



Licensing Board

April 21, 2015 – 7:00 PM – **Minutes**
City Hall, 133 William Street, Room 120

LICENSING BOARD MEETING

-MINUTES-

Tuesday, April 21, 2015

Room 120 (Ashley Room) – 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.
Nick Nanopoulos, Director

MOTION TO ACCEPT THE MEETING MINUTES OF October 20, 2014 - Unanimous

MOTION TO ACCEPT THE MEETING MINUTES OF November 17, 2014 - Unanimous

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

APPROVALS RECEIVED FROM THE ALCOHOLIC BEVERAGES CONTROL COMMISSION

New Retail Package Store Wine & Malt Only License - - Trans. # 228 – Plot # 52--289

CUVE Wine, LLC d/b/a Crush New Bedford, which is petitioning for a **New Retail Package Store Wine and Malt Only Beverages License**. Todor Paunov is the Manager of the LLC and Co-Interest Holder (75%), and Kristian Vasilev is a Member of the LLC and Co-Interest Holder (25%); and **Jessica Garrity** is the **Proposed Manager of the Liquor License**. The (previously approved) premises will consist of an area, approximately 1,062 sq. ft., which will be used only for the sale of fine wines and malts only, that will include wine display cabinets and shelving, wine coolers, display tables, a wine accessories sale area, a sale and service desk area, and a limited seating area to be used as a product information center; there will also be an additional cooler room for storage in the rear of the premises, as well as additional storage in the basement. There is only one entrance/exit, which is located in the front of the building and leads onto Purchase Street; as well as a stairwell that leads to the storage area in the basement, which is located within the rear area of the store. The premise is situated on the first floor of a three-story building, which is located on the west side of Purchase Street between Union and William Street, and numbered **801 Purchase Street**.

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

Approved By ABCC – 04/03/15

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

Transfer & Pledge of License - Trans. # 133 – Plot # 101--77

Zamora and Family, Inc. d/b/a Churrascaria Aveirense at My Place, Alfredo F. Zamora, who is petitioning to transfer a **Common Victualler (Restaurant) Wine & Malt Beverages (7 Day) License** to **CF Nash Restaurant Group, Inc. d/b/a Churrascaria Aveirense at My Place**, who is also requesting approval of a **Pledge of the Common Victualler Wine & Malt Only Beverages License, Stock, and Inventory** to **Zamora & Family, Inc.** with an address of 39 Norwell Street, N.B., MA. as security to authorize and execute a promissory note in the amount of **Ninety Thousand Dollars (\$90,000.00)**, pursuant to **Massachusetts General Laws Ch.138 s.23**. Upon approval, Genevieve Correia will be the President, Treasurer, Clerk, CO- Director, and Co-Shareholder (50%), and Manuel L. Freitas will be the Vice-President, Co- Director, and Co-Shareholder (50%). **Genevieve Correia** is also the **Proposed Manager**; The previously approved premises consist of one (1) dining room, full kitchen, stockroom, and two (2) restrooms in an area approximately 1,628 sq. ft. of a one-story building. There are two entrances/exits in the front of the building onto Nash Road and two (2) emergency exits in the back of the building. Premises are situated on the north side of Nash Road between Brook Street and Ashley Boulevard, and will remain numbered **291-293 Nash Road**.

Final approval will require a ‘**Change of Tenant**’ from the Building Department, a new ‘**Food Permit**’ from the Health Department, and a copy of ‘**Proof of Liquor Liability**’.

Approved By ABCC – 04/03/15

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

Change of Manager - Trans. # 070 – Plot # 53-231-A&B

Matterhorn RE, LLC d/b/a Cork Wine & Tapas Bar, 90 Front Street, is requesting the approval of **Erin Pickup**, who resides at **25 Rochambeau Street, New Bedford, MA. as their new manager.**

Approved By ABCC – 04/03/15

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

1. PETITION - Trans. # 094 – Plot # 106--85

St. Michael Social Club, Inc., Joao Medeiros, New President, who is petitioning for a **Change of Officers, Directors, and Manager of the Club All Alcoholic Beverages license**. The petitioner is requesting that the resignations of the current slate of Officers and Directors currently on file with the Alcoholic Beverages Control Commission be accepted, and be updated as follows, per the Commission’s directive of 09/30/14 regarding “Club” licenses. Upon approval, Joao Medeiros will be the President, Adriano Valadao will be the Vice-President, Rodolfo Botelho will be the Treasurer, and Luis Pacheco will be the Secretary; and Jose Soares, Paul Amaral, and Paulo J. Pacheco will all be Co-Directors. **Joao A. Raposo** is the **Proposed New Manager**. Premises will remain the same at **101 Madeira Avenue**.

(No Advertisement nor Abutters Notification Required)

Present: Albert Cardoso, Current Manager; the proposed new manager did not appear as requested.

When asked by Mr. Nanopoulos as to why the proposed new manager was not present, Mr. Cardoso, the current manager, stated that Mr. Raposo had a problem and that he was stuck in Lakeville.

Mr. Nanopoulos also informed the Board that they still had not submitted a Certificate of Good Standing from the DOR, as of yet.

VOTED: Commissioner Almeida made a motion to table the matter to the Board’s May 18th meeting, at which time the proposed new manager, is required to appear; and that he also needs to submit a copy of their Certificate of Good Standing from the DOR, for the Board to consider the pending application. – **Unanimous**

2. PETITION - Trans. #141 – Plot # 25-A-25

Young Cape Verdean Athletic Association, Inc., 418 South Front Street, is requesting the approval of **Barry DeMelo**, who resides at **70 Sharp Street, Dartmouth, MA. as their new manager.**

Note: Mr. DeMelo is the current owner of the building who leases the building to the ‘club’.

Disapproved By ABCC – 12/02/14 – The ‘corporate vote’ authorizing said application and appointment was issued (signed) by a corporate officer that has not been approved by this commission (ABCC); The licensee is required to submit an application to change (update) their corporate officers along with the change of manager.

Present: Liberio R. DeMelo, Proposed New Manager along with Renee DePina, Treasurer

Mr. Nanopoulos informed the Board that a new application had been submitted to include a change of officers and directors, as required by the ABCC, in order to process the change of manager request; and recommended that a motion to withdraw the pending application be made in order to consider the new application as presented in Item #3.

