



Licensing Board

June 22, 2015 – 7:00 PM – **Minutes**
City Hall, 133 William Street, Room 314

LICENSING BOARD MEETING

-MINUTES-

Monday, June 22, 2015

Room 314 – 7:00 p.m.

PRESENT: Steven A. Beauregard, Chairman

Marcelino “Sonny” G. Almeida, Commissioner

Edmund F. Craig, Jr., Commissioner

Atty. John A. Markey, Jr., Asst. City Solicitor

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

Nick Nanopoulos, Director

MOTION TO ACCEPT THE MEETING MINUTES OF FEBRUARY 23, 2015- Unanimous

MOTION TO ACCEPT THE MEETING MINUTES OF MARCH 23, 2015- Unanimous

MOTION TO ACCEPT THE MEETING MINUTES OF APRIL 21, 2015- Unanimous

APPROVALS RECEIVED FROM THE ALCOHOLIC BEVERAGES CONTROL COMMISSION

Change of Officers & Directors - Trans. # 143 – Plot # 46—86

New Bedford Lodge #73, B.P.O. Elks, Francis E. Wynn, Director, 24 South Sixth Street, who is petitioning for a **Change of Officers and Directors 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, Francis E. Wynn will be the President, Treasurer, Secretary, and Sole Director.

Premises will remain the same at **23 South Sixth Street**.

Approved By ABCC – 05/14/15

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

Transfer of License, Pledge of License, Change of Location, & Change of License Type - Trans. # 143 – Plot # 46--86

New Bedford Lodge #73, B.P.O. Elks, Francis E. Wynn, Director, (license formerly exercised on premises located at 23 South Sixth Street), who is petitioning to **Transfer a Club All Alcoholic Beverages License to Quahog Republic, Inc. d/b/a Whaler’s Tavern**. The proposed transferee is also requesting a **Change of Location to 24 North Water Street and a Change of License Type from a ‘Club All Alcoholic Beverage license to a Common Victualler (Restaurant) All Alcoholic Beverage license**. The proposed transferee is also requesting approval of a **Pledge of the Common Victualler All Alcoholic License and Inventory to Cape & Islands Community Development, Inc.** with an address of **5 Patti page Way, Centerville, MA.** as security to authorize and execute a promissory note in the amount of **One Hundred & Twenty-Seven Thousand and Five Hundred Dollars (\$127,500.00), pursuant to Massachusetts General Laws Ch.138 s.23**. Upon approval, Erik C. Bevans will be the President, Secretary, a Co-Director and a Co-Shareholder (51%), and **Thomas J. Hughes** will be the Treasurer, a Co-Director, a Co-Shareholder (49%) and the **Proposed Manager**.

Upon completion of the renovations, the licensed premise will consist of an area approximately 1,200 sq. ft. on the first floor of a three - story building, which will include one room with a dining and bar area, and two restrooms; and a kitchen area located in the rear of the building. The licensed premise will also include the entire basement area (1,200 sq. ft.), which will include a walk-in cooler and shelving for the storage of alcohol, and an office.

The premises is situated on the west side of North Water Street between Rose Alley and Center Street, with the main entrance into the dining area located on North Water Street, and an additional exit in the rear of the building; and will be

numbered **24 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'**.

Approved By ABCC – 05/14/15

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

Change of Location - 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'**.

Approved By ABCC – 05/27/15

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

Change of Location & d/b/a - 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 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'**.

Approved By ABCC – 06/11/15

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

New Common Victualler (Restaurant) Wine & Malt Only License - Trans. # 229 - Plot # 53--80

Tia Maria's Café, Inc. d/b/a Tia Maria's European Cafe., Jessica Coelho, President, who is petitioning for a **New Common Victualler (Restaurant) Wine and Malt Only Beverages License**. Upon approval, **Jessica Coelho** will be the President, Treasurer, Secretary, Sole Director, Sole Shareholder (100%), and **Manager**. The licensed premises will be in an area approximately 1,400 sq. ft., which will include three (3) rooms that will include two rooms for dining with a small service bar, and one room (lounge) with couch seating for patrons; the area also includes a kitchen area, a take-out area, and two (2) restrooms on the first floor of a three-story building. Alcohol will be stored and served from the kitchen area located in the rear of the building, as well as from the small service bar. The premises is situated on the east side of North Water Street between Centre and Hamilton Streets, and includes one (1) entrance/exit in the front of the building onto North Water Street; as well as an additional emergency exit onto North Water Street, and another emergency exit located in the kitchen area, and will be numbered **42-46 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'**.

Approved By ABCC – 06/17/15

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

DISAPPROVALS RECEIVED FROM THE ALCOHOLIC BEVERAGES CONTROL COMMISSION

PETITION - Trans. # 116 - Plot # 60--26

Route Six Properties, Inc. d/b/a Temptation, 161 Pope's Island, is requesting the approval of Paul Vasconcelos, who resides at 485 Whetstone Hill Road, Somerset, MA. as their new manager.

Disapproved By ABCC – 05/27/15 - Failure to Comply With Mass Tax Laws (DUA) – 1st Attempt

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

VOTED: To accept the application back from the ABCC, and to the re-submit application to the ABCC “for reconsideration”, only upon notice from the applicant that all DUA issues have been resolved. – **Unanimous**

VOTED: Commissioner Almeida made a motion to take up **Item #'s 1 thru 14** at one time, waive the reading, and to approve the petitions as presented; and to forward the applications to the Alcoholic Beverages Control Commission for their approval. – **Unanimous**

NOTE: **Item #'s 1 - 14** are all required applications for Change of Officers and Directors, which will update the current list of officers and directors for all ‘clubs’ that are on file with the ABCC, per the Commission’s directive of 09/30/14.

1. PETITION - Trans. # 209 – Plot # 93--181 (No Representation Required)--CLUB

Centro Luso Americano Club, Inc., Adriano Carvalho, Jr., (new) President, who is petitioning for a Change of Officers and Directors 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, Adriano Carvalho, Jr. will be the President and a Co-Director, Joe Couto will be the Vice-President and a Co-Director, Arlindo daRosa will be the Treasurer and a Co-Director, and Joe Silva will be the Secretary and a Co-Director. Premises will remain the same at **34 Beetle Street.**

(No Advertisement nor Abutters’ Notification Required)

2. PETITION - Trans. # 054 – Plot # 93--92 (No Representation Required)--CLUB

Club Recordacoes de Portugal, Inc., Ezelino Quadros, (new) President, who is petitioning for a Change of Officers and Directors 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, Ezelino Quadros will be the President and a Co-Director, Joaquin Almeida will be the Vice-President and a Co-Director, Cidalia DaSilva will be the Treasurer and a Co-Director, and Doris Ganilho will be the Secretary and a Co-Director; and Luis Vieira, Antonio Vieira, Joao Simas, John Carlos Sousa, and Timothy Amaral will all be Co-Directors. Premises will remain the same at **249-253 Coggeshall Street. (No Advertisement nor Abutters’ Notification Required)**

3. PETITION - Trans. # 004 – Plot # 104--7 (No Representation Required)--CLUB

Club Sport Madeirense, Inc., Richard Fernandes, (new) President, who is petitioning for a Change of Officers and Directors 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, Richard Fernandes will be the President, Paul Bertoldo will be Treasurer, and John Fernandes will be the Secretary; Victor Novo and James Fernandes will all be Co-Directors. Premises will remain the same at **1624, 1626, & 1632 Acushnet Avenue.**

(No Advertisement nor Abutters’ Notification Required)

4. PETITION - Trans. # 107 – Plot # 19--52 (No Representation Required)—CLUB

Clube Uniao Faialense, Inc., Carlos Rafael, (new) President, who is petitioning for a Change of Officers and Directors 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, Carlos Rafael will be the President, Alvaro M. Iria will be the Vice-President, Joao Camarao will be the Treasurer, and Jose I. DeFraga will be the Secretary. There are no Directors. Premises will remain the same at **701**

Orchard Street. *(No Advertisement nor Abutters' Notification Required)*

5. PETITION - Trans. # 132 – Plot # 18-108-A (No Representation Required)—CLUB

Loyal Order of Moose, Inc. d/b/a New Bedford Lodge, #914, Robert Bessette, (new) President, who is petitioning for a **Change of Officers and Directors 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 Robert Bessette will be the President, Kevin Avila will be the Vice-President, Daniel P. Desmarais, Sr. will be the Treasurer, and Danny Johnson will be the Secretary; and Manuel Machado, Derrick Cabral, and Murray Gonzalez will all be Co-Directors. Premises will remain the same at **119 Rockdale Avenue. (No Advertisement nor Abutters' Notification Required)**

6. PETITION - Trans. # 027 – Plot # 100--8 (No Representation Required)—CLUB

New Bedford Sports Club, Inc., Edmundo Amaral, (new) President, who is petitioning for a **Change of Officers and Directors 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, Edmundo Amaral will be the President and a Co-Director, Adolfo Sousa will be the Vice-President and a Co-Director, Jose Pimentel will be the Treasurer and a Co-Director, and Carlos Souza will be the Secretary and a Co-Director; and Luis Vieira, Antonio Vieira, Joao Simas, John Carlos Sousa, and Timothy Amaral will all be Co-Directors. Premises will remain the same at **1792 Acushnet Avenue.**

(No Advertisement nor Abutters' Notification Required)

7. PETITION - Trans. # 210 – Plot # 99--5 (No Representation Required)—CLUB

Our Lady of Angels Band, Inc., Antonio F.D. Cabral, (new) President, who is petitioning for a **Change of Officers and Directors 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, Antonio F.D. Cabral will be the President, Mario J. Duarte will be the Treasurer and Secretary; Brandon Duarte, John Medeiros, and Antonio Vieira will all be Co-Directors. Premises will remain the same at **1446-1452 Acushnet Avenue.**

(No Advertisement nor Abutters' Notification Required)

8. PETITION - Trans. # 093 – Plot # 25--88 (No Representation Required)--CLUB

Panthers Athletic and Social Club, Inc., Joseph Oliveira, (new) President, who is petitioning for a **Change of Officers and Directors 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, Joseph Oliveira will be the President and a Co-Director, Gary Wunschel will be the Vice-President and a Co-Director, Louis Leblanc will be the Treasurer and a Co-Director, and Curtis Souza will be the Secretary and a Co-Director; and Ken Rea, Rick Morin, and Russell Baker will all be Co-Directors. Premises will remain the same at **43-45 Madeira Avenue.**

(No Advertisement nor Abutters' Notification Required)

9. PETITION - Trans. # 073 – Plot # 25--88 (No Representation Required)--CLUB

Portuguese Sports Club, Inc., Francisco Tavares, (new) President, who is petitioning for a **Change of Officers and Directors 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, Francisco Tavares will be the President, Joao Vasslo will be the Vice-President, Paul Santos will be the Treasurer, and Mario Tavares will be the Secretary. There are no Directors. Premises will remain the same at **56 Delano Street.**

(No Advertisement nor Abutters' Notification Required)

10. PETITION - Trans. # 212 – Plot # 37--322 (No Representation Required)—CLUB

The Bisca Tournament Club, Inc., Ayres Gonzales, (new) President, who is petitioning for a **Change of Officers and Directors 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, Ayres Gonzalez will be the President, John Soares will be the Vice-President, Jose (Joe) Macedo will be Treasurer, Karen

Jackson will be the Secretary; Candida DaRosa, Nancy DePina, Sandra Santos, Tony Ferreira, and Julia Costa will all be Co-Directors. Premises will remain the same at **157-161 Acushnet Avenue. (No Advertisement nor Abutters' Notification Required)**

11. PETITION - Trans. # 108 – Plot # 24--206 (No Representation Required)—CLUB

The Monte Pio Luso Americano Corp., Helder F. Almeida, (new) President, who is petitioning for a **Change of Officers and Directors 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, Helder F. Almeida will be the President and a Co-Director, Luis P. Vicente will be the Vice-President, Lucia C. Almeida will be the Treasurer, Fatima S. Cabral will be the Secretary, and Antonio G. Tavares will be the Vice Secretary; and Mario Bicho, Rui Furtado, Eugenio Tavares will all be Co-Directors. Premises will remain the same at **540 Orchard Street.**

(No Advertisement nor Abutters' Notification Required)

12. PETITION - Trans. # 008 – Plot # 42--183 (No Representation Required)—CLUB

New Cape Verdean Ultramarine Band Club, Inc., Ramona Silva, (new) President, who is petitioning for a **Change of Officers and Directors 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, Ramona Silva will be the President and Cassia Gage will be the Treasurer and Secretary; and Marie Sparks and Deborah Clark will be Co-Directors. Premises will remain the same at **185 Acushnet Avenue. (No Advertisement nor Abutters' Notification Required)**

13. PETITION - Trans. # 072 – Plot # 14--198 (No Representation Required)--CLUB

The Washington Social & Musical Club, Inc., Scott Boutin, (new) President, who is petitioning for a **Change of Officers and Directors 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, Scott Boutin will be the President, Stephanie McKnight will be the Vice-President, Stephanie Mitchell will be the Treasurer, and Joyce Abbott will be the Secretary, and Aaron Agrella, Kenneth Kendall, Dennis Frezza, Mark Blanchard, Kevin Blanchard, Blaine Hopwood, William O'Brien, Jr., and Brian Lowe will all be Co-Directors. Premises will remain the same at **90 David Street.**

(No Advertisement nor Abutters' Notification Required)

14. PETITION - Trans. # 056 – Plot # 46--6 (No Representation Required)--CLUB

Wamsutta Club, Inc., Peter S. Barney, (new) President, who is petitioning for a **Change of Officers and Directors 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, Peter S. Barney will be the President, John R. Lopes will be the Vice-President, Charles Demailey, Jr. will be the Treasurer, and Robert G. Morris will be the Secretary; and Mary Louise Nunes, Joyce Marie Casey, Dr. J. Greer McBratney, Dr. Richard Warburton, and Calvin Siegal will all be Co-Directors. Premises will remain the same at **427 County Street. (No Advertisement nor Abutters. Notification Required)**

VOTED: Based on the applicant's submission of their Certificate of Good Standing from the DOR, which was submitted on 06/22/15; Commissioner Almeida made a **motion to remove Item # 15 from the table, with no further action to be taken. – Unanimous**

Tabled at 05/18/15

15. Hearing: Clube Ponta Delgada, Inc.

Walter Gibau, Jr., Manager

61-65 Madeira Avenue

Your presence and that of **Goncalo Santos, Treasurer and Christina Machado, Proposed New Manager,** is requested at an emergency hearing to determine whether you have violated certain provisions of Alcoholic Beverages Control Commission (ABCC) Regulations and Licensing Board Rules and Regulations. Based on their findings, the Licensing Board may take action to suspend your license until this matter is resolved.

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 Regulation No. 6,

Each Corporate Licensee shall appoint a Manager who shall have full authority and control of the premises and who shall be satisfactory to the Board; immediate notice of the appointment must be made to the Board in writing.

This hearing will focus on the control and operations of the licensed premises, as well as your failure to secure a Certificate of Good Standing from the Department of Revenue in a timely manner, which is required for you to submit your application for a Change of Officers, Directors, and Manager, a fact that you were notified of in December of 2014. The Board is deeply concerned that you have been operating without an approved manager since December of 2014, as well as your failure to resolve your outstanding issues with the DOR in a timely manner.

As a result of your failure to comply in a timely manner, the Board will entertain testimony as to the actions of Clube Ponta Delgada. Short of full compliance, the Board must take action and as such, **you are hereby ordered to bring with you your 2015 Liquor License.**

Depending on the Board's findings, you may be required to surrender your license until this matter is resolved.

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Present: Christina Machado, Proposed New Manager along with Jose Pacheco, New President, Goncalo Santos, New Treasurer, and Walter Gibau, Jr., Current Manager of Record.

Mr. Nanopoulos informed the Board that this has been an ongoing issue since December.

Ms. Machado stated that they've retained Atty Donald Perry to prepare and complete the application, but the DOR Certificate was still an issue but they were working on it.

VOTED: On a motion by Commissioner Almeida, the Board **voted unanimously to table the matter until the June 22nd meeting**, in order to give the applicant an opportunity to submit a complete application, including a Certificate of Good Standing from the DOR.

VOTED: Based on the applicant's submission of their Certificate of Good Standing from the DOR, which was submitted on 06/22/15 and completed the application; Commissioner Almeida made a **motion to remove Item # 16 from the table, and to take up the petition at this time. – Unanimous**

Tabled at 05/18/15

16. PETITION - Trans. # 095 – Plot # 106--137) – CLUB

Clube Ponta Delgada, Inc., Jose Pacheco, (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, Jose Pacheco will be the President, Carlos Santos will be the Vice-President, Goncalo Santos will be the Treasurer, Christina Machado will be the Secretary, and Jose DaCosta will be the Asst. Secretary; and Luis Vieira, Jose DeSousa, Kristin Ferreira, Robert Lopes, Clement Costa, Diogenes Amaral, and Jose Barbosa will all be Co-Directors.

The 'club' is also requesting the approval of **Christina Machado**, who resides at 27 Mason Road, East Freetown, MA., **as their New Manager**. Premises will remain the same at **61-65 Madeira Avenue**.

(No Advertisement nor Abutters Notification Required)

Present: Atty. Donald Perry along with Christina Machado, Proposed New Manager and Jose Pacheco, New Secretary Responding to questions from Chairman Beauregard, Ms. Machado stated that she didn't have any prior experience in being a bar manager, but she has been bartending and assisting at the club for five years, and that she's been a bartender at another establishment in the past; and that she currently does the ordering and scheduling of bartenders.

When asked by Chairman Beauregard if she was familiar with the rules and regulations regarding the rental of the hall, Ms. Machado stated that she did, and further explaining that they have a hall rental agreement that they use; and added that they don't do teenage parties ... they don't allow events for which tickets are sold ... no college events ... and that they usually rent the hall for baby showers and parties for little kids.

When asked by Commissioner Almeida if she was T.I.P.S. Certified, Ms. Machado stated that she was.

Voted: Commissioner Almeida made a motion to approve the petition as presented, and to forward the application to the Alcoholic Beverages Control Commission for their approval; along with the stipulation that Ms. Machado submit a copy of her T.I.P.S. Certification to the Licensing Board office within thirty (30) days of receiving final approval or prior; and that all her servers be 'certified' as well, with copies of their certifications to be kept on file for review, if needed. –

Unanimous

VOTED: Based on the applicant's submission of their Certificate of Good Standing from the DOR, which was submitted on 06/22/15; Commissioner Almeida made a **motion to not take any action on Item #17.** – **Unanimous**

17. Hearing: St. Michael Social Club, Inc.
Mr. Joao Medeiros, President
101 Madeira Avenue

Your presence and that of **Rodolfo Botelho, Treasurer and Joao A. Raposo, Proposed New Manager**, is requested at an emergency hearing to determine whether you have violated certain provisions of Alcoholic Beverages Control Commission (ABCC) Regulations and Licensing Board Rules and Regulations. Based on their findings, the Licensing Board may take action to suspend your license until this matter is resolved.

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 Regulation No. 6,

Each Corporate Licensee shall appoint a Manager who shall have full authority and control of the premises and who shall be satisfactory to the Board; immediate notice of the appointment must be made to the Board in writing.

This hearing will focus on the control and operations of the licensed premises, as well as your failure to secure a Certificate of Good Standing from the Department of Revenue in a timely manner, which is required to complete your application for a Change of Officers, Directors, and Manager, which was submitted to this office on 04/08/15. The Board is deeply concerned that you have been operating without an approved manager since December of 2014, as well as your failure to resolve your outstanding issues with the DOR in a timely manner.

As a result of your failure to comply in a timely manner, the Board will entertain testimony as to the actions of the St. Michael Social Club. Short of full compliance, the Board must take action and as such, **you are hereby ordered to bring with you your 2015 Liquor License.** Depending on the Board's findings, you may be required to surrender your license until this matter is resolved.

VOTED: Based on the applicant's submission of their Certificate of Good Standing from the DOR, which was submitted on 06/22/15 and completed the application; Commissioner Almeida made a **motion to remove Item # 18 from the table, and to take up the petition at this time.** – **Unanimous**

Tabled at 05/18/15

18. PETITION - Trans. # 094 – Plot # 106—85--CLUB

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)

Minutes of 04/21/15 Meeting

Present: *The proposed new manager did not appear as requested.*

Mr. Nanopoulos informed the Board that the application was not complete, as a result of the applicant's failure to submit a Certificate of Good Standing from the DOR; and recommended that the matter be tabled until such a time when the DOR Certificate is submitted.

VOTED: On a motion by Commissioner Almeida, the Board **voted unanimously to table the matter until the May 18th meeting**, in order to give the applicant an opportunity to submit the required Certificate of Good Standing from the DOR; and to ensure that the proposed new manager is in attendance at said meeting.

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Present: *Atty. Michael Medeiros along with Joao Medeiros, New President and Joao A. Raposo, Proposed New Manager*

Mr. Nanopoulos informed the Board once again that the application was not complete, as a result of the applicant's failure to submit a Certificate of Good Standing from the DOR; therefore, it could not be taken up at this time, and recommended that the matter be tabled until such a time when the DOR Certificate is submitted.

VOTED: On a motion by Commissioner Almeida, the Board **voted unanimously to table the matter until the June 22nd meeting**, in order to give the applicant an opportunity to submit the required Certificate of Good Standing from the DOR; and to ensure that the proposed new manager is in attendance at said meeting.

Present: *Atty. Michael Medeiros along with Joao A. Raposo, Proposed New Manager and Joao Medeiros, New President*

Responding to questions from Chairman Beauregard, Atty. Medeiros, responding for his client, stated that Mr. Raposo has been working at the bar for the last 3 or 4 years, and that he's been increasing his hours since January of this year, since he's now a retired individual; and that he expects to be spending about thirty (30) hours a week at the establishment, and that he was T.I.P.S. Certified.

Referring to the latest Club Compensation Form that was submitted by the 'club', Chairman Beauregard asked why Mr. Raposo's name was not listed as an employee of the club, to which Mr. Raposo responded through Atty. Medeiros, that he was a volunteer and that he did not get paid as either a bartender or as the manager.

When asked by Chairman Beauregard if he understood the rules and regulations as they relate to the rental of their hall and if he was T.I.P.S. Certified, Atty. Medeiros stated that he had his S.T.O.P. Certification; and that the club has policies in place regarding the rental of the hall, and those policies were reviewed with Mr. Raposo by the current manager.

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. Raposo 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

VOTED: Commissioner Almeida made a **motion to remove Item # 19 from the table.** – **Unanimous**

Tabled at 05/18/15 Meeting

19. Hearing: Young Cape Verdean Athletic Association, Inc. — NEED DOR CERTIFICATE

Mr. Donald Soares, President

418 South Front Street

Your presence and that of Renee DePina, Treasurer, and Liberio DeMelo, Proposed New Manager is requested at an emergency hearing to determine whether you have violated certain provisions of Alcoholic Beverages Control Commission (ABCC) Regulations and Licensing Board Rules and Regulations. Based on their findings, the Licensing Board may take action to suspend your license until this matter is resolved.

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 Regulation No. 6,

Each Corporate Licensee shall appoint a Manager who shall have full authority and control of the premises and who shall be satisfactory to the Board; immediate notice of the appointment must be made to the Board in writing.

This hearing will focus on the control and operations of the licensed premises, as well as your failure to secure a Certificate of Good Standing from the Department of Revenue in a timely manner, which is required to complete your application for a Change of Officers, Directors, and Manager, which was returned by the ABCC on 04/28/15. The Board is deeply concerned that you have been operating without an approved manager since December of 2014, as well your failure to resolve your outstanding issues with the DOR in a timely manner.

As a result of your failure to comply in a timely manner, the Board will entertain testimony as to the actions of the Young Cape Verdean Athletic Association. Short of full compliance, the Board must take action and **as such you, are hereby ordered to bring with you your 2015 Liquor License.** Depending on the Board's findings, you may be required to surrender your license until this matter is resolved.

Minutes of 05/18/15 Meeting

Present: *Atty. Michael Medeiros along with Donald Soares, New President, Renee DePina, New Treasurer, and Barry DeMelo, Proposed New Manager*

Mr. Nanopoulos informed the Board once again that the application was not complete, as a result of the applicant's failure to submit a Certificate of Good Standing from the DOR; therefore, it could not be taken up at this time, and recommended that the matter be tabled until such a time that the DOR Certificate is submitted.

VOTED: On a motion by Commissioner Almeida, the Board **voted unanimously to table the matter until the June 22nd meeting**, in order to give the applicant an opportunity to submit the required Certificate of Good Standing from the

DOR.

**04/28/15 – “Returned No Action” – Failure to provide a Certificate of Good Standing from the DOR
“For Reconsideration”**

Present: Paul Amato, Accountant along with Donald Soares, New President, Renee DePina, New Treasurer, and Barry DeMelo, Proposed New Manager

When asked by the Chairman as to how long would it be before they could obtain their Certificate of Good Standing from the DOR, Mr. Amato stated that he delivered a packet to the DOR a week ago Friday (June 12th) to the Hyannis Office, and that bit was reviewed by Doris Maylow and in turn was submitted to her supervisor, who was out on vacation but was due back today.

When asked by Chairman Beauregard if all the back taxes had been paid, Mr. Amato stated that a payment plan was set-up, which would require the club to pay \$2,100.00 a month to the DOR over a five year period.

When asked by Chairman Beauregard as to how many members belonged to the club, Ms. DePina responded, probably the most would be “18”; to which Chairman Beauregard asked, how do 18 members pay back \$2,100 a month?

Mr. Amato responded, actually, it’s interesting you said that ... as a result of the review I went through with the club ... their prices for their liquor were probably under by approximately a \$1 ... so I told them that they needed to raise their prices.

Chairman Beauregard responded, even at that, how do you make it work?

Mr. Amato responded, based on their sales for the past two years ... an increase of 75 cents per drink ... would accommodate the \$2,100.00 a month for the payment plan ... which would not deter from any of their other expenses ... so that increase all goes back towards paying back the DOR; to which Chairman Beauregard responded, those 18 members would need to do a lot of drinking to reach that number.

Mr. Amato responded, well, it’s an open enrollment ... and their sales on alcohol are close to \$114,000.00 on an annual basis.

Mr. DeMelo stated to the Board ... we’re having functions just about every week ... we’re making quite bit of money on those functions.

When asked by Chairman Beauregard as to what type of functions they’re having down there, Mr. DeMelo stated that they have some birthday parties ... baby showers ... there are so many different ones ... we keep a list of them ... and they keep coming in because we don’t charge for the hall ... we make our money off the liquor that’s sold.

When asked by Chairman Beauregard as to how much of the \$114,000.00 in annual sales is from outside sources versus members?

Mr. Amato responded, it’s just about all outside sources ... the membership base does not really contribute that really ... it’s all done through the bar.

Chairman Beauregard responded, you understand what you’re saying to us ... this is a problem ... you have a ‘club’ license ... and you’re doing basically what everybody else in the city is doing ... it’s no longer a ‘club’ any more.

Chairman Beauregard concluded the hearing by stating, I suspect you’ll be back before us ... we’re going to take a look at the testimony that was presented here this evening ... but I can tell you ... that it’s not going to continue ... with this Board ... speaking for myself as Chairman ... to run an organization in which a majority of your sales are from outside sources ... and running on a ‘club’ license ... you can’t exist ... and I question how you can even pay back ... with one expense being \$2,100.00 ... never mind you (Mr. DeMelo) getting your rent ... you buying your product ... and paying the staff that you have on board ... according to your Club Compensation Form.

Mr. DeMelo responded that he has not been taking his rent because he cares about the club and the people that go there.

VOTED: Based on the licensee’s failure to submit a Certificate of Good Standing from the Department of Revenue by the June 1st deadline to complete their application updating their officers and directors as required by the Alcoholic Beverages Control Commission, Commissioner Almeida made a motion to **suspend the Club All Alcoholic Beverages license effective July 27, 2015, and to hold the suspension in abeyance until July 20, 2015, giving the licensee additional time to complete their application; with the stipulation that if the application is not complete by July 20th, the licensee must appear before the Board at its July 27th meeting to surrender their license. – Unanimous**

The licensee has the right to appeal this decision to the Alcoholic Beverages Control Commission under the provisions of Ch. 138 of M.G. L. **within five (5) days of receipt of notice with a copy submitted to this office.**

(If the licensee is in full compliance by July 20, 2015, the Board’s vote to suspend the license will be rescinded.)

20. PETITION - Trans. # 141 – Plot # 25-A-25—CLUB

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)

****The application was approved by the N. B. Lic. Bd. on 04/21/15.**

VOTED: Based on the licensee's failure to submit a Certificate of Good Standing from the Department of Revenue, which is required to complete their application; Commissioner Almeida made a motion to **table the matter until such a time that the said certificate is submitted to complete the application.** – **Unanimous**

21. Hearing: Casa Do Benfica, No. 27, Inc. – CLUB - NO APPLICATION SUBMITTED

Francisco M. Vala, Manager

1484 Acushnet Avenue

Your presence is requested at a hearing to determine whether you have violated certain provisions of M. G. L. and ABCC Regulations. This hearing is being held as a result of your failure to comply with the June 1st deadline to submit a completed application updating your officers and directors as required by the Alcoholic Beverages Control Commission. At the time of this hearing, if your organization remains non-compliant the Board must take action and as such, **you are hereby instructed to bring with you your 2015 Liquor License.** Depending on the Board's decision, you may be required to surrender your license until this matter is resolved.

Your failure to appear will result in the automatic suspension of your license.

Present: Atty. Irene Schall along with Francisco Vala, Manager and Daniel DaCosta, Director

Atty. Schall stated, I was retained by the 'club' on or about June 11th ... and I have the application about 95% done ... there was some confusion regarding the due date of the tax return ... and whether or not an extension had been filed ... so consequently ... I was not able to get a Certificate of Good Standing ... but that's in process ... I anticipate that the return will be done on Friday ... there are no issues with the taxes whatever they are to be paid ... the club has a fund for that ... so that's the only remaining part of the package ... and that's why I was not able to file today.

When asked by Chairman Beaugard as to what the estimated processing time would be, Atty. Schall responded, I don't know that yet ... I'm sorry... but it's only for the current year.

Chairman Beaugard responded, my concern with them is that they've had a long time to prepare for this, to which Atty. Schall responded, I know ... they know it too ... they've heard it from me ... so ... anybody that knows me ... they know I play it straight ... and I told them that it has to be done ... and I have to say ... once I got involved ... they've been very co-operative .

VOTED: Based on the licensee's failure to submit a completed application including a Certificate of Good Standing from the Department of Revenue by the June 1st deadline, updating their officers and directors as required by the Alcoholic Beverages Control Commission, Commissioner Almeida made a motion to **suspend the Club All Alcoholic Beverages license effective July 27, 2015, and to hold the suspension in abeyance until July 20, 2015, giving the licensee additional time to submit a complete application; with the stipulation that if the application is not submitted by July 20th, the licensee must appear before the Board at its July 27th meeting to surrender their license.** –

Unanimous

The licensee has the right to appeal this decision to the Alcoholic Beverages Control Commission under the provisions of Ch. 138 of M.G. L. **within five (5) days of receipt of notice with a copy submitted to this office.**

(If the licensee is in full compliance by July 20, 2015, the Board's vote to suspend the license will be rescinded.)

22. Hearing: Andrew Dahill Post #1531, Veterans of Foreign Wars of the U.S. – NEED DOR CERTIFICATE

Patrick M. Flinn, Manager

477 Park Street

Your presence is requested at a hearing to determine whether you have violated certain provisions of M. G. L. and Alcoholic Beverages Control Commission (ABCC) Regulations. This hearing is being held as a result of your failure to comply with the June 1st deadline to submit a completed application updating your officers and directors as required by the Alcoholic Beverages Control Commission.

At the time of this hearing, if your organization remains non-compliant the Board must take action and as such, **you are hereby instructed to bring with you your 2015 Liquor License.** Depending on the Board's decision, you may be required to surrender your license until this matter is resolved.

Your failure to appear will result in the automatic suspension of your license.

Present: Patrick M. Flinn, Manager/Treasurer

Responding to questions from Chairman Beauregard, Mr. Flinn stated, I took over as the Treasurer on the 7th of this month ... we were on a payment plan with the Department of Revenue ... but the previous person didn't keep up with that ... I've been in touch with Mr. Michel Flinn with the DOR ... I received a packet today with the exact amount that we owe ... \$62,000.00 ... however ... some of the money has been paid ... this should be resolved in about a week ... at which time they'll issue me the DOR Certificate.

When asked by Chairman Beauregard as to the amount that they actually owe, Mr. Flinn stated, probably about in the \$42,000.00 range ... it sounds like a lot of money ... but we do about \$250,000.00 a year ... roughly ... and there are also issues with two individuals which I'm doing an audit on ... regarding missing money ... but we do have a bond on the individuals ... if it is missing ... we have a bond for \$50,000.00 for recovery.

When asked by Chairman Beauregard as to how many members do they have, Mr. Flinn responded, we have about 138 members with about another 60-70 associate members, and that about 120 of the 198 are active members.

When asked by Chairman Beauregard as when he anticipated he would have his DOR Certificate, Mr. Flinn responded, If I can work up the paperwork this week ... and submit next week ... I should have it within 30 days.

VOTED: Based on the licensee's failure to submit a Certificate of Good Standing from the Department of Revenue by the June 1st deadline to complete their application updating their officers and directors as required by the Alcoholic Beverages Control Commission, Commissioner Almeida made a motion to **suspend the Club All Alcoholic Beverages license effective July 27, 2015, and to hold the suspension in abeyance until July 20, 2015, giving the licensee additional time to complete their application; with the stipulation that if the application is not complete by July 20th, the licensee must appear before the Board at its July 27th meeting to surrender their license. – Unanimous**

The licensee has the right to appeal this decision to the Alcoholic Beverages Control Commission under the provisions of Ch. 138 of M.G. L. **within five (5) days of receipt of notice with a copy submitted to this office.**

(If the licensee is in full compliance by July 20, 2015, the Board's vote to suspend the license will be rescinded.)

23. PETITION - Trans. # 111 – Plot # 64--325 (No Representation Required)--CLUB

Andrews-Dahill Post #1531, Veterans of Foreign Wars of the U.S., Wallace Houtman, (new) President, who is petitioning for a **Change of Officers and Directors 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, Wallace Houtman will be the President, Peter Gonzalez will be the Treasurer, and Patrick M. Flinn will be the Secretary; and Rodney J. Quinn, Robert A. Holt, Jose M. Dias, Jose F. Alymeda, and Orlando C. Ocano will all be Co-Directors. Premises will remain the same at **477 Park Street. (No Advertisement nor Abutters Notification Required)**

VOTED: Based on the licensee's failure to submit a Certificate of Good Standing from the Department of Revenue, which is required to complete to their application; Commissioner Almeida made a motion to **table the matter until such a time that said certificate is submitted to complete the application. – Unanimous**

24. Hearing: IBPOE, Elks, d/b/a William H. Carney Lodge #200—NEED DOR CERTIFICATE

Algie F. Wheatley, Manager
159 Mill Street

Your presence is requested at a hearing to determine whether you have violated certain provisions of M. G. L. and Alcoholic Beverages Control Commission (ABCC) Regulations. This hearing is being held as a result of your failure to comply with the June 1st deadline to submit a completed application updating your officers and directors as required by the Alcoholic Beverages Control Commission.

At the time of this hearing, if your organization remains non-compliant the Board must take action and as such, **you are hereby instructed to bring with you your 2015 Liquor License.** Depending on the Board's decision, you may be required to surrender your license until this matter is resolved.

Your failure to appear will result in the automatic suspension of your license.

Present: Algie F. Wheatley, Manager along with Roosevelt Hunter, New President and Donald Gomes Treasurer

Responding to questions from Chairman Beauregard, Mr. Hunter stated that they still had not received their DOR Certificate as result of their checks being made out to the Department of Revenue instead of being made out to the Commonwealth of MA., so that had to be re-submitted, but they hadn't been posted yet.

VOTED: Based on the licensee's failure to submit a Certificate of Good Standing from the Department of Revenue by the June 1st deadline to complete their application updating their officers and directors as required by the Alcoholic Beverages

Control Commission, Commissioner Almeida made a motion to **suspend the Club All Alcoholic Beverages license effective July 27, 2015, and to hold the suspension in abeyance until July 20, 2015, giving the licensee additional time to complete their application; with the stipulation that if the application is not complete by July 20th, the licensee must appear before the Board at its July 27th meeting to surrender their license. – Unanimous**

The licensee has the right to appeal this decision to the Alcoholic Beverages Control Commission under the provisions of Ch. 138 of M.G. L. **within five (5) days of receipt of notice with a copy submitted to this office.**

(If the licensee is in full compliance by July 20, 2015, the Board's vote to suspend the license will be rescinded.)

25. PETITION - Trans. # 073 – Plot # 25--88 (No Representation Required)--CLUB

IBPOE, Elks d/b/a William H. Carney Lodge #200, Roosevelt Hunter, (new) President, who is petitioning for a **Change of Officers and Directors 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, Roosevelt Hunter will be the President, Donald Gomes will be the Treasurer, and Algie Wheatley will be the Secretary; and Billy R. Graham, Russell Ramos, and James Bargasse will all be Co-Directors. Premises will remain the same at **159 Mill Street**.

(No Advertisement nor Abutters' Notification Required)

VOTED: Based on the licensee's failure to submit a Certificate of Good Standing from the Department of Revenue, which is required to complete their application; Commissioner Almeida made a motion to **table the matter until such a time that said certificate is submitted to complete the application. – Unanimous**

26. Hearing: P.A.A.C. of Greater N. B. – CLUB - NEED DOR CERTIFICATE

Arlindo Moura, Manager

56 Holly Street

Your presence is requested at a hearing to determine whether you have violated certain provisions of M. G. L. and Alcoholic Beverages Control Commission (ABCC) Regulations. This hearing is being held as a result of your failure to comply with the June 1st deadline to submit a completed application updating your officers and directors as required by the Alcoholic Beverages Control Commission.

At the time of this hearing, if your organization remains non-compliant the Board must take action and as such, **you are hereby instructed to bring with you your 2015 Liquor License**. Depending on the Board's decision, you may be required to surrender your license until this matter is resolved.

Your failure to appear will result in the automatic suspension of your license.

Present: Atty. Donald Perry along with Arlindo Moura, Manager

Responding to questions from Chairman Beauregard, Atty. Perry stated on behalf of the club that they've submitted everything to the DOR and that they were expecting it this coming week; and that he would follow through with the accountant and the DOR to ensure that they get it; adding that there is no reason why they shouldn't get it.

VOTED: Based on the licensee's failure to submit a completed application including a Certificate of Good Standing from the Department of Revenue by the June 1st deadline, updating their officers and directors as required by the Alcoholic Beverages Control Commission, Commissioner Almeida made a motion to **suspend the Club All Alcoholic Beverages license effective July 27, 2015, and to hold the suspension in abeyance until July 20, 2015, giving the licensee additional time to submit a complete application; with the stipulation that if the application is not submitted by July 20th, the licensee must appear before the Board at its July 27th meeting to surrender their license. – Unanimous**

The licensee has the right to appeal this decision to the Alcoholic Beverages Control Commission under the provisions of Ch. 138 of M.G. L. **within five (5) days of receipt of notice with a copy submitted to this office.**

(If the licensee is in full compliance by July 20, 2015, the Board's vote to suspend the license will be rescinded.)

27. PETITION - Trans. # 085 – Plot # 93--210 (No Representation Required)--CLUB

Portuguese American Athletic club of Greater New Bedford, Inc., Arlindo Moura, (new) President, who is petitioning for a **Change of Officers and Directors 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, Arlindo Moura will be the President and a Co-Director, Manuel dos Santos will be the Vice-President and a Co-Director, Jose Ribeiro will be the Treasurer and a Co-Director, and Antonio DaCosta

will be the Secretary and a Co-Director; and Ernesto Santos, Jose Ramos, Joao Marcal, and Jose Ferreira will all be Co-Directors. Premises will remain the same at **56 Holly Street**.

(No Advertisement nor Abutters' Notification Required)

VOTED: Based on the licensee's failure to submit a Certificate of Good Standing from the Department of Revenue, which is required to complete their application; Commissioner Almeida made a motion to **table the matter until such a time that said certificate is submitted to complete the application.** – Unanimous

28. Hearing: Verdean Veterans' Memorial Foundation, Inc. - NEED DOR CERTIFICATE

Kim M. Watkins, Manager
561 Purchase Street

Your presence is requested at a hearing to determine whether you have violated certain provisions of M. G. L. and Alcoholic Beverages Control Commission (ABCC) Regulations. This hearing is being held as a result of your failure to comply with the June 1st deadline to submit a completed application updating your officers and directors as required by the Alcoholic Beverages Control Commission.

At the time of this hearing, if your organization remains non-compliant the Board must take action and as such, **you are hereby instructed to bring with you your 2015 Liquor License.** Depending on the Board's decision, you may be required to surrender your license until this matter is resolved.

Your failure to appear will result in the automatic suspension of your license.

Present: Kim M. Watkins, Manager along with Helena S. Almeida

Responding to questions from Chairman Beaugard, Ms. Watkins stated the reason that they haven't received their DOR Certificate is due to the fact that their non-profit status was revoked in 2003 by the IRS, as a result of the club's failure to re-apply or get certified as a non-profit. Ms. Watkins added, so, if we had known, that our license was incumbent on having a non-profit status, I think we would have pursued re-certifying our non-profit status more quickly.

When asked by Chairman Beaugard if she was suggesting that they have not had a DOR Certificate since 2003, Ms. Watkins responded, there was never a need to request one before; and this only came about because it's required as part of this application process.

When asked by Chairman Beaugard as to when they would be getting the DOR Certificate, Ms. Watkins stated that her account stated it could take 4-6 months.

Mr. Nanopoulos informed the Board that based on the club's loss of non-profit status, it may affect their right to continue to hold the license and remain open, and that he would check with the ABCC for guidance.

VOTED: Based on the licensee's failure to submit a Certificate of Good Standing from the Department of Revenue by the June 1st deadline to complete their application updating their officers and directors as required by the Alcoholic Beverages Control Commission, Commissioner Almeida made a motion to **suspend the Club All Alcoholic Beverages license effective July 27, 2015, and to hold the suspension in abeyance until July 20, 2015, giving the licensee additional time to complete their application; with the stipulation that if the application is not complete by July 20th, the licensee must appear before the Board at its July 27th meeting to surrender their license.** – Unanimous

The licensee has the right to appeal this decision to the Alcoholic Beverages Control Commission under the provisions of Ch. 138 of M.G. L. **within five (5) days of receipt of notice with a copy submitted to this office.**

(If the licensee is in full compliance by July 20, 2015, the Board's vote to suspend the license will be rescinded.)

29. PETITION - Trans. # 192 – Plot # 46--152 (No Representation Required)—CLUB

Verdean Veterans Memorial Foundation, Inc., Diane Pina, (new) President, who is petitioning for a **Change of Officers and Directors 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, Diane Pina will be the President and a Co-Director, Bernidino Silva will be the Vice-President and a Co-Director, Viola Pina Pires will be the Treasurer and a Co-Director, and Pamela Chumack will be the Secretary and a Co-Director. Premises will remain the same at **561 Purchase Street**.

(No Advertisement nor Abutters Notification Required)

VOTED: Based on the licensee's failure to submit a Certificate of Good Standing from the Department of Revenue, which is required to complete their application; Commissioner Almeida made a motion to **table the matter until such a time that the said certificate is submitted to complete the application.** – Unanimous

30. Hearing: Whaling City Club, Inc. – CLUB - MUST RE-DO APP./MISSINGDOCS./

Carlos Barreira, Manager
447 Belleville Avenue

NEED DOR CERT

Your presence is requested at a hearing to determine whether you have violated certain provisions of M. G. L. and Alcoholic Beverages Control Commission (ABCC) Regulations. This hearing is being held as a result of your failure to comply with the June 1st deadline to submit a completed application updating your officers and directors as required by the Alcoholic Beverages Control Commission.

At the time of this hearing, if your organization remains non-compliant the Board must take action and as such, **you are hereby instructed to bring with you your 2015 Liquor License.** Depending on the Board's decision, you may be required to surrender your license until this matter is resolved.

Your failure to appear will result in the automatic suspension of your license.

Present: Dennis Paim, Vice-President

Mr. Nanopoulos informed the Board that the club still had not submitted a completed application, which includes a DOR Certificate of Good Standing.

When asked by Chairman Beauregard as to why the club had not received their DOR Certificate, Mr. Paim was unable to give an answer.

Based on the applicant's failure to submit an application as required, and Mr. Paim's ability to inform the Board as to the status of the club's DOR Certificate, Chairman Beauregard called for a motion.

VOTED: Based on the licensee's failure to submit a completed application including a Certificate of Good Standing from the Department of Revenue by the June 1st deadline, updating their officers and directors as required by the Alcoholic Beverages Control Commission, Commissioner Almeida made a motion to **suspend the Club All Alcoholic Beverages license effective July 27, 2015, and to hold the suspension in abeyance until July 20, 2015, giving the licensee additional time to submit a complete application; with the stipulation that if the application is not submitted by July 20th, the licensee must appear before the Board at its July 27th meeting to surrender their license.** –

Unanimous

The licensee has the right to appeal this decision to the Alcoholic Beverages Control Commission under the provisions of Ch. 138 of M.G. L. **within five (5) days of receipt of the notice with a copy submitted to this office.**

(If the licensee is in full compliance by July 20, 2015, the Board's vote to suspend the license will be rescinded.)

VOTED: Commissioner Almeida made a motion to take up **Item #'s 31 - 40** at one time; waive reading; and approve the applications as presented – **Unanimous**

31. APPLICATION, (No Representation Required)

Southcoast Media Group, Michelle Coombs, Representative, requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for an 'Awards Banquet', to be held at the **New Bedford Whaling Museum,** located at **18 Johnny Cake Hill;** and to be held on **Thursday, June 4, 2015, from 5:30 p.m. until 7:30 p.m.**

32. APPLICATION, (No Representation Required)

TJA Foundation, John Saunders, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Bike Run to Benefit Trevor & Jordan Alves' to be held at the **Madeira Field – Main Pavilion Area,** located on **Madeira Avenue;** and to be held on **Sunday, June 7, 2015 from 12:00 p.m. until 6:00 p.m.**

33. APPLICATION, (No Representation Required)

Society of Senhor Da Pedra, Inc., Ana Pimentel, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a 'Clamboil – Feast Fundraiser', to be held in the **Club Parking Lot** located at **81 Tinkham Street;** and to be held on **Saturday, June 27, 2015, from 11:00 p.m. until 8:00 p.m.**

34. APPLICATION, (No Representation Required)

Club Madeirense – S.S. Sacramento, Edward Camara, Jr., Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for their '2015 Night of St. John Clamboil' to be held at the **Madeira Field – Main Pavilion Area,** located on **Madeira Avenue;** and to be held on **Sunday, June 28, 2015 from 1:00 p.m. until 4:00 p.m.**

35. APPLICATION, (No Representation Required)

Louise Donaghy, Applicant, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Graduation Party', to be held inside the **Fort Taber Community Center,** located within **Fort**

Taber Park; and to be held on **Sunday, June 28, 2015, from 12:00 p.m. until 4:00 p.m.** (*Final approval will require Liquor Liability with the City named as additionally insured*)

36. APPLICATION, (No Representation Required)

Centro – Luso American Club, Inc., Adriano Carvalho, Jr. President, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a ‘4th of July Cookout’, to be held in the ‘**Club Parking Lot**’, located at **34 Beetle Street**; and to be held on **Saturday July 4, 2015, from 12:00 p.m. until 8:00 p.m.**

37. APPLICATION, (No Representation Required)

Pub 6 Social Corp. d/b/a Pub 6 at the Sixth Bristol, George Oliveira, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for the ‘1st Annual Steven L. Motta Bike Run’, to be held in the **Sixth Bristol Parking Lot**, located at **736 Ashley Boulevard**; and to be held on **Saturday, July 18, 2015, from 11:00 a.m. until 6:00 p.m. (Rain Date: Sunday, July 19, 2015)**

38. APPLICATION, (No Representation Required)

Kelly Everett, Applicant, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for an ‘Everett & Pye Wedding Reception’, to be held **within Wing’s Court** under a tent; and to be held on **Sunday, August 9, 2015, from 3:00 p.m. until 7:00 p.m.** (*Final approval will require Liquor Liability with the City named as additionally insured & a copy of the Police Detail Contract*)

39. APPLICATION, (No Representation Required)

Amy L. Connor, Applicant, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Connor/ Bailey Reception’, to be held inside the Fort Taber Community Center, located within **Fort Taber Park**; and to be held on **Saturday, August 29, 2015, from 6:00 p.m. until 10:00 p.m.** (*Final approval will require Liquor Liability with the City named as additionally insured*)

40. APPLICATION, (No Representation Required)

Acushnet Veterans Memorial Committee, Thomas J. DaCosta, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for an ‘Adam Taylor Foundation Fundraiser’ to be held within the **Madeira Field Pavilion Area**, located at **50 Madeira Avenue**; and to be held on **Sunday, August 30, 2015, from 1:30 p.m. until 7:30 p.m.**

(*Final approval will require Liquor Liability with the City named as additionally insured & a copy of the Police Detail Contract*)

41. Meeting: The Club Madeirense S.S. Sacramento, Inc.

Feast of the Blessed Sacrament

Mr. Nelson De Gouveia, 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 101st Feast of the Blessed Sacrament (July 30th, July 31st, August 1st, & August 2nd). The meeting will include Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

With regard to this year’s event, this Board is looking forward to working with you and your committee with the hope that you embrace the outstanding plan that has formulated over the past several years, and that, if possible, explore ways to improve on the plan.

We fully anticipate that this year’s committee will work with us to help ensure that the 101st Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

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 person's 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:
 - ✓ Prohibit second hand use of the same license.
 - ✓ Better identify those people less than 35 yrs. of age (different style of wristbands).
 - ✓ Age Band Bracelets – includes last name and last 4 digits of identification (social security) #'s.
 - ✓ Wristbands will be placed on the person's right wrist for easier visibility.
 - ✓ Police can override negative or misread readings.
 - **35-Year-Old Plus Line** – I.D. checking for older adults will be done manually.
 - **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”.
- ✓ Signs at all locations where alcohol is served.
- ✓ On the Screen/Main stage.
- ✓ Drinking is a privilege provided by the Club S.S. Sacramento and the Feast of the Blessed Sacrament to those individuals that are of lawful age and responsible.
- ✓ **Underage Sting Program** – The Feast welcomes state and local underage sting operations to help insure safety.
- ✓ **Public Notice** – Feast will promote and inform the public of all new initiatives in place to curb underage drinking and intoxication.
- ✓ **Cab Company/Transportation** – An arrangement has been formed with a local cab company to be available to drive home guests that appear to be under the influence.

Jocelyn Andrade of the Substance Abuse Task Force stated that she would be issuing posters that will help with verifying I.D.'s; and would be looking into holding a training seminar for the Committee and their servers, to which Mr. Colangelo stated would be held the Wednesday before the feast.

Chairman Beauregard once again stated his desire to see the alcohol contained within the fenced in feast grounds, by stating that this is the last weak spot we have, which is the sale of alcohol out onto Hathaway Street; and that is the place we have alcohol coming off the grounds and that is the only area where we don't have the control we would like to see.

ADOPTED FOR 2008:

- ✓ No vendors serving drinks outside the defined Feast perimeter*
- ✓ Two TIPS training sessions with more than 50 people completing the 4 hour course
- ✓ Improved ID / Age verification system – I Detect*
- ✓ There will be rope lines to maintain clearer access for Police and Emergency people and equipment at the Feast Entrance on Tinkham Street
- ✓ Feast Vendors have been located to Hathaway street providing more handicap parking
- ✓ Hathaway street will be better lit with the same flood-lights previously provided and lighting of vendor areas

****Recommendations by the NBPd and the NBLB***

Issuing Wristbands

- ✓ 10 handheld devices have been purchased
- ✓ All machines linked to computer and each other
- ✓ Separate lines for 30+/35+ years old
- ✓ ID visually checked to verify it is that of the person presenting it.

- ✓ ID scanned and if formatted with proper state encoding and of lawful age a barcode and numeric wristband is printed and information stored in computer – The barcode or id number on the wristband can be used to retrieve information from computer
- ✓ Wristband placed on individual's right-hand
- ✓ Software prohibits multiple uses of same ID, and can be used to ban individuals from reuse
- ✓ Any questions are consulted with Police stationed at the Wristband booths
- ✓ In the event that a scanning machine appears to be a misread, police can override
- ✓ NB Substance abuse task force members will assist with issuing of wristbands

Special Alcohol Safety Team

- ✓ Larry Jacques – Club President
- ✓ Don Neves – Feast President
- ✓ Carl Colangelo – Club BOD
- ✓ John Nunes – Club Treasurer
- ✓ - Feast Vice President
- ✓ Other members of Club and Feast Committee TBD

Training and Policy review

- ✓ Review Alcohol and Safety Policy to all Feast Committee members – Mandatory (Wednesday before Feast) – Also, 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.**

ADOPTED FOR 2013

- ✓ **There were no new initiatives adopted for this year's Feast but all conditions which were previously approved and adopted as stated above, shall be in effect and should be strictly enforced during this year's event, as has been the practice in the past.**

ADOPTED FOR 2014

- ✓ Alcohol shall be allowed to be served onto Hathaway Street;
- ✓ Alcohol shall not be allowed onto the 'carnival area';
- ✓ The 'Feast' shall be allowed to start at **12:00 p.m. (Noon) on Fridays.**

Present: Nelson De Gouveia, President along with, Donald Neves, Paul LeConte, and David Lucio; and Capt. Vicente, Police Department Liaison to the Lic. Bd.

When asked by Chairman Beauregard if they planned anything 'new' this year, Mr. Gouveia stated that they purchased four (4) more I.D. Check Wristband machines and six (6) more ticket machines; and that they also removed some trees at the Hathaway Street entrance, which would allow the foot traffic to flow more freely into the enclosed area.

Mr. Neves also stated that they also opened up four (4) means of egress into the enclosed area, which would also allow the foot traffic to flow more freely, as well as to allow for more room in the areas where tickets would now be sold; and added that the lines for tickets would not be on the feast grounds but instead they would form on the sidewalk, which would ease some of the congestion in the enclosed area.

The representatives of the feast reviewed the changes with the Board as they now appear on the site plan.

Mr. Gouveia also stated that they were cutting back on their marketing and advertising for this year's event.

When asked by Chairman Beauregard if they had added any land for this year's event, Mr. Nieves stated that they hadn't but it was something they've been working on; adding, that they've already purchased some additional property adjacent to the feast grounds but they were waiting to purchase one more piece of property before that could occur.

Chairman Beauregard suggested that the changes that were discussed be adopted as part of the 2015 approval.

***Licenses for this year's event must be applied for by July 6, 2015**

ACTION TAKEN: All Changes were accepted and placed on file.

42. Meeting: Club Sports Madeirense, Inc.

Mr. 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 **101st Feast of the Blessed Sacrament (July 30th, July 31st, August 1st, & August 2nd)**. The meeting will include Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

We fully anticipate that you will work with us to help ensure that the Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

Present: Manuel Marques, Manager along with Richard and Carl Fernandes; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd.

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.

Mr. (Richard) Fernandes stated that they did not apply for a license for the back parking lot last year due to the fact that it was the 100th Anniversary of the Feast, and that all the members assisted on the feast grounds last year but they planned on doing what they have done in the past.

Responding to further questions from Chairman Beauregard, Mr. (Richard) Fernandes stated that all the alcohol would be served in plastic cups; and that the Board of Directors would be monitoring the outside area to ensure that no alcohol leaves the area. He also stated that they would have some light entertainment as they have done in the past on Friday, Saturday, and Sunday for 3 or 4 hours. He also stated that the club locks its doors at 11:45 p.m. and that do not let anyone else in.

- **Will Apply for a Special License for Four (4) Days** with the following hours: Thurs. & Fri. – 6:00 P.M. – 11:45 P.M. Sat. & Sun. 1:00 P.M. – 11:45 P.M. to be used in ‘Club’ Parking Lot.
- **All Alcohol Must Be Consumed** within the parking lot and no alcohol should be allowed on the premises and no alcohol should be allowed off the premises.
- **‘Club Security’** will be provided to insure **all Rules & Regulations** with regard to the consumption of alcohol will be enforced.

***Licenses for this year's event must be applied for by July 6, 2015**

43. Meeting: Clube Ponta Delgada, Inc.

Ms. Christina Machado, Proposed New 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 **101st Feast of the Blessed Sacrament (July 30th, July 31st, August 1st, & August 2nd)**. The meeting will include Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

We fully anticipate that you will work with us to help ensure that the Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

Minutes of 06/30/14 Meeting

Present: Walter Gibau, Jr., Manager; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd., and Det. Lt. Joao Chaves, Detail Officer for Special Events

Mr. Gibau 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 Mr. Gibau that they are not allowed to offer reduced drink prices for that weekend, which has occurred in the past.

***Licenses for this year's event must be applied for by July 6, 2015**

Present: Ms. Machado Did Not Appear As Requested

VOTED: Commissioner Almeida made a motion to table the matter to the Board's July 27th meeting. – **Unanimous**

44. Meeting: Panthers Athletic & Social Club, Inc.

Mr. 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 **101st Feast of the Blessed Sacrament (July 30th, July 31st, August 1st, & August 2nd)**. The meeting will include Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

We fully anticipate that you will work with us to help ensure that the Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

Present: Jeffrey W. Baker, Manager along with Joseph Oliveira, Vice-President; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd.

Mr. Baker stated that they **would be applying** for a special license for the parking lot area next to the Club, with the same hours and procedures in place as they have in the past; and that they were aware that alcohol is not to be allowed out of or into the club, and that they would once again have security at all entrances/exits.

- **Will Apply for a Special License for Four (4) Days** with the following hours: Thurs. & Fri. – 6:00 p.m. – 11:45 p.m. Sat. & Sun. 12:00 p.m. – 11:45 p.m. to be used in ‘Club’ Parking Lot. (**Closing Lot at 11:30 p.m.) (Alcohol will not be allowed in the Parking Lot after 11:30 p.m.)**
 - **All Alcohol Must Be Consumed** within the parking lot and no alcohol should be allowed on the premises and no alcohol should be allowed off the premises.
 - **Signs Must Be Posted** stating that **‘No Alcohol’** is allowed in or out of the premises.
 - **Barrels** will be set up at all exits to help enforce alcohol **from leaving** certain points.
 - **‘Club Security’** will be provided to insure **all Rules & Regulations** regarding the consumption of alcohol will be enforced; Security persons working this event will be supplied with ‘Blue Event Shirts’ for easier recognition.
- *Licenses for this year’s event must be applied for by July 6, 2015**

45. Meeting: Society of Senhor DaPedra, Inc.

Mr. Viriato M. Teves, Manager
81 Tinkham Street

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 **101st Feast of the Blessed Sacrament (July 30th, July 31st, August 1st, & August 2nd)**. The meeting will include Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

We fully anticipate that you will work with us to help ensure that the Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

Present: Viriato Teves, Manager along Mario Almeida, President; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd.

Mr. Teves 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 11:45 p.m., as they’ve done in the past.

46. Meeting: Saint Michael Social Club, Inc.

Mr. Joao Raposo, Proposed New Manager
101 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 **101th Feast of the Blessed Sacrament (July 30th, July 31st, August 1st, & August 2nd)**.

The meeting will include Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

We fully anticipate that you will work with us to help ensure that the Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

Present: Atty. Michael Medeiros along with Joao Medeiros, New President; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd.

Atty. Medeiros stated on behalf of his client that the club would follow what they've done in the past and that they do not have anything planned for either the inside or the outside of the club; and that only the bar would be open.

1. 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.
2. That they would be using plastic cups only during this event to prevent anybody from hiding and walking out with bottles.
3. That they 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.

47. Meeting: Dublin's Sports Bar N Grille, LLC
d/b/a Dublin's Sports Bar N Grille
Mr. Mario Gomes, Manager/Owner
1686 Acushnet Avenue

You are hereby notified that 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 (July 30th, July 31st, August 1st, & August 2nd)**. The meeting will include Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

We fully anticipate that you will work with us to help ensure that the Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

Present: Mario Gomes, Manager/Owner; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd.

Responding to questions from Chairman Beauregard, Mr. Gomes stated that he would be closing at 11:45 p.m. and that he would not be having any entertainment.

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

You are hereby notified that 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 (July 30th, July 31st, August 1st, & August 2nd)**. The meeting will include Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

We fully anticipate that you will work with us to help ensure that the Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

Present: Jose Barbosa, Manager/Co-Owner along with Sandra Estrella, Owner's Daughter (Translator); Capt. Steven Vicente, Police Department Liaison to the Lic. Bd.

Responding to questions from Chairman Beauregard, Ms. Estrella stated the following on behalf of her father:

- **On Thursday**, they would be hiring 3 to 4 security with one at each door and 2 inside
Amended: As requested by the Police and the Licensing Board, **the licensee agreed to lock their door at 11:45 p.m., at which time nobody would be allowed to come back in if they leave the establishment but could remain open until 2 .am.**
- **On Friday and Saturday**, they would be hiring 4-5 security, with one at each door; and that they would be closing their doors at midnight (**amended to 11:45 pm. per the Chairman's request**); at which time nobody would be allowed to come back in if they leave the establishment but they would remain open until 2 a.m.; and they would have entertainment (House DJ) as they usually do.
- **On Sunday**, they would be hiring 3 to 4 security with one at each door and 2 inside; and they would also be having a 'Fados' singer from 6 p.m. until 10 p.m. and they would close at their normal time, unless the crowd becomes an issue.

49. Meeting: Skylight Enterprises, Inc. d/b/a ALIanca Lounge
Mr. Michael R. DeMatos, Manager
1708 Acushnet Avenue

You are hereby notified that 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 (July 30th, July 31st, August 1st, & August 2nd)**. The meeting will include Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

We fully anticipate that you will work with us to help ensure that the Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

Present: Mr. DeMatos Did Not Appear As Requested

VOTED: Commissioner Almeida made a motion to table the matter to the Board's July 27th meeting. – **Unanimous**

50. Meeting: Anthsand, Inc. d/b/a Incognito

Sandra R. DaSilva, Manager/Owner
1606-1610 Acushnet Avenue

You are hereby notified that 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 (July 30th, July 31st, August 1st, & August 2nd)**. The meeting will include Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

We fully anticipate that you will work with us to help ensure that the Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

Present: Sandra R. DaSilva, Owner; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd.

Responding to questions from Chairman Beauregard, Ms. DaSilva stated the following:

- **On Thursday**, they would be open for dinner with no DJ and would close at their normal time (1:45 a.m.).
- **On Friday and Saturday**, they would have 2 doormen, and they would be serving dinner from 5 p.m. until 10 p.m.; and that they would have a house DJ from 10 p.m. until 1:45 a.m. with last call at 1:30 a.m.
- **On Sunday**, they would be closed.

Capt. Vicente reminded Ms. DaSilva that if she chooses to remain open late as she stated, she can't blame any problems that may occur on or about her premises on the feast; and added, if you let them in, they become your problem.

51. Meeting: Simba, Inc. d/b/a Whiskey Lounge – Change of Location Pending

Ms. Kristina Morrow, Manager/Co-Owner
1669 Acushnet Avenue

You are hereby notified that 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 (July 30th, July 31st, August 1st, & August 2nd)**. The meeting will include Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

We fully anticipate that you will work with us to help ensure that the Feast of the Blessed Sacrament, which is very important to the Portuguese Community, the City of New Bedford, and to all that travel from afar to enjoy and partake in the celebration of the Madeira heritage, remains a safe and enjoyable event for all.

Present: Lawrence Bucha, Owner; Capt. Steven Vicente, Police Department Liaison to the Lic. Bd.

Responding to questions from Chairman Beauregard, Mr. Bucha informed the Board that they were still in the process of renovating the premises but they were trying to be open by the end of July but they weren't sure if they would be; and added that if he was open by then, it would be his intention to be open until 2 a.m. every night; and that they would have bouncers on from 10 p.m. until 2 a.m.

When asked by Chairman Beauregard if he would be willing to close his doors to new people at 11:45 p.m., Mr. Bucha stated that he would do that.

Chairman Beauregard instructed Mr. Bucha that he needed to let the Board know by July 27th, if he was going to be open by that weekend.

- **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.

DECISION: The Commission finds that the decision of the Local Board was supported by the record, was not based upon an error of law, and thus, was not arbitrary and capricious; Based on the evidence, the Alcoholic Beverages Control Commission **APPROVES the action of the Local Board in denying** the M.G.L. Ch. 138, sec. 15 Wines and Malt Beverages application of R.V. Gas, inc. d/b/a Joe's Gas.

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. Sebation Sports Bar &	#15 – 6820-OF	06/06/15	Patron Assaulted/Hindering Delaying an Investigation (Approximate Time of Violation 2:10 a.m.)

Decision: Bring In For a Hearing – 07/27/15

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

1. