



Licensing Board

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

LICENSING BOARD MEETING

-MINUTES-

Wednesday, June 26, 2013

Room 314 - 7:00 p.m.

PRESENT: Steven A. Beauregard, Chairman
Marcelino “Sonny” G. Almeida, Commissioner
Edmund F. Craig, Jr., Commissioner
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 - Unanimous

MOTION TO ACCEPT THE MEETING MINUTES OF MARCH 27, 2013 - Unanimous

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

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

Change of Manager & Altering of Premises - Trans. # 071 – Plot # 53-231-B

Matterhorn RE, LLC d/b/a ‘Cork’, Jason P. Lanagan, Manager of LLC, who is requesting permission to **Change the Description of the Common Victualler (Restaurant) All Alcoholic Beverages license** to include an outdoor patio area approximately 1,027 sq. ft. (35’-3”x 29’-1”) to be used as a ‘Sidewalk Café’, which will be enclosed with 28” high planters that will be used to rope off the described area, and will be used for **seated dining purposes only**. The enclosed area, which will include Ten (10) tables for the seating of Forty (40) patrons, as well as a Hostess Station, will be located on the east side of the building, which is contiguous to the licensed premises. The proposed outdoor area **will only be accessible** by way of an entrance/exit on the north side of the enclosed area in the front of the building, and will be accessible by ‘Hostess Seating’ only; the area will also be monitored by the hostess and waitstaff at all times. The proposed hours of operation are **daily from 11:00 a.m. until 10:00 p.m., at which time all outdoor activity must cease, and shall be in effect from May 1ST through October 30th**, in accordance, and as specified in the City of New Bedford Sidewalk Café Permit Ordinance. (Ord. Ch. 15, Article VI, sec. 15-100 (B) (Item #'s 8 & 15). The licensee is also requesting a **Change of Manager from Jason P. Lanagan to Nicole Corbett**. The licensed premises will remain as **90 Front Street**.

License was approved with the following stipulation: You must not exceed your current occupancy capacity which has been set by Inspectional Services at 88 persons for the entire licensed premises (basement, 1st floor and 2nd floor area, the 2nd floor patio area and now the new outdoor patio area). This restriction shall remain in place until such a time the required sprinkler system is installed and approved.

Approved By ABCC – 06/19/13

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

Transfer & Change of Location - Trans. # 101 – Plot # 52--284

New Wave Café, Inc., Debora A. Casey, Chapter 7 Trustee, license currently issued for use at **143-145 North Front Street**, who is petitioning for a **Transfer (Bankruptcy Estate Sale) and Change of Location of a Common Victualler (Restaurant) All Alcoholic Beverages License to Columbus Group, LLC d/b/a Columbus Restaurant. Xiaohui Yang (alias Shiawee Yang) is the Sole Member, Sole Manager, and Sole Interest Holder (100%) of the LLC; Xiaohui Yang (alias Shiawee Yang) is also the Proposed New Manager of the Liquor License.** The proposed new licensed premises consists of 5,240 sq. ft. area that is fully sprinklered and which is located on the first floor of a five-story building, and includes a Dining Area, Bar Area, Private Party Area, Kitchen & Storage Area, Office Area, and Two (2) Handicapped Restrooms.

There is one entrance/exit in the front of the building onto Pleasant Street and two additional exits/entrances on the Market Street side of the building, as well as an entrance/exit in the rear of the building into the rear parking lot on South Sixth Street via the common area in the main lobby of the building; and a handicap accessible entrance/exit on the Market Street side of the building. There will be additional storage space in the basement area for alcohol. The premises is situated on the west side of Pleasant Street, between Union and Market Streets, and **numbered 555 Pleasant 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 – 06/21/13

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

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 member’s 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

VOTED: To accept the disapproval from the ABCC, and to re-submit application to the ABCC “for reconsideration”, only upon receipt of the missing documents. – **Unanimous**

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.*

Present: *Twinkle Patel, President/Majority Owner and Shilpa T. Patel, Proposed New Manager; Donald Velozo, Seller; Linda Morad, Former Councilor, Ward 1*

Responding to questions from Chairman Beauregard, Mr. Patel stated that he owns three other package stores in the state, and that he has over 5 years experience in the industry with no violations; and that his wife (Shilpa) would be the manager of this store, and that she would be on site about 40-50 hours a week, and that all his employees would be T.I.P.S. Certified as they are at all his other stores. Former Ward 1 City Councilor, Linda Morad, spoke in favor of the petition.