VOTED: Commissioner Almeida made a motion to withdraw the pending application. – **Unanimous**

3. PETITION - Trans. # 141 – Plot # 25-A-25

Young Cape Verdean Athletic Association, Inc., Donald S. Soares, New President, who is petitioning for a **Change of Officers, Directors, and Manager of the Club All Alcoholic Beverages license** The petitioner is requesting that the resignations of the current slate of Officers and Directors currently on file with the Alcoholic Beverages Control Commission be accepted, and be updated as follows, per the Commission’s directive of 09/30/14 regarding “Club” licenses. Upon approval, Donald Soares will be the President and Vice President, Renee DePina will be the Treasurer, and Andrea Barrett will be the Clerk; and Bonaventura J. Barboza, III, Paul L. Massey, Jr., and Lasheene R. Shawders will all be Co-Directors. **Liberio R. DeMello** is the **Proposed New Manager**. Premises will remain the same at **418 South Front Street**.

(No Advertisement nor Abutters Notification Required)

Present: Liberio R. DeMelo, Proposed New Manager along with Donald Soares, President, and Renee DePina, Treasurer

Mr. Nanopoulos informed the Board that they had already vetted Mr. Soares as part of the application that was withdrawn earlier, and that vetting process remains part of the record.

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; along with the stipulation that Mr. DeMelo submit a copy of his T.I.P.S. Certification to the Licensing Board office within thirty (30) days of receiving final approval or prior; and that all his servers be ‘certified’ as well, with copies of their certifications to be kept on file for review, if needed. – **Unanimous**

4. PETITION - Trans. # 007 – Plot # 103--292

Simba, Inc. d/b/a XS Lounge/Nightclub, Kristina Morrow, President, 226 Union Street, who is requesting a Change of Location of the General on Premise All Alcoholic Beverages License; the licensee is also requesting a Change of d/b/a to the “Whiskey Lounge”.

The EXISTING new location consists of an area approximately 1,650 sq. ft. on the first floor of a four-story building , which includes one room with a bar area, a kitchen, and two restrooms; with an additional storage area in the basement. There is one entrance/exit in the front of the building onto Acushnet Avenue and one in the back of the building onto Tinkham Street. The premise is situated on the northwest corner of Acushnet Avenue and Tinkham Street, and will be numbered **1669 Acushnet Avenue.**

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

Application has been advertised; Abutters have been notified

Present: Kristina Morrow and Larry Bucha, Co-Owners; Arthur DeMello, Parker Investments, LLC; Jonathan Logoa, and Kristine Lombardo, both spoke in opposition to petition.

Responding to questions from Chairman Beaugard, Mr. Bucha stated, we’re going to run a small neighborhood bar ... open 7 days a week ... from 11 a.m. until 2 a.m. ... with a small appetizer menu.

When asked by Chairman Beaugard as to what the kitchen hours would be, Mr. Bucha stated the kitchen would be open from 11 a.m. until 11 p.m. ... Sunday thru Monday.

When asked by Chairman Beaugard if they planned on having entertainment, Mr. Bucha responded maybe a trivia night ... and Karaoke.

When asked by Chairman Beaugard, so you’re not going to have any live bands or anything like that, Mr. Bucha responded no, it’s a small little place.

Chairman Beaugard instructed Mr. Bucha that if he decided not to have or to stop the food, he needed to notify the Board that he was no longer keeping the kitchen open, to which he responded, yes sir!

With no further questions from the Board, Chairman Beaugard then asked if there was anyone present who wished to speak or be recorded in favor of the petition, upon hearing and seeing none; Chairman Beaugard then asked if there was anyone present who wanted to speak or be recorded in opposition of the petition.

There were several neighbors present who indicated that they wanted to speak in opposition or voice their concerns to the Board.

All those present who indicated that they wished to be heard, were given an opportunity to address the Board, during which they indicated several concerns, which in turn, were discussed with input from Mr. Bucha and Ms. Morrow, and the Board.

Among the concerns raised, were those regarding the type of clientele Mr. Bucha tended to attract at his last location, as well as their behavior both inside and outside of the premises, as well as concerns of what will become of the neighborhood as a result of putting a bar back into that location, and a fear that late night disturbances would increase in that area.

Upon hearing all the neighbors’ concerns, as well as hearing Mr. Bucha’s response to those concerns that it was not going to be a nightclub; as well as those from the Board, Chairman Beaugard closed that portion of the hearing and called for a motion.

Prior to making his motion, Commissioner Almeida informed the neighbors that he heard their concerns and that the Board would monitor the situation very closely.

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**

Tabled at 03/23/15 Meeting

5. Hearing: Simba, Inc. d/b/a XS Lounge/Nightclub
Ms Kristina Morrow, Manager/Co-Owner
226 Union Street

Current Status: Closed 09/25/14

Your presence and that of **Lawrence Bucha, Co-Owner** is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2015.

If warranted, the Board may cancel the license of any license holder who “ceases to conduct the licensed business” that is, *any license holder who closes the business or stops doing business*. Licensees should be conducting the licensed business on all days authorized by the license. Any licensee that does not comply with its obligation to conduct the licensed business and holds a so-called “pocket License” is subject to possible action by the Board.

Notice is given in accordance with Massachusetts General Laws Chapter 138, section 77, which states that the licensing authorities may, after hearing or reasonable opportunity therefore, cancel any license issued under this chapter if the licensee ceases to conduct the licensed business.

Minutes of 10-24-14 Meeting

Present: Kristina Morrow and Larry Bucha, Co-Owners

The Board voted unanimously to table the matter until the Licensing Board’s February 23, 2015 Meeting with the following stipulation:

To notify and put the current Licensee, who is the holder of an inactive license on notice that she has **until February 1, 2015 to initiate one (1) of the following three (3) options prior to this date:**

- 1.) To be open and operating at the current location;
- 2.) Submit paperwork for a Change of Location and a date certain for the opening of premises;
- 3.) Submit paperwork for the Sale and Transfer of the license to a new owner.

If the licensee fails to initiate one of the three options stated above prior to this date, the licensee will be required to appear before this Board once again, at which time the Board may consider revoking the license currently issued for 226 Union Street for non-use.

Please Be Advised that failure to appear before this Board as requested will result in “Automatic Revocation” of your ‘General on Premise’ All Alcoholic Beverages License.

Request To Be Heard (02/09/15) – Representatives from Parker Investments, LLC

Minutes of 02/23/15 Meeting

Present: Kristina Morrow and Larry Bucha, Co-Owners; Arthur DeMello, Parker Investments, LLC

Responding to questions from Chairman Beauregard, Mr. Bucha stated that they’ve been trying to find a new location but they recently made a decision to put it on the market, and that they’ve put the license in the hands of Castelo Real Estate to help find a buyer.

When asked by Chairman Beauregard if Mr. Castelo understood the importance of the sale of this license, Mr. Bucha stated that he did.

Chairman Beauregard informed Mr. Bucha of the importance of moving the license due to the fact that there was another party now interested in moving into the space located at 226 Union Street, and that they would not be able to put another license in there, until such a time that the current license issued for the location is transferred out of there.

Mr. Bucha stated that they were offering the license for sale at a price they felt was market value (\$42-55, 000.00).

Chairman Beauregard offered his opinion that the higher amount was a little high, and informed Mr. Bucha that if it doesn’t sell, the Board has the right to revoke the license in order for these people (Parker Investments, LLC) to get in there and do their work.

Chairman Beauregard once again informed Mr. Bucha of the importance of conveying to Mr. Castelo the importance of pricing that license, so that it becomes very quickly marketable in the city.

Mr. Bucha responded, ‘correct’.

Chairman Beauregard informed Mr. Bucha that he was not telling him what the worth of the license is but only that he now needs to do his due diligence because he now has these guys looking to get into the property that they own; and that it’s costing them a lot of money by not being able to get in there and operate that building.

When asked by Chairman Beauregard as to what the time frame was that they were looking at to get in and get going with their project, Mr. DeMello stated that they were currently in negotiations with the owner of the Back Eddy’s, and that they were looking to get in there immediately; but we can’t enter into a contract or lease until we know where we stand, and that they were looking to put the new restaurant in 226 Union Street, since they’ve already purchased the assets at that location.

Mr. DeMello continued his comments by stating that there may be a couple of other ways to approach this, and that he had already spoken to Ms. Morrow and Mr. Bucha about it.

He went on to state that one way would be to do a change of location on both licenses, if it was acceptable to them; they would go into 218 Union Street, and we would go into 226 Union Street; and added, we don’t care how long they’re at 218 Union Street, we just need to have 226 Union Street available.

When asked by Chairman Beauregard, aren’t you going to make 218 and 226 Union Street into one big restaurant, with the existing equipment in 226 Union Street, Mr. DeMello responded, we are, but we can do it in phases.

Mr. DeMello also suggested that the law as it currently stands, which does not allow for a license to be moved into a location that currently has a license, needs to be changed to allow for some type of relief when this type of situation arises; and asked the Board to speak to members of the state delegation about changing the law based on the fact that it's holding up economic development.

Chairman Beaugard suggested that the matter be tabled until the next meeting to give all parties an opportunity to find a solution to this situation, and consider the suggestions put forth by Mr. DeMello.

Chairman Beaugard once again instructed Mr. Bucha to convey his earlier message to Mr. Castelo with regard to the importance of aggressively trying to move the license.

Voted: Commissioner Almeida made a motion to follow Chairman Beaugard's suggestion, to **table the matter to the Board's March meeting.** – **Unanimous**

Minutes of 03/23/15 Meeting

Present: *Kristina Morrow and Larry Bucha, Co-Owners; Arthur DeMello, Parker Investments, LLC*

Mr. Bucha informed the Board that he found a location in the north end of the city at 1669 Acushnet Avenue, which was formerly licensed to Ecco Lounge; which recently moved to Dartmouth Street.

When asked by Mr. Bucha as to how much time he would have to submit his application, Chairman Beaugard instructed Mr. Bucha that he needed to have his application submitted in time to be considered at the Board's April meeting.

Mr. Nanopoulos informed Mr. Bucha that he would have to submit the application by April 3rd in order for it to be advertised in time for the April 21st meeting.

Voted: Commissioner Almeida made a motion to follow Chairman Beaugard's suggestion, to table the matter to the Board's April meeting. – **Unanimous**

Present: *Kristina Morrow and Larry Bucha, Co-Owners; Arthur DeMello, Parker Investments, LLC*

Mr. Nanopoulos recommended that the matter be removed from the table based on the approval of the application submitted earlier with no further action to be taken.

VOTED: Commissioner Almeida made a motion to remove item # 5 from the table with no further action to be taken. – **Unanimous**

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

The Edge Hospitality, LLC d/b/a The Edge-Tiki Bar, Margaret Kulpinski, Manager of LLC, 1480-S East Rodney French Boulevard, who is requesting a **Change of Location of the 'Seasonal' Common Victualler All Alcoholic Beverages licensed premises to 1494 E. Rodney French Boulevard.** The New Description of the licensed premise shall consist of an area 2,500 sq. ft., which will be enclosed by a 4 ft. high, roped in wood post fence, with one break in the barrier to allow ingress and egress. The enclosed area will contain a wood 'Tiki' bar structure approximately 150 to 200 sq. ft. (approx. 19' x 8'), which will contain refrigeration, sinks, a locked storage area to maintain alcohol, and have seating for eleven (11) patrons; and sixteen (16) tables for dining (seating for 64). The enclosed area, which will be approximately 150 ft. from the existing building, will be located on the adjacent pier, and will be numbered **1494 East Rodney French Boulevard.** The license was previously approved with the following conditions: 1.) Recorded music would only be allowed at a level that will not be a disruption to the neighbors; 2.) No Live Entertainment; 3.) Drinks may only be consumed within the licensed area, drinks may not be brought out of or into The Edge Seafood & Bar; 4.) A Manager will be on site at all times to monitor the flow & control of alcohol. Capacity limited to 75 patrons with an 11:30 p.m. closing daily.

Final approval will require a **'Certificate of Inspection'** from the Building Department, a **'Food Permit'** from the Health Department, and a copy of **'Proof of Liquor Liability'**.

Application has been advertised; Abutters have been notified; Neighbors have been notified

Present: *Atty. Emile Morad, Jr. along with Karen Bergeron, Manager; Leonard Roche, Nancy Fountaine, and Michael Graffeo, Neighbors who appeared neither in favor nor against the application, but had questions for the applicant.*

Responding to questions from Chairman Beaugard, Atty. Morad stated that due to DEP restrictions that were placed on the pier, last year was the last year that the Tiki' Bar could be located at the end of the parking lot ... so what we're looking do ... is to take the same exact set up and move it over to the adjoining property ... which is the former Smuggler's Den location ... and we're also looking for relief from having the whole thing surrounded by jersey barriers ... only because the area at 1494 E. Rodney French Boulevard is fenced and locked at all times ... so we're just asking that the jersey barriers only be used towards the parking lot for the 'Edge'.

Atty. Morad then reviewed the layout at 1494 E. Rodney French Boulevard with the Board, which would be enclosed with wood posts and rope; and that the tables and chairs would be set up in the same exact way as it was in the 'edge' parking lot.

When asked by Chairman Beaugard, Atty. Morad stated everything else would be the same ... whatever stipulations

were attached to the license will remain ... we're only asking for a change of location to the other property, which is further behind the building ... so it gets it off the end of the pier.

With no further questions from the Board, Chairman Beauregard then asked if there was anyone present who wished to speak or be recorded in favor of the petition, to which Mr. Roche was recognized.

Mr. Roche stated that he just wanted to ask if the same conditions that were in place before would remain, to which Chairman Beauregard assured him that they would be.

Atty. Morad also offered that the elimination of the Tiki Hut in the parking lot would allow for more parking on site and hopefully result in less parking up in the neighborhood.

Chairman Beauregard then asked if there was anyone present who wanted to speak or be recorded in opposition of the petition, to which Mr. Graffeo was then recognized.

Mr. Graffeo asked for some clarification regarding the amount of people that would be allowed in the Tiki Hut area, to which Chairman Beauregard responded, the capacity and all stipulations will remain the same, they're only requesting a change of location, as stated earlier by Atty. Morad.

Mr. Graffeo then asked if there would be any additional parking, to which Atty. Morad re-iterated that there would be additional parking in the 'Edge' parking lot due to the Tiki Hut being moved ... and that they now have all their employees ... to elevate the neighbors' concerns ... park in front of the vacant building ... and they will continue to do so.

Mr. Graffeo also raised his concern regarding motorcycle noise in the neighborhood, to which Chairman Beauregard responded, there's not much we can do about that except to ownership to ask their patrons to be respectful to those that live in the neighborhood as they leave the area.

Atty. Morad stated that they would post some signs to that effect.

Ms. Fountaine was then recognized and questioned the exact location of the Tiki Hut, to which Atty. Morad responded, it's not on the wooden pier but rather directly behind the Smugglers Den building in the rear parking lot.

Upon hearing all the neighbors concerns, as well hearing Atty. Morad's responses to those concerns; as well as those from the Board, Chairman Beauregard closed that portion of the hearing, and called for a motion.

Voted: Commissioner Almeida made a motion to approve the petition as presented with the stipulations that were previously approved; and to forward the application to the Alcoholic Beverages Control Commission for their approval. –

Unanimous

This seasonal license will be issued with the following stipulations & restrictions:

1. License valid from May 15th through October 15th Yearly (Upon Renewal)
2. Hours of Operation – 11:00 a.m. until 11:30 p.m.
3. Occupancy is limited to Seventy-Five (75) patrons within this area, as determined by Inspectional Services (Building).
4. Recorded music will be allowed to a level that will not be disruptive to the neighbors.
5. No live entertainment will be allowed.
6. Besides the bartender(s) and wait staff, a manager will be on site at all times to monitor the flow and control of alcohol.
7. Drinks may only be consumed within the licensed area. Alcohol may not be brought out of or into this area from the restaurant (The Edge Seafood Restaurant and Bar).
8. Alcohol must be purchased separately.
9. All purchases of alcohol must be delivered to and stored in the licensed area.
10. Separate accounting must be maintained for each entity.

Tabled at 03/23/15 Meeting

7. PETITION - Trans. # 019 – Plot # 99-29

Tane Corporation d/b/a Octane Sports Bar, Fernanda Carvalho, President, (license formerly exercised on premises located at 1430 Acushnet Avenue), who is petitioning to **Transfer a Common Victualler (Restaurant) All Alcoholic Beverages License to Candleworks Ventures, LLC.** The proposed transferee is also requesting a **Change of Location to 72N North Water Street and a Change of License Type from a Common Victualler (Restaurant) All Alcoholic Beverage license to a Hotel (Innholder) All Alcoholic Beverages license.** Upon approval, **Andrew F. Rockett** will be the Sole Manager/Member and Interest Holder (100%) of the LLC, and the **Proposed Manager of the liquor license.** The 'current' proposed plans call for a Five – Story (141 room) hotel facility with a ground floor bar and restaurant, first floor conference center and meeting area, function/banquet room (s), restaurant and terrace, temporary and permanent lounge area (s), and kitchen (the "Hotel").

The hotel will be situated on the east side of North Water Street, between Elm and Rodman Streets, and will be numbered **72-N North Water Street.**

Final approval will require a '**Certificate of Inspection**' from the Building Department, a '**Food Permit**' from the Health

Department, and a copy of 'Proof of Liquor Liability'.

Application has been advertised; Abutters have been notified

Minutes of 03/25/15 Meeting

A written request was submitted by Atty. Peabody on behalf of Candleworks Ventures, to table matter to the Board's April 21st meeting, due to the fact that they were unable to complete the application in time.

VOTED:, The Board voted unanimously to receive the letter and place it on file; and approved the request to table the matter to the Board's next meeting on 04/21/15, on a motion by Commissioner Almeida.

Present: Atty. Tim Weiner, On Behalf of Candleworks Ventures, LLC

Mr. Nanopoulos informed the Board that the application needed to be re-advertised, due to fact that the applicant was once again not present and that it was last advertised on March 13th, as instructed by the Asst. City Solicitor.

Mr. Nanopoulos suggested that the hearing on the petition not be opened but if the Board had any general questions regarding the application process, they were free to discuss those.

Chairman Beauregard informed Atty. Weiner that the Board has never approved application for transfer without having the new manager being present, and that the application would have to be re-advertised before the Board considers the petition for transfer.

Mr. Nanopoulos informed Atty. Weiner that it would be re-advertised for May 18th.

Tabled at 03/23/15 Meeting

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

Ms. Fernanda Carvalho, Owner

1430 Acushnet Avenue

Closed 10/31/13 – License for Sale

Your presence (Seller) and that of Atty. Jay Peabody (Buyer) is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2015.

If warranted, the Board may cancel the license of any license holder who "ceases to conduct the licensed business" that is, *any license holder who closes the business or stops doing business*. Licensees should be conducting the licensed business on all days authorized by the license. Any licensee that does not comply with its obligation to conduct the licensed business and holds a so-called "pocket License" is subject to possible action by the Board.

Notice is given in accordance with Massachusetts General Laws Chapter 138, section 77, which states that the licensing authorities may, after hearing or reasonable opportunity therefore, cancel any license issued under this chapter if the licensee ceases to conduct the licensed business.

Please Be Advised that failure to appear before this Board as requested will result in "Automatic Revocation" of your 'Common Victualler (Restaurant)' All Alcoholic Beverages License.

Minutes of 12/22/14 Meeting

Present: Fernanda Carvalho and Claudio Cabral, Co-Owners; Atty. Jay Peabody, Representative, Candleworks Ventures, LLC

As a result of the open hearing held on December 22, 2014 to determine the status of your annual liquor license for the year 2015, this Board voted unanimously to once again table the matter until the Licensing Board's February 23, 2015 Meeting, in order to give Atty. Peabody the time he requested to prepare and submit a transfer application for said meeting.

Minutes of 03/23/15 Meeting

Present: Fernanda Carvalho and Claudio Cabral, Co-Owners

Chairman Beauregard informed Ms, Carvalho and Mr. Cabral that the application for transfer submitted by Candleworks Ventures, LLC could not move forward until such a time they submit a Certificate of Good Standing (DOR).

VOTED:, Commissioner Almeida made a motion to table the matter until the Board's next meeting on 04/21/15, in order to give the seller an opportunity to secure a Certificate of Good Standing from the DOR, which must be submitted to the seller to complete the application. - **Unanimous**

Present: No one was required to appear.

Mr. Nanopoulos informed the Board, that due to the fact that a complete application was on file for the transfer of the Octane license, it would be his recommendation to remove item # 8 from the table with no further action at this time.

VOTED: Commissioner Almeida made a motion to follow the recommendation to remove item # 8 from the table with no further action at this time. – **Unanimous**

VOTED: Commissioner Almeida made a motion to take up **Item #'s 9 - 24** at one time; waive reading; and approve the applications as presented – **Unanimous**

9. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Melanie Correia, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Lecture & Reception’ to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Wednesday , April 8, 2015, from 6:00 p.m. until 7:00 p.m.**

10. APPLICATION, (No Representation Required)

Zeiterion Theatre, Inc., Justin LaCroix, Manager, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a “VIP Membership Lounge Fundraiser”; to be held in the “**Penler Space**”, located at **686 Purchase Street**; and to be held on **Sunday, April 12, 2015, from 7:00 p.m. until 11:30 p.m.**

11. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Melanie Correia, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for an ‘Exhibit Opening Reception’ to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Thursday, April 16, 2015, from 6:00 p.m. until 8:00 p.m.**

12. APPLICATION, (No Representation Required)

Irmandade Do Divino Espirito Santo Do Pico Club, Fatima Almeida, Representative requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a ‘Sopas Dinner’, to be held at the **Irmandade Do Divino Espirito Santo Do Pico Club**, located at **2056 Acushnet Avenue**; and to be held on **Saturday, April 18, 2015, from 1:00 p.m. until 11:45 p.m.**

13. APPLICATION, (No Representation Required)

Zeiterion Theatre, Inc., Justin LaCroix, Manager, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a “VIP Membership Lounge Fundraiser”; to be held in the “**Penler Space**”, located at **686 Purchase Street**; and to be held on **Saturday, April 25, 2015, from 5:00 p.m. until 11:30 p.m.**

14. APPLICATION, (No Representation Required)

Zeiterion Theatre, Inc., Justin LaCroix, Manager, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a “VIP Membership Lounge Fundraiser”; to be held in the “**Penler Space**”, located at **686 Purchase Street**; and to be held on **Friday, May 1, 2015, from 7:00 p.m. until 11:30 p.m.**

15. APPLICATION, (No Representation Required)

Fort Taber/Fort Rodman Historical Association, Joseph Langlois, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a ‘Pirate Dance Fundraiser’ to be held at the **First Unitarian Church**, located at **62 Eighth Street**; and to be held on **Friday, May 1, 2015, from 7:00 p.m. until 11:45 p.m.**

16. APPLICATION, (No Representation Required)

Zeiterion Theatre, Inc., Justin LaCroix, Manager, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a “VIP Membership Lounge Fundraiser”; to be held in the “**Penler Space**”, located at **686 Purchase Street**; and to be held on **Saturday, May 2, 2015, from 7:00 p.m. until 11:30 p.m.**

17. APPLICATION, (No Representation Required)

Irmandade Do Divino Espirito Santo Do Pico Club, Manuel Dafonte, Representative requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a ‘Fados Night’, to be held at the **Irmandade Do Divino Espirito Santo Do Pico Club**, located at **2056 Acushnet Avenue**; and to be held on **Saturday, May 9, 2015, from 1:00 p.m. until 11:45 p.m.**

18. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Melanie Correia, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a ‘Dinner/Symposium Weekend’ to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Saturday, May 16, 2015, from 5:00 p.m. until 9:00 p.m.**

19. APPLICATION, (No Representation Required)

United Way of Greater New Bedford, Victoria Grasela, Representative, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a ‘Clambake Fundraiser’ to be held on **Pier 3 – Under a Tent**, and to be held on **Friday, June 12, 2015, from 5:00 p.m. until 11:00 p.m.**

(Final approval will require Liquor Liability with the City of New Bedford named as additionally insured and a copy of their Police Detail Contract)

****NO CHANGES, AS PREVIOUSLY APPROVED****

20. APPLICATION, (No Representation Required)

Your Theatre, Inc., Eric Paradis, Representative who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a 'New Bedford Jazz Fest 2014' to be held on **Pier 3**, and to be held on **Saturday, June 13, 2015 from 1:30 p.m. until 7:00 p.m.**

(Final approval will require Liquor Liability along with endorsement page naming the City of New Bedford as additionally insured as well as a copy of the Police Detail Contract)

****NO CHANGES, AS PREVIOUSLY APPROVED****

21. APPLICATION, (No Representation Required)

Irmandade Do Divino Espirito Santo Do Pico, Inc., Jose Matos, Treasurer, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a 'Fundraiser/Summer Festival' celebration to be held in the Association Parking Lot, located at **2056 Acushnet Avenue; and to be held Friday, June 26, 2015, from 5:00 p.m. until 11:00 p.m., Saturday, June 27, 2015, from 4:00 p.m. until 11:00 p.m., and Sunday, June 28, 2015, from 12:00 p.m. until 10:00 p.m.** *(Final approval will require a copy of the Police Detail Contract)*

****NO CHANGES, AS PREVIOUSLY APPROVED****

22. APPLICATION, (No Representation Required)

The Schwartz Center for Children, Beatrice Oliveira, Representative, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a 'Fishing for a Cause Tournament Fundraiser' to be held at **Marine Park on Pope's Island (under a tent); and to be held on Saturday, June 27, 2015, from 5:00 p.m. until 10:00 p.m.** *(Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)*

****NO CHANGES, AS PREVIOUSLY APPROVED****

23. APPLICATION, (No Representation Required)

Town Square Media –Fun 107/WBSM, Kristen Pacheco, Events Manager, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Sun of a Beach Event', to be held within **Fort Taber Park; and to be held on Saturday, July 18, 2015, from 2:00 p.m. until 8:00 p.m. (Last Call at 7:00p.m.)** *(Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)*

****NO CHANGES, AS PREVIOUSLY APPROVED****

24. APPLICATION, (No Representation Required)

Buttonwood Park Zoological Society, Inc., Kristen Gray, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a 'Feast in the Wild Food Tasting Fundraiser', to be held within the **Buttonwood Park Zoo; and to be held on Thursday, August 13, 2015, from 6:00 p.m. until 10:00 p.m.** *((Liquor Liability with the City named as additional insured on certificate is required/along w/Copy of the Police Detail Contract)*

****NO CHANGES, AS PREVIOUSLY APPROVED****

25. Hearing: Barbosa and Raposo, Inc. d/b/a Tilia's Café & Restaurant

Mr. Jose Barbosa, Manager/Co-Owner
1615-1623 Acushnet Avenue

Your presence is requested at a hearing to determine whether you have violated certain provisions of ABCC Regulations and Licensing Board Rules and Regulations as reported by the City of New Bedford Police Department. The Board will also review its concerns regarding the day to day management of the premises with regard to public safety and that of your employees and the increase in incidents taking place at your establishment.

Based on their findings, the Licensing Board may take action to modify, suspend, revoke, or cancel your license; and if warranted, a roll back of hours may be considered.

This hearing will focus on the control and operations of the licensed premises and the facts surrounding an incident that occurred within your licensed premises on March 7, 2015 during which one of your employees was assaulted.

The Licensing Board is concerned that this incident occurred less than six months after a previous hearing of two reported incidents in which patrons were assaulted. This is in contravention to your legal duties. By failing to maintain the

licensed premises in a safe manner and by failing to maintain complete control of the licensed premises, you made a conscious decision to place your license at risk.

The potential violations are as follows:

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. 11, 12-

Objectionable persons shall not be permitted on or about the premises, it's the responsibility of the licensee to enforce this rule; Premises must at all times be kept safe.

Date and time of alleged violations: Saturday, March 7, 2015 @ approximately 12:16 a.m. - Police Report #15-2489-OF

Present: Atty. Christopher Saunders along with Jose Barbosa, Owner/Manager and Sandra Estrella, Owner's Daughter; Capt. Steven Vicente, Liaison to the Licensing Board along with Officer Kenneth Mendes, 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, and if they understood why they were before the Board based on the summary and the list of alleged violations contained in the 'Notice', Atty. Saunders acknowledged on behalf of his client that he received the notice and was fully aware of why he was before the Board here tonight, and waived the reading of the summary.

Chairman Beauregard informed Atty. Saunders that the reporting officer was present to read, summarize, or give testimony to what was contained in his report; and at the conclusion of their 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 Beauregard opened the hearing by asking Officer Mendes to either summarize or read his report regarding the incident that occurred on March 7, 2015.

Officer Mendes proceeded to give his testimony as to what was documented in his Police Report regarding this incident, as noted and summarized in the 'Hearing Notice'.

When asked by Chairman Beauregard if he had anything he wanted to ask of the Officer or present as a defense regarding the testimony that was presented by Officer Mendes, Atty. Saunders stated that he had a few questions for the officer.

Responding to questions from Atty. Saunders regarding the security video, Officer Mendes stated that he did not see the video himself, but he was informed by other officers that two men came into the establishment for a short period of time (under a minute) and that they didn't even order anything but instead went straight to the bathroom; and then they motioned over to the victim to go to the bathroom, and then some type of altercation occurred; and that the victim was in an agitated state after he got stabbed but once he come downed, he co-operated with the police.

Atty. Saunders had no further questions of the officers.

When asked by Chairman Beauregard if there was any indication as to why the bouncer (victim) went into the bathroom with these two individuals, Officer Mendes responded that he had no information as to why.

Atty. Saunders offered that he could provide an explanation at the appropriate time.

When asked by Chairman Beauregard, is it the evidence that he was stabbed in the back when went into the bathroom and that he was able to get out right after the stabbing, Officer Mendes responded, that's correct!

When asked by Chairman Beauregard if he had anything else to add, Atty. Saunders stated, Mr. Barbosa has owned this restaurant since 2000 ... I think with the exception of some incidents that took place maybe 6 or 7 years ago that had to do with serving minors alcohol, which we are not condoning ... but that happened some time ago ... there really hasn't been any incidents of altercations until recently ... I know we were back before this Board some 6, ... 7, ... or 8 months ago ... on some altercations that took place ... the owners within the past two years have really had some problems at the bar ... and they've taken great steps to try to solve those problems ... they've added security ... they've added a security system ... they have cameras in place to actually make a record of what happens at the establishment ... they've been turning it over to the police ... they've actually been in touch with the New Bedford Police Gang Unit that goes in there to try to get a certain element out of the establishment ... while this incident doesn't speak to them being 100% successful ... I believe this incident is a result of the actions they've taken ... and because these two individuals came into this establishment that particular day ... they were on a mission ... they weren't there to eat ... they weren't there to drink ... they came into that bar ... they didn't even order anything ... stayed in there under one minute ... motioned over to the security ... and the reason they went over to the bathroom ... was because music was being played ... it wasn't live entertainment but there was music ... and it was a way of getting away from the music ... the bouncer new who these people were ... and these people were an element that they've been trying to get out of this establishment ... in fact ... 3 to 4 weeks prior to this incident ... these individuals along with their associates were removed from this establishment ... and while we can't 100

% connect that this is a direct correlation ... because these people were asked to leave ... they came back and they didn't like it ... and since this date ... they haven't been back ... in fact ... one is in custody ... and the other one has a warrant out for his arrest ... but we believe this was a direct correlation to the steps that they've taken in trying to clean up and get these people out of their establishment ... it's a restaurant serving food ... I think the bouncer (victim) did the right thing in taking these people away from the patrons ... by going into the bathroom ... while they're in there ... in a matter of seconds ... he's distracted ... and someone stabs him in the back ... and we know who it is ... and they leave right after that ... certainly he's agitated ... he was just stabbed ... so maybe he wasn't 100 % co-operative with the officer ... but he was subsequently co-operative ... since this date ... these people haven't been back ... and they're making a real concerted effort to get the element out ... they've spent a ton of money on police details when they have live entertainment ... and this winter has been an extremely difficult one because of the snow ... they lost a substantial amount of money ... but it's only been in the past... let's say two years ... that we've had a different type of violation ... and they've taken steps to clean it up ... and thankfully ... none of the patrons were hurt ... it's not an incident where someone was over served and there's a brawl ... this a deliberate targeted act ... it's no different than the Puzzle's incident years ago ... he was on a mission ... he was going to do it no matter what ... these people were going to do it no matter what ... how do you prevent that? ...It's very difficult ... so I would simply say that they're trying ... they've made substantial progress ... and I think this shows that they've made progress because the people that they're kicking out don't like it.

Chairman Beauregard responded, since you referenced the report, counselor ... the incident that took place six months ago... was it not the same bouncer that was involved in an altercation then ... as the stabbing here?

Atty. Saunders responded, I didn't review the report prior to coming in ... but I thought it was somebody that took a pool stick ... it was somebody that was looking at somebody differently ... someone felt disrespected ... he was there ... but I don't think he was involved.

When asked by Chairman Beauregard if the bouncer was still employed by Tilia's, Ms. Estrella stated that he was. Commissioner Craig then asked Captain Vicente, when did the victim finally become co-operative in identifying the person who assaulted him?

Captain Vicente responded, it would have been later on that morning ... probably around 6 or 7 in the morning ... at first he was hesitant ... he gave a partial name on one ... only giving a nickname ... he also stated he had never seen the second male in the bar before ... it probably started about six hours after the incident ... and developed over the next few days ... at which point he was more forthcoming.

When asked by Commissioner Craig, if he agreed with Atty. Saunders' depiction of what happened as a result of these gentlemen coming into the bar with an agenda because they had been thrown out before, Capt. Vicente responded, yes ... because these two guys were in there for 45 seconds ... they walked into the bar ... they don't order anything ... they walk over to the victim and signal him over to the bathroom ... they're only in the bathroom for 21 seconds before the door pops open and they exit right out the door ... so these two suspects were in the bar for a total of 61 seconds ... it appears they went there for a reason ... they got him into the bathroom ... they did their reasons ... and then they left. When asked by Commissioner Almeida as to what type of music was there that evening, Ms. Estrella responded, a jukebox.

When asked by Chairman Beauregard if he had anything he wanted to add before they closed the hearing, Atty. Saunders stated, it's unfortunate ... and I know they've had some problems ... but how do you prevent that ... how do you police that ... it's extremely difficult ... I would just say they're doing the best they can.

Chairman Beauregard responded, I think you police it with the type of entertainment that you have ... the type of entertainment draws a certain clientele ... and if you don't to do something about it ... they just seem to take over the place ... and you kind of lose control ... not intentionally ... very inadvertently ... they have a strong presence in some of these groups that are out there in the city ... if you bring them in ... they're going to cause problems ... and maybe ... maybe!! ... Now you have that type of clientele that frequents your establishment ... and it's tough to get rid of ... if you play a different kind of music ... and you take all the other stuff out of the jukebox ... they become frustrated ... and eventually they'll find a new home ... they're not going to stop drinking ... but they'll find a new home but you have to be diligent on it ... you can't let up.

When asked by Commissioner Almeida if they hold any promoted events at their establishment, Ms. Estrella responded, we do ... and when we do hold those events ... we have police details.

Commissioner Almeida responded, I think you need to bring us some type of security (safety) plan ... first, we had an incident involving a patron that got assaulted with a pool stick ... now we have a security guard that got stabbed ... I have a problem with him taking those people into the men's room ... maybe they should have been taken outside ... but I do believe those two individuals came in with an agenda ... they didn't order any drinks They were only in there for 61 seconds ... so, they came into the establishment with bad intentions ... but you need to come up with a better security or safety plan ... since the last time you were here ... you've had 13-14 disturbances at your establishment ... since

September 22nd, which was the last time you were in front of us ... so something is going on there ... and now summertime is coming ... so you're going to have to do something quickly ... or you're going to be before this Board again ... and I'm almost positive that's something going to happen ... so my motion will probably be to issue you a warning with a request for a security plan,

Chairman Beauregard responded, I think what he's asking for is for you to put a business plan together ... cameras ... security ... including what type of entertainment you provide ... you (Atty. Saunders) mention the kitchen being open in as a restaurant in the back ... then you (Ms. Estrella) mentioned starting music in the back at midnight ... so I think you have to decide if you're going to be a restaurant or if you're going to be a nightclub ... and we're going to need to know that.

Chairman Beauregard continued his comments, the police will also need to know that ... so when they're out on the street and they drive by at 10 o'clock ... they think it's a nice family restaurant ... but at midnight ... all hell's going to break loose ... because we know you have a DJ coming on starting at midnight ... starting at midnight for me is a little late to get an hour and a half in ... because you've got to get everyone out by 2 o'clock ... then you got them leaving all wound up ... and that's when a lot of problems develop ... there's not a nightclub in the city that won't tell you ... if you leave them wound up ... they're going to end up outside wound up ... and they'll end up being problems ... you may want to scale it back down towards the end of the evening ... so they're leaving at a reasonable hour not screaming at each other when they get outside ... the neighbors are going to be a lot happier ... but that's certainly your call ... but that's what we'll be looking for when you submit the Business/Security Plan.

VOTED: On a motion by Commissioner Almeida, on a second by Commissioner Craig, **the Board voted 2-1 with Chairman Beauregard voting against, to receive the reports and place them on file with a warning, and to place the licensee on probation for one (1) year effective May 1, 2015. The Board's vote also included a request that a Business/Security Plan be submitted within thirty (30) days of receipt of this notice.**

The Board also forewarned the licensee, that failure to heed the Board's warning resulting in further reports that are serious in nature, will result in yet another hearing before this Board, which based on our findings, may result in serious sanctions against his license including a possible rollback of hours.

26. Hearing: Barbosa and Raposo, Inc. d/b/a Tilia's Café & Restaurant
Mr. Jose Barbosa, Manager/Co-Owner
1615-1623 Acushnet Avenue

Your presence is requested at a hearing to determine whether a roll back (decrease) of hours is warranted as a result of violations of certain provisions of M.G.L., ABCC Regulations, and Licensing Board Rules and Regulations, as a result of an incident reported by the New Bedford Police Department; as well as concerns regarding the day to day management of the premises with regard to public safety and that of your employees, and the increase in incidents taking place at your establishment. This roll back (decrease) of hours could affect the hours in which you will be allowed to be open.

The local licensing authority, may after proper notice, hold a hearing to determine whether a roll back of hours is warranted, on the basis of frequency of arrests, disturbances, and incidents requiring police involvement inside or outside the licensed premises; this decision is one that is not appealable to the Alcoholic Beverages Control Commission or to the superior court.

(As noted in Chapter 138, sec. 12 -)

ACTION TAKEN: None Considered.

• **CORRESPONDENCE**

From: Kim S. Gainsboro, ABCC Chairman **Dated -04/07/15** **Received -04/07/15**
Re: R.V. GAS, Inc. d/b/a Joe's Gas **277 Nash Road**
Re-Scheduled Hearing Date: Wednesday, April 22, 2015 @ 12:30 p.m.; an appeal of the action of the City of New Bedford **Licensing Board for denying the Sec. 15 Wines & Malt Beverages License Application to be exercised at 277 Nash Road.**

ACTION TAKEN: Received & Placed on File.

From: Kim S. Gainsboro, ABCC Chairman **Dated -04/01/15** **Received -04/13/15**
Re: World Famous Pizza & Subs, Inc. **1114 Acushnet Avenue**
Re-Scheduled Hearing Date: Wednesday, April 1, 2015 @ 10:00 a.m.; an appeal of the action of the City of New Bedford **Licensing Board for denying the Sec. 12 Wines & Malt Beverages License Application to be exercised at 1114 Acushnet Avenue.**

DECISION: The applicant or an authorized representative failed to appear and pursue this appeal. Therefore, this matter is **Dismissed Without Prejudice For Failure Of The Applicant To Appear.**

Note : As a result of this decision, the opportunity to apply for this license was offered to **Tia Maria's Restaurant located at 42 North Water Street** as a result of finishing 2nd in the lottery that was held for this license. (**Accepted**)

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. Pub 126	#15-3772 – OF	04/05/15	Fight/Patron Assaulted/Patron Allowed to Make Their Own Drink (Approximate Time of Violation 02:08 a.m.) <u>Decision: Bring In For a Hearing – 05/18/15</u>
2. Temptations	#15 - 4014 – OF	04/11/15	Possible Management Change Intoxicated Patron/Failure to Notify Police in a Timely Manner (Approximate Time of Violation 02:18 a.m.) <u>Decision: Bring In For a Hearing – 05/18/15</u>
3. Temptations	#15 – 1055 - AR	04/11/15	Possible Management Change Intoxicated Patron/Patron Assaulted (Approximate Time of Violation 01:02 a.m.) <u>Decision: Bring In For a Hearing – 05/18/15</u>

- **Upcoming Outdoor Summer Events & Festivals (Informational Only)**

1. Cinco De Mayo Celebration (Rivet St.) – May 2nd - “Applied/“No Changes”
2. 9th Annual Taste of the South Coast (Pier 3) – May 17th - “Applied/“No Changes”
3. Summer Concert Series (Pier 3) – July thru Sept.
4. Day of Portugal (Acushnet Avenue) – June 12th, 13^h, & 14th
5. 21st Annual United Way Clambake (Pier 3) – June 12th - “Applied/“No Changes”
6. Cape Verdean Day Parade (Club Property) – July 5th
(May Meeting)
7. Opening of the Bay (Fort Taber) – May 30Th – “Applied/“No Changes”
8. New Bedford Summerfest – July 4th, 5th, & 6th
(May Meeting)
9. Irmandade Do Divino Espirito Santo Do Pico (Club Grounds) – July 10th, 11th, 12th, & 13th - “Applied/“No Changes”
10. Sun of a Beach Festival (Ft. Taber) – July 18th – “Applied/“No Changes”
(May Meeting)
11. Feast of the Blessed Sacrament (Madeira Field) – July 31st, Aug. 1st, 2nd & 3rd
(June Meeting)

- **REVIEW OF LIQUOR FEES FOR 2016**

ACTION TAKEN: None, it was the consensus of the Board that a fee increase, although warranted, should not be acted upon, due to harsh winter the licensees had to endure this year.

- **NEXT TWO MEETING DATES:** Monday, May 18th & Monday, June 22nd both in Room 314 - **Approved**

- **MEETING ADJOURNED:** 8:10 p.m.