athletic & Social Club, Inc., 44-45 Madeira Avenue is requesting the approval of **Jeffrey W. Baker**, who resides at 134 Nash Road, New Bedford, MA. as **their new Manager**.

Approved By ABCC – 12/19/12

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

Change of Manager - Trans. #186 - Plot # 98--175

J.A.C. Fine Wines & Spirits, Inc. d/b/a Friendly Liquors, 1567 Acushnet Avenue, is requesting the approval of **Jose A. Couto**, who resides at 113 Hathaway Street, New Bedford, MA. as **their new Manager**.

Approved By ABCC – 01/09/13

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

Change of Manager - Trans. #212 - Plot # 93—181

Centro –Luso Americano Club, Inc., 34 Beetle Street, is requesting the approval of **Jose A. DaRosa** who resides at 373 Chancery Street, New Bedford, MA. as **their new Manager**.

Approved By ABCC – 01/09/13

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

New License - Trans. # 222 – Plot # 108—172

MTWP Restaurant Ventures, Inc. d/b/a Davy’s Locker, Jeffrey Dolinsky, President, who’s petitioning for a **new Annual Common Victualler (Restaurant) All Alcoholic Beverages License**. Upon approval, Jeffrey Dolinsky will be the President, Treasurer, Secretary, Sole Director, and Sole Stockholder (100%); **Jeffrey Dolinsky** is also the **Proposed Manager**; the applicant is requesting approval of a **Pledge of the Common Victualler (Restaurant) All Alcoholic Beverages License** to **County Mortgage, LLC, 1172 Beacon Street, Newton, MA.** as security to authorize and execute a promissory note in the amount of **Four Hundred and**

Twenty Thousand Dollars (\$420,000.00), pursuant to Massachusetts General Laws Ch.138 s.23. The new licensed premise includes 3 Rooms for Dining, Bar Area, Kitchen, & Exterior Patio, in an area approximately 5,000 sq. ft. on the first floor of a one-story building, with stock on the first floor. The licensed premises also includes a one -story 30' X 21' wooden deck above the existing outside patio in the rear of the building, for a total area of 5,651 Sq. Ft., which includes an 8 Ft. Bar, with 4 barstools, and 9 tables with seating for 4 at each table. There is 1 entrance/exit with stairs running adjacent to the existing patio leading into the parking lot. ***The upper deck has been previously approved with the following restrictions 1.) Roof Top Service Will End At 12:00 AM & All Patrons Removed By 12:15 a.m.; 2.) Area approved for 40 patrons; 3.) All Music & Entertainment Must Cease By 11:00 p.m.; 4.) All Music & Entertainment should be at such a level that would not be a disruption to the neighbors & will consist only of radio type sound system or light non-amplified acoustic music.*** The premises is situated on the east side of E. Rodney French Boulevard between Norman & Clara Streets, and is numbered **1480 E. Rodney French Boulevard**.

(This application has been filed as a late renewal, as required by M.G.L. Ch. 138)

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 – 01/11/13 – A 30-Day Temporary License was is approved that expires on 02/09/13.

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

DISAPPROVALS RECEIVED FROM THE ALCOHOLIC BEVERAGES CONTROL COMMISSION

Transfer - Trans. # 025 – Plot # 103--292

CMota Enterprises, LLC d/b/a Ecco Lounge, Robert A. Faria, Jr., Sole Member of LLC, who is petitioning to transfer a **Common Victualler (Restaurant) All Alcoholic Beverages License** to **Olivia Anne, Inc. d/b/a “The Bar”**. Robert A. Faria, Jr. is the President, Treasurer, Co-Director, and Co-Shareholder (50%); and Edward G. Williams, Jr, is the Vice-President, Secretary, Co-Director, Co-Shareholder (50%), and the Proposed New Manager. Premises will remain the same at **1669 Acushnet Avenue**.

Disapproved By ABCC – 12/19/12 - Failure to Comply With Mass Tax Laws (DUA) -1st Attempt

To be sent back to the ABCC “For Reconsideration”, only upon notification from the Applicant or the DUA that all outstanding issues have been resolved

VOTED: To accept the disapproval from the ABCC, and to re-submit application to the ABCC “for reconsideration”, only upon notification from the Applicant or the DUA, that all outstanding issues have been resolved. – **Unanimous**

1. PETITION - Trans. #078 – Plot # 52--229 (No Representation Needed)

Almost Brothers, Inc. d/b/a Hibernia Pub, Barry Flynn, President, who is requesting approval of a **Pledge of the General on Premise All Alcoholic Beverages License** to the **New Bedford Economic Development Council, Inc., 1213 Purchase Street, N.B., MA.** as security to authorize and execute a promissory note in the amount of **Seventy-Five Thousand Dollars (\$75,000.00)**, pursuant to Massachusetts General Laws Ch.138 s.23.

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**

CORRESPONDENCE:

From: Kim S. Gainsboro, ABCC Chairman

Dated –12/04/12

Received – 12/05/12

Re: Abracadabra Flower & Gift Service, Inc.

1701 Acushnet Avenue

Decision: Based on the evidence and testimony at the hearing, the Commission **DISAPPROVES** the action of the Local Board for the City of New Bedford in denying the license application of Abracadabra Flower & Gift

Services, Inc. The Commission remands the matter back to the Local Board with the recommendation to grant the application for a M.G.L. Ch. 138, sec. 15, license and submit the application to this commission for approval in the usual administrative course.