Voted: Commissioner Almeida made a motion to approve the petition as presented and to forward the application to the Alcoholic Beverages Control Commission for their approval. – **Unanimous**

2. 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)*

Present: Jeffrey Costa, Applicant

Responding to questions from Chairman Beauregard, Mr. Costa stated that CV Variety would be providing and serving the alcohol for the event, which will be held under a tent in Marine Park; he also stated that there would be one entry point where I.D.’s will be checked and wristbands will be issued. He also stated that would be two Detail Officers present.

Voted: Commissioner Almeida made a motion to approve the application as presented. – **Unanimous**

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)*

Mr. Nanopoulos informed the Board that he spoke with Mr. Dias with regard to his application, and informed him that he would have to submit a Special Event application for the event he was planning to hold in Monte Park, and that he would have to get liquor liability and a Police Detail. I also informed him that he would have to purchase the alcohol from a distributor or an authorized package store that would be providing and serving the alcohol, and who also has a Transportation license and Liquor Liability; as well as submitting a security plan to the Board prior to the meeting.

Mr. Nanopoulos added that after not hearing from Mr. Dias, he stopped in to speak to him on Monday (06/24/13) to see if he was going to appear at the meeting, and Mr. Dias informed him that they weren’t going to move forward with the application because ‘it wouldn’t be worthwhile’

Voted: Commissioner Almeida made a motion to withdrawal of the application, with no further action. – **Unanimous**

Voted: Commissioner Almeida made a motion to take item #'s 4 – 10 at one time since they’re all related but for different dates. – **Unanimous**

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)*

Present: Jeffrey D. Stieb, Executive Director; Officer Henry Turgeon, Police Union Representative.

Responding to questions from Chairman Beauregard, Mr. Stieb stated that the City of New Bedford and the New Bedford Harbor Development Commission are planning activities on the New Bedford State Pier to take advantage of the new pedestrian access provided by the rebuilding of JFK Boulevard, and to reconnect citizens to the waterfront; and that one of the first things planned are a series of Friday Nights on the Pier Summer Concerts. Mr. Stieb stated that on each of the Friday nights noted on the applications, there would be some sort of musical entertainment, and that they would like to offer beer and wine to those attending, which would be provided by Freitas Package Store, who would be providing and serving the alcohol, and who also has a Transportation license and is providing the Liquor Liability. Mr. Stieb then reviewed the ‘Security Plan’ that was submitted to the Board, which stated that Freitas Package Store employees would be doing the I.D. Checks and issuing the wristbands at the point of sale; and that the number of Police Officers would be determined by the Massachusetts Environmental Police, which is required as part of the DCR Permit application process; he also stated that he was aware that they may also be required to hire Detail Officers from the New Bedford Police Department, which he would do, if it was required; he also stated that they were still awaiting final approval of the DCR Permit from the State.

Chairman Beauregard then recognized Officer Henry Turgeon, who was attending as the Police Union Representative, who informed the Board, that contractually, any outdoor event on city controlled property that is serving alcohol is required to hire N.B. Police Detail Officers; and that he would be willing to sit down with Mr. Stieb and discuss this matter.

Mr. Stieb stated they would comply with whatever is required.

When asked by Commissioner Almeida, so what you’re asking us to do is to approve your application without knowing if the State is going to approve it, Mr. Stieb responded, I fully anticipate that we will receive the State’s approval in the next few days.

Voted: Commissioner Almeida made a motion to approve the applications as presented, pending final approval from the State. – **Unanimous**

VOTED: Commissioner Almeida made a motion to take up **Item #’s 11 - 17** at one time; waive reading; and approve the applications as presented – **Unanimous**

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.

Present: Atty. Farrissey was excused from appearing.

Mr. Nanopoulos informed the Board that he spoke with Mr. Camara at St. Anne's Credit Union on Monday regarding this matter, and he indicated that because of the outstanding liquor debt owed on the license, they are having a difficult time moving the license; since the distributors are unwilling to negotiate a payoff on the debt owed by the previous owner.

Mr. Nanopoulos also stated that Mr. Camara asked him to contact the ABCC for a clarification on the outstanding debt on the license, which he was working on getting from the ABCC; and based on the information that is received, they may not wish to hold the license any longer, and may surrender the license back to the city; and if that were to occur, a 'lottery' would be held by this office to award the license to a new licensee.

Based on the information provided, Mr. Nanopoulos recommended that the matter be tabled to the Board's November meeting, to give Mr. Camara sufficient time to either move the license or surrender it back to the city.

VOTED: Commissioner Almeida made a motion to follow Mr. Nanopoulos's recommendation to table the matter to the Board's November meeting. – Unanimous

19. Hearing: Giraldo's Restaurant, Inc. d/b/a - Approved by ABCC – 02/07/13

Adriana's Mexican Restaurant

Fernando Giraldo, President/Co-Owner

1262 Acushnet Avenue

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.

Present: Fernando Giraldo, President/Co-Owner along with Martha Gonzalez, Manager

Mr. Giraldo stated that there was a couple of things out of their control that they've had to wait to happen to complete the renovations of the proposed new restaurant. Mr. Giraldo stated that they were waiting for the gas company to install the pipes that are needed for the restaurant, which was delayed by the Day of Portugal feast that was held on Acushnet Avenue. He went on to state that they promised that it should be done in the second week of July, and that it was his plan to open in August as long as the pipes are installed as promised.

Based on the information provided, Chairman Beaugard suggested that the matter be tabled to the Board's September meeting; and informed Mr. Giraldo that if he's open as planned in August, he would not have to appear, and advised him to inform Mr. Nanopoulos of any other further delays.

VOTED: Commissioner Almeida made a motion to follow Chairman Beaugard's recommendation, to table the matter to the Board's September meeting. – Unanimous

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.

Rec'd 06/25/13: A letter was submitted by China Lantern, Inc. and 116 China Lantern Restaurant, Inc. respectfully requesting that the ABCC and the City of New Bedford Licensing Board allow the withdrawal of the petition to transfer a Common Victualler (Restaurant) Wine and Malt Only Beverage License to 116 China Lantern, Inc.

Present: Kenneth Leung, Treasurer

Mr. Leung stated that the deal that was in place to transfer the license fell through, and that he submitted a letter to the ABCC, signed by both himself and the buyer requesting that the pending application be withdrawn, and requested that the

Board also approve the withdrawal of the pending application. He also stated that he was working with the owner of the building to find a new owner, at which time a new application would be submitted to transfer the license.

Mr. Nanopoulos informed Mr. Leung that more than likely any transfer request submitted this late in the year probably would not be returned prior to the start of the renewal season, so he would be responsible to sign the renewal in November, and pay the renewal fee in December in order to keep the license active.

Based on the information provided, Chairman Beauregard suggested that the matter be tabled to the Board's September meeting; and informed Mr. Leung that if a new transfer application is submitted prior or for that meeting, he would not have to appear.

VOTED: Commissioner Almeida made a motion to follow Chairman Beauregard's recommendation, to table the matter to the Board's September meeting. – **Unanimous**

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, whose 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.

Present: *Renne DePina, Applicant along with Barry DeMello, Landlord*

Responding to questions from Chairman Beauregard, Ms. DePina stated that she worked for the current licensee for the past 4 years, and that she would be taking over the business since he was not renewing his lease, which is set to expire on July 31st. Ms. DePina stated that her hours of operation would be from 8:30 a.m. until 6:30 p.m. on Monday through Friday, 8:30 a.m. until 2:00 p.m. on Saturdays, and that she would be closed on Sunday.

VOTED: Commissioner Almeida made a motion to approve the application as presented, pending receipts of all necessary documents; and to approve the license for the display of Twenty (20) cars, as previously approved – **Unanimous**

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**.

Present: *David Ducharme, Applicant along with Kevin Ducharme, General Manager*

Mr. (David) Ducharme stated that he would be the owner of the business but Kevin would be running the day to day operation as his General Manager. Mr. (Kevin) Ducharme stated that he 18 years experience in used cars sales, and that they would be selling only quality pre-owned cars. Mr. Ducharme stated that his hours of operation would be from 9:00 a.m. until 6:30 p.m. on Mon. – Fri., 9:00 a.m. until 6:00 p.m. on Saturday, and 11:00 a.m. until 4:00 p.m. on Sunday.

VOTED: Commissioner Almeida made a motion to approve the application as presented, pending receipts of all necessary documents; and to approve the license for the display of Twenty (20) cars, as previously approved – **Unanimous**

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**

Sacramento (August 1st thru August 4th), 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 Sacramento 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 Beaugard 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**

Present: Jeff Coutinho, 2013 Feast President along with Committee Members, Larry Jacques & David Lucio; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd., and Lt. Scott Sylvia, Detail Officer for Special Events

Mr. Jacques stated that there were no new changes planned for this year's feast except that they built new ladies rooms down near the ‘pit area’. He also stated that they were considering adding surveillance cameras on the grounds but that has not been finalized.

When asked by Chairman Beauregard if they planned any added security measures in wake of the Boston Marathon bombings, Mr. Jacques stated that he's already had preliminary talks with Lt. Sylvia, and they discussed conducting sweeps before opening the grounds as well as have canine units on site during feast hours; he also stated that they will have signs posted stating that backpacks and the like, would not be allowed on the feast grounds; and that he anticipated that their security would be beefed up.

Capt. Vicente informed the Board that Chief Provencher asked if the Board would consider not allowing beer sales onto Hathaway Street to cut down on the consumption of alcohol in that area, as well ease some of the activity in that area, since that is an area where most of the younger people congregate.

Chairman Beauregard responded, that is something we looked at in the past, and we determined that it would cause the

interior feast grounds to become more congested than it already is, since it would cause those people wishing to purchase alcohol to go into that area from Hathaway Street; but added they would take a look at the situation on Hathaway Street this year, and see if it's something that needs to be revisited.

Chairman Beauregard once again commended those present for their continued commitment to keeping the Feast a safe event for all, and for working with the Police Department and the Licensing Board to get to the point we're at today over the last eleven years; and for listening and adopting those suggestions put forth by all who have participated in the process during that time.

Note: As has been the policy since 2002, the Board will continue to monitor the activities of the 'Feast Weekend' to determine if those policies that have been implemented are adhered to during this year's feast, and to also determine if a meeting to review this year's event will be held, which will be called if circumstances from this year's event warrants such a meeting, to review the results of the steps that were taken this year; also, to entertain any recommendations that may improve on what has been implemented thus far; and also to decide if necessary, if there should be stronger measures taken to ensure safety and compliance of all Rules & Regulations regarding the sale and consumption of alcohol during the Feast of the Blessed Sacrament.

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. 1st thru Aug. 4th)**, the meeting will include Chief Provencher, Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Sylvia, Liaison to the Feast Committee.

Present: Richard and Carl Fernandes, representing the Club; Capt. Steven Vicente, 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.

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

Present: Julie Ann Alves, Manager; Capt. Steven Vicente, 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.

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

Present: Jeffrey W. Baker, Manager along with Jose ‘Zack’ DaSilva, President; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd., and Lt. Scott Sylvia, 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.

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. 1st thru 4th)**, the meeting will include Chief Provencher, Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Scott Sylvia, Liaison to the Feast Committee.

Present: Antonio Braga, President along with Sandra Pereira Assistant Manager; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd., and Lt. Scott Sylvia, Detail Officer for Special Events

Mr. Braga 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. on Thursday, 11:30 p.m. on Friday and Saturday, and 8:00 p.m. on Sunday, as they’ve done in the past.

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

Present: Viriato Teves, Manager; Det Capt. Steven Vicente, 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 11:00 p.m., as they’ve done in the past.

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.

Present: Mr. Moukhaiber was excused from appearing.

Mr. Nanopoulos informed the Board that Mr. Moukhaiber surrendered his license on 06/12/13, that no further action was required at this time.

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.

PRESENT: Steven Camara, Owner/Manager along with Glen Gray, Assistant Manager and Irene Carr, Property Owner

Commissioner Craig informed Mr. Camara that he requested that he be called in for this meeting to discuss his concerns regarding the incident that occurred on May 4th at his establishment, and to discuss the actions of his staff that evening. Commissioner Craig voiced his concern that no one from the management team of Temptations called police when the incident occurred, which resulted in two patrons being assaulted on the premises, and then again after leaving the premises after being followed by the assailants who left the club in pursuit.

Commissioner Craig reminded Mr. Camara that it was his responsibility and that of his staff to ensure the safety of his patrons, and if something like this was to occur again, he should separate the parties involved and call the police for assistance.

Commissioner Craig also suggested that Mr. Camara and his staff be mindful of who’s entering his premises, especially those that are wearing colors or any other item that may suggest some gang affiliation; and not allow that kind of attire in his establishment.

Commissioner Craig also warned Mr. Camara, although this is not a hearing be forewarned that any further reports of this nature will not be tolerated, and that the Board expects that you call the police whenever you feel any of your patrons are threatened or at risk.

ACTION TAKEN: A verbal warning was issued, and the licensee was informed that the report will be placed on file with no further action at this time.

- **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

ACTION TAKEN: Received & Placed on File.

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)**

ACTION TAKEN: Received & Placed on File.

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.

ACTION TAKEN: Received & Placed on File.

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.

ACTION TAKEN: Received & Placed on File.

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)

ACTION TAKEN: Received & Placed on File.

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

ACTION TAKEN: Received & Placed on File.

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

ACTION TAKEN: Received & Placed on File.

- **COMPLAINTS RECEIVED:**

Rec'd 06/12/13 – The Celtic Coffee House, 42 North Water Street – A (3rd) 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 complaint 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.

Decision: Bring In For Hearing on 07/22/13

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

| <u>NAME</u> | <u>POLICE REPORT#</u> | <u>DATE</u> | <u>VIOLATION</u> |
|----------------------------|-----------------------|-------------|---|
| 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) |

Decision: Receive & Place on File

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 22nd & August 26th - **Approved**
- **MEETING ADJOURNED:** 8:05 p.m.