2. PETITION - Trans. # 222 – Plot # 108—172

Abracadabra Flower & Gift Service, Inc., which is petitioning for a **New Retail Package Store Wine and Malt Only Beverages License**. **Connie Pereira** is the President, Treasurer, Secretary, Sole-Director, and Sole Shareholder (100 %), and the **Proposed Manager**. The premises consist of an area approximately 1,080 sq. ft., which is currently and will continue to be used as a flower and gift shop. The area will include a wine cooler, display tables, a wine accessories sales area and service desk area, and a limited seating area to be used as a product information center; as well as a 180 sq. ft. work area and one restroom in the rear of the building. There is only one customer entrance/exit, which is located in the front of the building and leads onto Acushnet Avenue; as well as an emergency exit facing Nash Road. There will be additional storage in the 1,300 sq. ft. basement area, which is only accessible through a trap door from within the premises. The premise is situated on the main floor and basement of a street level building, which is located on the west side of Acushnet Avenue between Nash Road and Whitman Street, **and numbered 1701 Acushnet Avenue**.

The application will be considered by the Board with the following stipulations:

1. The license would be restricted in its use to the sale of wines and malts only and said bottles are to be included and wrapped in flower arrangements, gift baskets and favors only. There shall be no on or off premise sale of any alcoholic beverages, other than those described.
2. The licensee will apply for and maintain a transportation license for the delivery of the wine and malt beverages. Said license is issued through the Alcoholic Beverages Control Commission and an approved copy shall be filed with the licensing board.

Final approval will require a '**Certificate of Inspection**' from the Building Department.

Application has been advertised (03/12/12); Abutters have been notified

Present: Atty. Bernardo J. Cabral along with Connie Pereira, Applicant

Mr. Nanopoulos opened the hearing by reviewing for those present the history of the application that was currently before the Board, which included the following: The application was previously denied by the Board as result of the applicant not accepting the Board's stipulation that the license could not be transferred, and that the applicant appealed the Board's decision to the ABCC, who disapproved the action of the Local Board for the City of New Bedford in denying the license application, and remanded the matter back to the Local Board with the recommendation to grant the application for a M.G.L. Ch. 138, sec. 15, license and submit the application to this commission for approval in the usual administrative course. Mr. Nanopoulos also stated that the Board had previously determined that there was not a 'public need' for another Retail Package Store license in that area, which already had three (3) other Retail Package Store licenses in that immediate area; and that the applicant had previously agreed with the Board's restriction that if the license were to be approved, the license would be 'restricted' in its use, and with the stipulation that if deliveries of flower arrangements, gift baskets, and favors were going to be offered, which included Wine & Malt beverages, a 'Transportation License' must be applied for and remain in place through the Alcoholic Beverages Control Commission, with a copy submitted to the Licensing Board.

Mr. Nanopoulos then submitted a copy of the agreement that would have to be signed by the applicant and Chairman Beaugard, which stated the previously approved restriction and stipulation, which both Atty. Cabral and Ms. Pereira found to be acceptable. With no further discussion on the matter, a motion was made and voted upon.

Voted: On a motion by Commissioner Almeida, the Board voted unanimously to approve the application and to forward it to the ABCC for final approval with the following restriction and stipulation:

1. The license will be 'restricted' in its use to the sale of wines and malt to be included in flower arrangements, gift baskets, and favors only and there shall be no on or off premise sale of any alcoholic beverages other than those described.
2. If deliveries of flower arrangements, gift baskets, and favors are going to be offered, which include Wine & Malt beverages, a 'Transportation License' must be applied for and remain in place through the

Alcoholic Beverages Control Commission upon approval; therefore, until such a time as a 'Transportation License' is applied for and approved by the ABCC, with a copy of said license submitted to this office, deliveries of flower arrangements, gift baskets, and favors are not allowed.

VOTED: Commissioner Almeida made a motion to take up **Item #'s 3 - 6** at one time; waive reading; and approve the applications as presented – **Unanimous**

3. APPLICATION, (No Representation Needed)

New Bedford Whaling Museum, Andrew Wojtunik, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Lecture by David Sedaris Reception' to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Saturday, January 19, 2013, from 6:30 p.m. until 7:30 p.m.**

4. APPLICATION, (No Representation Needed)

Irmandade Do Divino Espirito Santo Do Pico Club, Jose Matos, Representative requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a 'Carnival Dinner & Dance', and to be held at the **Irmandade Do Divino Espirito Santo Do Pico Club**, located at **2056 Acushnet Avenue**; and to be held on **Saturday, February 2, 2013, from 6:00 p.m. until 11:00 p.m.**

5. APPLICATION, (No Representation Needed)

Women's Fund of the Community Found. Of SEMA, Jeanette Doyle, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Women's Fund Networking Event' to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Thursday, February 7, 2013, from 5:00 p.m. until 8:30 p.m.**

6. APPLICATION, (No Representation Needed)

Rody F. Moukhaiber, who resides at **121 High Street, Apt. #3, North Attleboro, MA** who is requesting approval of his application for a **Motor Vehicle Class II (Used Car Dealer) License for R M Auto, Inc.** with premises situated at **1288 Ashley Boulevard**.

Note: Site is currently licensed to R & R Truck & Auto Sales, Inc., which is owned by the applicant's brother who recently became disabled and is no longer able to run the business; the current license issued for that location will have to be surrendered upon issuance of the new Class II license, the current license is approved for the display of (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.

7. Hearing: United Fisherman's Club, Inc.

Antonio F. Braz, Proposed New Manager
639 Orchard Street

Your presence and that of Jose Fangueiro, President is requested at a hearing to determine whether you have violated certain provisions of M.G.L., ABCC Regulations, Licensing Board Rules & Regulations, and City Ordinance, as reported by the City of New Bedford Police Department. Based on their findings, the Licensing Board may take action to modify, suspend, revoke, or cancel your license. They are as follows:

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

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

ABCC Regulation 204 CMR 2.05: (2)-

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

premises.

Licensing Board Regulations No.1, 6, 10, 11, 12, 28, 36-

Licenses may not be transferred or surrendered without permission of the Board; 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; Alcoholic beverages shall not be served to a person who is or appears to be intoxicated; objectionable persons shall not be permitted on or about the premises. It is the responsibility of the Licensee to enforce this rule; premises must at all times be kept safe...; a current list of employees shall be submitted to authorized agents of the Licensing Board, upon request; Licenses are subject to suspension, revocation or forfeiture after hearing for breach of any of the listed regulations or any other law of the Commonwealth.

New Bedford Code of Ordinances, Section 15-96-

Exclusion of minors from liquor establishments during entertainment; No person under the age of twenty – one (21) provided in M.G. L. shall be present or go upon premises licensed for the sale of alcoholic beverages, if the premises are, or should be, licensed for entertainment, while entertainment is being offered thereon.

Summary of Incident #1

Police Department Incident Report states that multiple police units were dispatched to the United Fisherman's Club on Orchard Street as a result of a report that several fights were in progress that were causing a large disturbance.

Upon arrival, the Officers noticed approximately 100 individuals scattered throughout the parking lot of the establishment and into the street; and there were clearly underage individuals in the crowd, who had exited the establishment and were engaged in the altercation. They were yelling amongst themselves using vulgar and threatening language towards each other, as well as to the police.

The incident produced approximately 25 Officers to respond to the scene to assist, which forced traffic to come to a standstill as a result of the incident.

An underage male, on whom the Officers could smell the odor of an alcoholic beverage of some sort coming from his breath as they spoke and who stated that he was the DJ for the event, was later placed under arrest for disorderly conduct; there was also another underage male arrested as a result of this disturbance.

Date and time of alleged violations: Thursday, November 22, 2012 @ approximately 1:39 a.m.

Police Report #'s 12-4043-AR & 12-4044-AR

Summary of Incident #2

Police Department Incident Report states that Officers were dispatched to 639 Orchard Street for a large disturbance, which occurred one night after another large disturbance had occurred, which resulted in two arrests involving underage patrons, and a DJ that was hired for that function.

Upon arrival, the Officers along with additional city police units who had to be called in to assist them in clearing the area as the crowds continued to grow as more patrons exited the club, and hung around the parking lots and stairwells socializing. The Officers noted that they observed several young looking individuals not only exiting the club, but socializing and lingering in the club's parking lot.

Many patrons that had previously exited the club were also observed by the Officers re-entering the club as there was no club supervision at the entrance door, making it more difficult for police to clear patrons off the business' premises.

Upon entering the premises, the Officers spoke with the club's manager, Antonio Braz, and when asked by the Officers whether or not he had anyone stationed or assigned to the entrance door, Mr. Braz responded that he allowed the YP Entertainment promoter to have an individual check I.D.'s at the door. When asked by the Officers whether or not this male was also a member of the United Fisherman's Club checking the I. D.'s at the door, Mr. Braz stated that the door man was hired by the promotion company and was not a club member, and that the door man had a counter to keep track of the patrons inside the club. When asked what the official count was prior to closing, Mr. Braz stated that he did not have that information, nor was he able to locate the "door man" hired by the promotion company. The Officers then spoke to the promoter, Yannick Paiva, who informed

them that the door man had left already and that he did not know the official count; and when asked, Mr. Paiva could not even give the Officers the name of the individual that he hired to watch the door.

Upon explaining to Mr. Paiva and Mr. Braz the ramifications of not having a door man on duty until the club and the parking lot was cleared, Mr. Braz stated, "Once they're out of my club ... it's not my problem and I can't control what they do."

It was also noted in the report that Mr. Braz had been warned by Officer Nathan Monteiro on the previous night about taking more action and responsibility towards clearing out his club, and taking proper security measures by having a door man not only checking patrons for I. D.'s but also ensuring the volume of patrons does not exceed capacity; there were also two arrests as a result of this incident as well.

Date and time of alleged violations: Friday, November 23, 2012 @ approximately 1:58 a.m.

Police Report #'s 12-13794-OF, 12-4051-AR & 12-4053-AR

Present: Atty. Chris Markey along with Antonio F. Braz, Approved Manager; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd. along with Officer Jonathan Pavao and Det. Christopher Andrade, Reporting Officers

Upon being asked by Mr. Nanopoulos if his client had received a copy of the 'Hearing Notice', and if he had read the summary contained in the notice, and if he understood why he was requested to appear before the Board based on the summary, and the list of alleged violations contained in the 'Notice', Atty. Markey, speaking on behalf of his client, stated that he did.

When asked by Mr. Nanopoulos if they wanted him to read the written incident summary contained in the 'Hearing Notice', Atty. Markey stated that would not be necessary, since it was included in his hearing notice that was sent to him, therefore, he waived the reading of the summary.

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

Atty. Markey stated that the facts speak for themselves, and that they were not really here to state that they didn't happen or that they didn't happen in the way that the Police Officers stated that they happened, and stated that it would not be necessary for the officers to read their reports.

When asked by Chairman Beauregard if he had anything he wanted to ask of the Officer or present as a defense regarding this incident, Atty. Markey stated, obviously ... there are two significant incidents that the Board should be concerned about ... Mr. Braz and I have spoken about the serious nature of these incidences ... I think the reaction of the 'club' would indicate that they took it seriously as well ... as you know, the Board had approved the appointment of Mr. Braz shortly before the incidents noted occurred at the Fisherman Club on November 22nd and 23rd dates.

Atty. Markey continued comments by stating, that Mr. Braz described the situation to him ... as one that 'he inherited' ... referring to these two pre-scheduled promotional events ... I think on a naive side ... Mr. Braz allowed people to come in and check I.D.'s who were brought in by the promoter, which was one that he realized was a rather large mistake ... and as a result of that they have hired two individuals who, whenever there is an event there, will check I.D.'s ... and that has been in place since November 23rd; ... in addition to that ... there was the issue of selling to minors ... in that respect ... they've had a club meeting with all their employees ... they brought in a company from Rhode Island to have them all T.I.P.S. Certified right on the premises ... so all the employees are now T.I.P.S. Certified ... and thirdly, which I think is the most important thing is that they now have a Police Detail there if there is any type of rental ... actually there are 3 officers on site ... 2 on the rental side ... and 1 on the bar side to keep people from coming into the club area from the bar area ... and that a Police Officer will be stationed there just to keep people out of that area.

Atty. Markey concluded his initial remarks by stating, so if you were to look at the entire incidences ... I think those are the 3 major concerns that this Board should have ... and the question is ... what's the remedy, in regards to punishing the club and in making sure that this doesn't happen again ... and I think there are some mitigating factors for the Board to consider ... one being that Mr. Braz just came on a few days before ... and he was trying to feel his way through ... and it was clearly as what I described as a 'rookie mistake' ... and although he is old ... he is clearly not that experienced in this position ... and I think he has addressed those issues firmly with the staff to at least allow the Board to feel comfortable with the club going forward ... the

I.D. checkers, who are now employees of them now makes that a non-interested party with regard to any people who rent out or promote anything at that location ... they're T.I.P.S. Certified now, which includes all the bartenders and waitstaff as well ... and finally, the hiring of police officers to ensure that those incidences will not happen outside when everyone departs.

Chairman Beauregard responded to Atty. Markey's comments by stating, I'll grant you some leeway because I don't think you were here when we approved Mr. Braz as the new manager ... but I think this Board was very clear as to what was expected from you (Mr. Braz) and the members ... and the club ... we had discussions of everybody being T.I.P.S. Certified ... we had discussions about 'no promoters' ... we had discussions about the rental of the hall ... and you ensured the Board that you had a handle on what was going on over there ... and then 3 ... 4 days later from this time forward ... I say to you Mr. Braz ... you then go back to the club and you have documentation in front of you that states that you have promoters coming in on Thanksgiving Eve and the following night ... and you know that we just said to you two days before that you cannot have promoters in the club ... and you allowed it to continue.

Chairman Beauregard continued his remarks by stating, you have a promoter in there who is on record as saying that he is a promoter ... he gets arrested because he's intoxicated ... serving minors in the establishment ... the following night we have a promoter in there that's out of control as well ... I don't know ... I'm just real disappointed ... I'd be lying if I didn't tell you that ... I'm real disappointed at you coming in before us and us making concessions knowing that you didn't have the experience, although you did have a lot of involvement over the years with the club ... and then to have two of these reports with this significance come before us is extremely disappointing for this Board ... and I'm embarrassed.

Mr. Braz responded to Chairman Beauregard's comments by stating, by the time I got all the paperwork, which was all different sets of paperwork ... by the time I went through it ... this event happened ... since that happened ... the Board (club) met and I told them point blank ... if there's no more paperwork for an event ... and I don't care who or where it comes from ... I will write a notarized letter stating that I'm no longer the bar manager.

Chairman Beauregard responded to Mr. Braz's comments by asking, didn't the current manager submit his resignation over a year ago and that's why we've gone over a year without having a manager ... is that correct? Mr. Braz responded, "That's correct".

Chairman Beauregard continued his comments, in 2010 ... not you ... but the club was before the Board ... and we asked at that time that the club submit to this office ... a "hall rental agreement" any time the hall was being rented ... and the club was told that any time an event was going on ... we wanted to know about it ... it's something that we ask certain places to do if issues arise, so we have an idea of what's going on ... so we can notify the police, so they don't get blindsided when they go on a call for a fight in progress ... and when they get there ... they find 200 kids on Orchard Street fighting.

Mr. Braz responded by stating, I've never seen any of that paperwork (forms) request ... but as of today ... I will go there ... we'll call the girl in ... and everything that is in the computer ... I'll personally deliver to Nick ... like I delivered copies of the T.I.P.S. Certifications ... I did not know that they had been requested from the club ... it was requested prior to me ... there was nothing on record ... but I will assure you ... every event that is marked ... within a couple of days will be in Nick's hands.

Chairman Beauregard continued his remarks by stating, you have a DJ (Promoter) who can't even find his doorman ... and you comment in the Police Report ... and I think we had a discussion about this I believe ... and there are Police Officers here who will verify what is written in the report ... that you stated, "once they get outside ... they're no longer your problem any more" ... that's absolutely ... 100 % false ... you have a responsibility ... you just can't serve them up and get them liquored up ... and then say ok guys ... now they're your (police) problem ... you have an obligation while they're on your property to get them out of there safely ... that is why we have rules and regulations about over serving and over pouring ... you can't give these guys (police) the headache at 2 o'clock in the morning.

Mr. Braz responded, it's not my intention to give anyone a headache ... I will co-operate with any one of them ... the detectives came down ... I think it was Det. Scott Brown that came down and asked to see the cameras ... and I said, you're asking the wrong guy but I will get him for you ... I got on the phone and I called the man, and I made arrangements ... the man came down ... Det Brown asked for the recording chip ... everything was set up for him ... and I told Det. Brown, if you need anything else, please feel free to call ... and he was happy

with everything we gave him ... I do not hide anything ... I don't intend to hide anything ... and I intend to cooperate to ensure the safety of everyone that goes into the club ... I didn't hide anything from them.

Chairman Beauregard responded to Mr. Braz's comments by stating, I'm not suggesting that you're hiding anything ... Scott Brown is a detective ... he's an investigator ... but these are the guys (referring to the responding Officers who were present) are the ones that are out there ... when they get a call to go down there ... and there are only 6 or 8 of them on at night ... and they're outmanned and outgunned ... and two nights in a row ... they have everybody they have down there quelling your disturbances ... it's not right for these guys ... and it's not right for this Board.

Capt. Vicente also responded to both Mr. Braz's and Chairman Beauregard's comments by stating, with regard to the incident Mr. Braz was referring to involving Det. Scott Brown ... later on that night we had a house shot up on Rockland Street ... gunfire ... and most of the people were at the Fisherman Club ... so going on to what your saying ... at the end of the night ... this continues somewhere else ... everybody that was back on Rockland Street was completely intoxicated ... so the night ended up back on Rockland Street with somebody's house be shot up.

When asked by Commissioner Almeida, if on the 22nd, which was the night of the first incident, if he had a conversation with Officer Monteiro, who according to the report, informed Mr. Braz that certain promoted events were not allowed, and warned him that it was his responsibility to clear out the club and take proper security measures including having sufficient doormen; Mr. Braz responded, that he did.

Prior to the Board making their decision, Atty. Markey was given another opportunity to address the Board, at which point he stated, I know the Board has to make some type of recommendation and make a decision here tonight as to the status of the license at the club... I think ... if the Board would consider ... I don't think just the rental of the function hall ... I think it should be for any use of the function hall when alcohol is being served ... I think the Board should know about it ... that includes those events held by the club itself ... I just don't want the club to think because there was no rental ... that we don't have to notify the Board ... I think when you have a lot of people in there and there's going to be liquor served at any point in time that the Licensing Board Office be notified ... I would ask that the Board put the club on probation for six months with that condition ... if they do that and continue to have the Police Detail Officers whenever there is a function in the hall when there is alcohol being served.

When asked by Capt. Vicente as to what was going this Friday night there (01/25/13), Mr. Braz responded, I think it's a wedding or a shower.

When informed by Capt. Vicente that there's something on Facebook about an eighteen year olds birthday that's coming out as an R & B singer, to which Mr. Braz responded, I can call you back about that date ... but the only thing ... and I have discussed this with Atty. Markey ... with regard to booking events ... when the family comes in ... because all these things we have there are like family events ... and the legality of what we can do and what we cannot do ... close the bar, which we always do ... close that bar ... and just serve their food ... and they have their music and they can dance ... I asked Atty. Markey to clarify that ... if it can be done or not.

Atty. Markey responded to Mr. Braz's comments by stating, I think I hear his understanding of exactly what exactly is a club license and a restaurant license, to which Chairman Beauregard responded, he doesn't have a 'club' license ... he has a General on Premise license ... I don't understand the question.

Atty. Markey responded, I think there was some confusion as to what type of license he had with regard to having people come in who were not members, which I did discuss with him because I think it's important to make sure that people that come into the bar or the club are members; but in the restaurant portion ... his concern is that having these 'Sweet 16' or 'Sweet 18' parties ... I guess depending on your ethnicity is the range of age when these things are held ... and the serving of alcohol to the adults who are there seems to be a concern for Mr. Braz.

Chairman Beauregard responded, we've made it clear to Mr. Braz ... you cannot have any 'Sweet 16' or coming out parties ... whatever you want to call them ... you cannot have an underage events in liquor establishments in the City of New Bedford ... that's it.

Upon being recognized by Chairman Beauregard, Mr. Nanopoulos clarified the status of their liquor license for all those present by stating, although they're known as the United Fisherman Club ... they hold a General on Premise license which covers the whole building ... the stockholder for the license is the 'club' ... their doors

are open to all ... there's no membership as far as the liquor license is concerned ... it's not a 'club' license ... so anybody can come in ... the rules and regulation as to what can go on in there ... wouldn't matter if it was a 'Club' license ... General on Premise license ... 'Restaurant' license ... the Regulations are the same ... it wouldn't matter ... the doors are open to anybody.

Referring to the issue brought up by Capt. Vicente, Chairman Beaugard stated, if there's something going on Friday night ... if it's a Sweet 16 party or a coming out party ... it needs to be canceled, to which Mr. Braz responded, "it will be canceled!"

Chairman Beaugard continued his comments by stating, you can't have promoters coming in and taking over the establishment ... if you want to have an event there ... the event is yours ... you just can't bring somebody in and say ... give me a cut of the door and the place is yours for the night ... if that's the case ... then we don't need you ... that's why we made (approved) you as the manager ... which makes you responsible for making sure who comes in ... making sure they're carded at the front door ... it's all your responsibility ... these guys (promoters) don't care ... they're just out there selling tickets ... they're putting it out there on Facebook ... they're bring in 300 people ... the guys walking away at the end of the night saying thank you very much ... but who's got the problems? ... Where is he? ... Is he sitting here? ... Is he going to pay your bills, if we decide to close you down for a couple of days? ... I don't know what you get out of it but I'll tell you right now ... it's not worth it!

Mr. Braz agreed with Chairman Beaugard's assessment of the use of promoters by stating, "We don't need the aggravation ... and we don't get anything to pay for the aggravation.

Mr. Braz then asked Chairman Beaugard for a clarification on the following, sometimes we have a group of people come in to rent the hall to have a dance ... these people are all over 21 ... they just rent the hall ... they're a Cape Verdean Group ... there's a local person from New Bedford ... is that ok or not ok.

Chairman Beaugard responded to Mr. Braz by stating, if you're renting the hall and its not to a promoter ... if you're managing the event ... and you're using your bartenders ... and you have your people at the door ... then you're perfectly legit ... that's why we want you to use the form that Mr. Nanopoulos will give you tomorrow and submit to this office, so we can monitor the events that are being held at your establishment ... so we know what's going on down there ... you need to do your do diligence ... if they come in and say they're having a 40 year old birthday party for my mother ... and on the day of event you go in there and see that you have nothing but kids in there ... and that they lied to you ... then you need to call the police and shut the event down immediately ... if you continue with it and they (police) end up coming down there ... then you're going to have a problem ... you're responsible.

When by Mr. Braz for a clarification on the following, if Dartmouth High or New Bedford come in and they want to have a banquet ... its parents and kids ... and everything, Chairman Beaugard responded, no entertainment ... food being served ... you're ok ... as long as they're with parents.

Mr. Braz was instructed by Chairman Beaugard that in the event something that comes up that he's unsure if he's allowed to do or not, or if he has any other questions, he should contact Mr. Nanopoulos for clarification.

When asked by Chairman Beaugard if the bartenders that work in the hall were club members or paid employees, Mr. Braz stated that they were paid employees and they were all T.I.P.S. Certified.

Chairman Beaugard then closed the hearing and asked for a motion.

Prior to making his motion, Commissioner Almeida voiced his concern regarding the two incidents, which required multiple police unit response on back to back nights, which resulted in the DJ/Promoter being placed in protective custody as well as several patrons for intoxication.

VOTED: Commissioner Almeida, upon listening to those present to testify on behalf of the licensee, and based on the evidence contained in the reports submitted, and citing that there were two separate incidents that occurred days after Mr. Braz was approved as the new manager, and who also days earlier indicated to the Board that he understood the licensing rules and regulations including those pertaining to the use of promoters and underage events, found the licensee in violation of ABCC Reg. 204 CMR 2.05 (2)-Permitting an illegality on the licensed premises, which included violations of use of third party promoters, allowing minors on the premises while entertainment is being offered (non-family event), the serving of minors, serving to intoxication and failure to maintain control of the premises; **made a motion to suspend your General on Premise license for a period of ten (10) days with five (5) days to be served (03/24/13 – 03/28/13) and five (5) days held in**

abeyance for one (1) year; and to place the establishment on one (1) year probation (02/16/13 – 02/16/14) and require all employees are required to be T.I.P.S certified within sixty (60) days. - Unanimous

8. Hearing: Route Six Properties, Inc. d/b/a

Temptation

Steven M. Camara, Manager

161 Pope's Island

Your presence is requested at a hearing to determine whether you have violated certain provisions of ABCC Regulations, and Licensing Board Rules & Regulations. This hearing is being held based on certain information contained on promotional posters promoting certain events at your establishment as well as advertisements being posted on Facebook. Based on their findings, the Licensing Board may take action to modify, suspend, revoke, or cancel your license. They are as follows:

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

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

Licensing Board Regulations No.1, 6, 13, 28, 36, 41-

Licenses may not be transferred or surrendered without permission of the Board; 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; signs and advertisements shall be neat and dignified; a current list of employees shall be submitted to authorized agents of the Licensing Board, upon request. Licenses are subject to suspension, revocation or forfeiture after hearing for breach of any of the listed regulations or any other law of the Commonwealth; The type of entertainment shall be subject to reasonable regulations by the Licensing Board.

(VIP) Bottle Service – Approved & Adopted by Licensing Board Vote February 22, 2010

Any type of (VIP) Bottle Service is a violation of the Happy Hour Restrictions (ABCC 204 CMR 4.03, inclusive). Therefore, no licensee nor any agent for the licensee or person on behalf of the licensee shall advertise, promote, or offer in any way, whether within or outside of the licensed premises any of the practices prohibited under ABCC 204 CMR 4.03; it's solely the responsibility of the licensee to ensure that no violation of this provision occurs within the premises, or is offered in any promotional ads whether in print or electronically.

Summary of Possible Violations

1. Offering Discounted Drinks.
2. Offering VIP Service w/ Bottle Service - Violation of Happy Hour Regulations
3. Casual Entertainment (Promoter) - Who is maintaining control of this establishment.
4. Illegal transfer of financial interest and use of liquor license.

The posters, and the promotional items posted on Facebook, reflects a type of activity that is a violation of the Liquor Control Act and ABCC regulation; which does not allow a third party to sell tickets or use other methods of admission, which would result in the licensee transferring the privilege of its license, or transferring a direct or indirect beneficial interest in its license to a third party. This is a violation of the Liquor Control Act. A licensee must receive prior approval from both the local licensing authorities and the ABCC before transferring the privilege of its license or any type of interest in it.

Present: Steven M. Camara, Owner/Manager; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd. along with Officer Norman Duchesneau, Reporting Officer

Upon being asked by Mr. Nanopoulos if he had received a copy of the 'Hearing Notice', and if he had read the summary contained in the notice, Mr. Camara stated that he had; when asked if he understood why he was

requested to appear before the Board based on the summary, and the list of alleged violations contained in the 'Notice', Mr. Camara stated that he did not.

When asked by Mr. Nanopoulos if he wanted him to read the written incident summary contained in the 'Hearing Notice', Mr. Camara stated that he did, which Mr. Nanopoulos read for the record.

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

Chairman Beaugard opened the hearing by asking Officer Duchesneau to either summarize or read his report regarding the incident that occurred on 12/14/12.

Officer Duchesneau proceeded to give his testimony to what was documented in his Police Report regarding this incident, as noted and summarized in the 'Incident Summary'.

When asked by Chairman Beaugard if he had heard what the Board had said to the previous licensee regarding the use of promoters, Mr. Camara stated that he had.

Chairman Beaugard then asked Mr. Camara about the 'shot specials' that appeared on the posters prepared by the promoter, to which Mr. Camara responded, there are no shot specials ... I never said there were any shot specials.

Upon showing Mr. Camara the promotional poster and asking if he was the owner of Temptations, Mr. Camara stated that he was computer illiterate ... I don't even know how to open up a Facebook.

Chairman Beaugard voiced his concern to Mr. Camara that upon receiving and reading the hearing notice that he didn't know why he was before the Board.

Upon showing Mr. Camara all the promotional posters that were forwarded to the Licensing Board office, Mr. Camara stated that he hadn't seen any of them before, to which Chairman Beaugard responded, so what you're telling this Board is that all these posters are plastered around town with your name on them and you've never seen them before; and you have no idea what's going on.

Mr. Camara responded, he took it upon himself to do that; and added, we had an agreement on Wednesdays to be there and I paid him \$300.00 each time he worked there ... he has a following ... and he told me that he works at 5 or 6 other clubs in New Bedford ... so his following will come to him on Wednesdays ... that's all I'm aware of.

When asked about the drink specials being promoted, Mr. Camara responded, I thought that you could have them as long as you offered them for at least 3 months ... is it... I think, to which Chairman Beaugard responded, it's 7 days.

Pressed on this matter by Chairman Beaugard, Mr. Camara stated that it should have stated for the 'ladies only', which contradicted his earlier statement that he didn't know anything about the promotional posters.

Chairman Beaugard responded to Mr. Camara's last statement about the drinks specials, in which he indicated that they were for the 'ladies only' by stating, so what you're saying is that the ladies are the only ones that get special prices ... you really don't want to tell us that ... do you, Mr. Camara?

Mr. Camara re-iterated that he's never seen these posters around before, to which Chairman Beaugard responded, don't you think that would be a little disconcerting for this Board that you are the owner and manager of a liquor establishment, and that people are out there promoting your establishment in a way that you're not privy to ... don't you think you would want to see that before that hit the street; to which Mr. Camara responded, I would ... I absolutely should ... especially now ... knowing that the use of promoters is not legal ... I just thought a promoter had a following.

When asked by Commissioner Almeida about the 2 for 1 lap dancing being promoted, Mr. Camara responded, that's something we do on Mondays and Tuesdays.

When asked by Chairman Beaugard about the VIP Areas, and if he offered 'bottle service' in those areas, Mr. Camara stated that he never offers 'bottle service' under any circumstances, and that he was aware that was totally illegal.

Mr. Camara offered that all his staff was T.I.P.S. Certified, and that they've all worked there for 8 to 10 years. Commissioner Almeida also reviewed with Mr. Camara the rules & regulations regarding adult entertainment as they appear in the Licensing Board's Rules & Regulations handbook (#'s 42-46).

Chairman Beaugard concluded his remarks by instructing Mr. Camara that he needs to know what's going on

in his establishment, and suggested that he have a staff member monitor Facebook so that he knows what going on out there regarding his establishment.

When asked by Chairman Beauregard if he received the message the Board was sending, Mr. Camara assured the Board that he did and that he no longer would be using promoters.

VOTED: Commissioner Almeida made a motion, to issue the licensee a warning, and to receive and place the report on file with no further action at this time. – **Unanimous.**

- **CORRESPONDENCE,**

From: Kim S. Gainsboro, ABCC Chairman **Dated –12/26/12** **Received – 01/10/13**

Re: St. Michael Social Club, Inc. **101 Madeira Avenue**

Decision: After a hearing on 12/04/12, the Commission finds the St. Michael Social Club, Inc. in violation of 204 CMR 2.05 (1)-Devices which furnish anything besides merchandise of a quantity and quality commensurate with the price deposited therein are prohibited on licensed premises. The Commission **suspends the licensee’s license for a total of five (5) days of which three (3) days are to be served and two (2) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur. In addition, the Commission imposes a condition on this license that, the licensee must not possess in or on the licensed premises any telephone card machines. The suspension shall commence on Wednesday, January 16, 2013 and terminate on Friday, January 18, 2013. The license will be delivered to the Local Licensing Board on Wednesday, January 16, 2013 at 9:00 a.m. It will be returned to the licensee on Saturday, January 19, 2013.**

Notice of Accepted Offer in Compromise: The ABCC has accepted an Offer in Compromise In Lieu of Suspension in the amount of \$337.65; further, the notice of Suspension for a period of five (5) days is reconsidered and compromised by this fine. The notice of license suspension is rescinded.

ACTION TAKEN: Received & Placed on File.

From: Kim S. Gainsboro, ABCC Chairman **Dated –01/11/13** **Received – 01/16/13**

Re: Madeira Café, Inc. **70-76 Church Street**

Hearing Date: Thursday, April 25, 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. (Unemployment Insurance)**

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>
1. Catwalk Bar & Grille	13-95-OF	01/04/13	Third Party Violation (Use of a Promoter) Drinks Specials/VIP Services

Decision: Bring In For Hearing on 02/25/13

- The Sky Room

Third Party Violations (Use of a Promoter); Drinks Specials/VIP Services

Decision: Bring In For Hearing on 02/25/13

- **The following licenses have not been renewed as of 01/16/13 (Last day to renew was 12/31/12):**

Common Victualler (Restaurant) - 6

1. Chocolate Com Pimenta, 1277 Acushnet Avenue – Called on 01/02 & 01/07 - **Renewed 01/18/13**
2. Homlyke Bakery, 948 Ashley Boulevard – Closed –Re-opened on 01/14/13 – Called on 01/16/13
3. Homlyke Bakery, 321 Dartmouth Street – Closed Re-opened 01/14/13 – 01/16/13
4. Lydia’s Bakery, 1668 Acushnet Avenue – **Renewed 01/17/13**
5. Naughty Dawgs, 35 North Sixth Street - Called on 01/02/13 & spoke to owner in person on 01/07
6. Salonika House of Pizza, 842 Kempton Street – **Renewed 01/17/13**

Class I (New Car Dealer license) - 1

1. That Scooter Spot, 812 Kempton Street - Called on 01/02/Spoke to owner in person & again on phone.

Class II (Used Car Dealer license) - 4

1. Capitol Motors, 384 Dartmouth Street – License being held due to tax issues - Called on 01/07
2. Furtado’s Auto Sales, 805 Brock Avenue – Requested extension to renew (Health Reasons)
3. JMF Auto Sales, 1615 Cove Road - Inc. Renewal Notice Returned/Re-Sent
4. Valtran, Inc., 2415 Purchase Street - Called on 01/02

ACTION TAKEN: Instructed Mr. Nanopoulos to send a ‘final notice to apply’ (certified mail) to all licensees who have not renewed their 2013 license, informing them that a \$25.00 late fee has been assessed, and that any license not renewed by January 31, 2013 will be automatically revoked.

- **LICENSE HOLDERS IN TAX TITLE – For Review Only (A/O 01/16/13)**

Common Victuallers (Restaurants)

Chocolate Com Pimerta (Jose J. DaCosta d/b/a)-Plot# 92-70-----\$1,574.80 – **PAID IN FULL**
Lydia’s Bakery, Inc.-Plot#106-143-----\$15,488.65 – **No Agreement**
Shawmut Diner (Andros Island, Inc. d/b/a)-Plot#95-233-----\$18,564.68 – **Agreement/Non-Compliant**
Shawmut Diner (Andros Island, Inc. d/b/a)-Plot#95-303-----\$10,094.81 - **Agreement/Non-Compliant**

Class II (Used Car Dealer)

Capitol Motors (Ronald Moura d/b/a)-Plot#23-219-----\$8,629.92 - **Agreement/Compliant**
Furtado’s Auto Sales & Service (Simon Furtado d/b/a)-Plot#13-138-----\$10,356.34 - **PAID IN FULL**
Lima’s Garage & Auto Body, Inc.-Plot#97-147-----\$11,134.72 - **Agreement/Compliant**
Oliver Used Auto Sales & Repairs (Itamar C. Oliveira d/b/a)-Plot#102-121----\$2,073.89 – **PAID IN FULL**
Washington Square Auto Sales (Lee Transportation Corp. d/b/a)-Plot#36-224--\$3,027.32 – **Agreement/Compliant**

Liquor Licenses

Common Victualler AA (Restaurants)

Chuck’s China Inn (Luk & Chen, Inc. d/b/a)-Plot#111-21-----\$15,440.26 – **PAID IN FULL**
Cobblestones Restaurant (AMM Enterprises, LLC d/b/a)-Plot#46-29-----\$13,254.77 – **PAID IN FULL**
Danny’s Seafood Restaurant (Norway Café, Inc. d/b/a)-Plot#108-13-----\$10,038.04 – **Agreement/Compliant**
Incognito (Anthsand, Inc. d/b/a)-Plot#104-114-----\$5,909.42 – **PAID IN FULL**
Jalice Café, Inc.-Plot#99-3-----\$8,098.26 – **Agreement/Compliant**

LePlace (Pam-Lu Corporation d/b/a)-Plot#85-148-----\$3,326.33 – **Agreement/Compliant**
 LePlace (Pam-Lu Corporation d/b/a)-Plot#85-148-----\$7,129.68 – **Agreement/Compliant**
 Me & Ed’s Restaurant, Inc.-Plot#4-29-----\$10,784.25 – **Agreement/Compliant**
 Mikey B’s (Mikey B’s, Inc. d/b/a)-Plot#130-D-139-----\$603,860.15 – **Agreement/Compliant**

Common Victualler Wine & Malt Only (7 Days)

The Celtic Coffee House (Celtic Coffee House, LLC d/b/a)-Plot#53—180---\$2,444.03 – **Agreement/Compliant**
 The Celtic Coffee House (Celtic Coffee House, LLC d/b/a)-Plot#53—144---\$9,007.84 – **Agreement/Compliant**

General on Premise AA

Royal II (Royal Food & Beverage Company, Inc. d/b/a)-Plot#42-272-----\$948.28 – **PAID IN FULL**

Clubs AA

The Bisca Tournament Club, Inc.-Plot#37-3-----\$4,759.71 – **Agreement/Compliant**
 The Bisca Tournament Club, Inc.-Plot#37-322-----\$4,215.71 – **Agreement/Compliant**
 The New Cape Verdean Ultramarine Band Club, Inc.-Plot#42-183-----\$7,626.29 – **Agreement/Compliant**
 Whaling City Club, Inc.-Plot#104-164-----\$6,276.98 – **Agreement/Compliant**

Retail Package Store W & M

Costa’s Gas & Mini-Mart (MMRB Corp., Inc. d/b/a)-Plot#92-267-----\$15,279.58 – **Agreement/Compliant**
 Mauricio’s Market & Hardware, Inc.-Plot#104-52-----\$6,307.22 – **PAID IN FULL**

• **TABLED ITEM:**

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.

Item # 16 to be referred to the Planning Board per Jill Maclean, Acting City Planner

ACTION TAKEN: Instructed Mr. Nanopoulos to ask the Planning Board Office if there’s been action taken by their Board on this matter as of this date; and if so, ask if they would please forward copies of any decisions to this office, and also informing them that we still have an application pending for an ‘Annex’ license, which was tabled by the Licensing Board on 07/23/12.

• **Subject: Liquor License Renewals For 2013 (INFORMATIONAL ONLY)**

The Licensing Board herewith submits a report of all the Liquor License Renewals for 2013 by category and totals per category.

Licenses classified as follows were issued and signed by the Board in the month of December, 2012:

Common Victualler---All Alcoholic	83* (84)
Common Victualler---Wine & Malt (6 Days)	4
Common Victualler---Wine & Malt (7 Days)	15

General on –Premise ---All Alcoholic	17
Clubs---All Alcoholic	26
Retail Package Stores---All Alcoholic	24
Retail Package Stores---Wine & Malt	9
Innholder All- Alcoholic	2
Farmer – Winery Pouring Permit	1
TOTAL=183* (184)	

*MWTP Restaurant Ventures, Inc, d/b/a Davy’s Locker – On January 9, 2013 Agenda for Re-Instatement/Approved for a 30 Day Temporary license by the ABCC on 01/11/13.

There are currently 6 inactive licenses out of the 183 issued:

1. 1846 Bar & Grille, Inc. – CVAA - Transfer Pending
2. Rocks & Rolls, LLC d/b/a Black Watch Pub – CVAA - Transfer Pending
3. Café Funchal, Inc. – CVAA - Transfer Pending
4. New Café, Inc. – CVAA - Transfer Pending
5. China Lantern Restaurant, Inc. – CV W & M - Transfer Pending
6. Whaler Wine & Spirits, Inc. – RPS AA – For Sale
(License held by St. Anne’s Credit Union)

Note: There were 3 inactive licenses on 01/01/12.

- **NEXT TWO (2) MEETING DATES: February 25th (Monday) & March 27th (Wednesday) - Approved**
- **MEETING ADJOURNED: 7:45 p.m.**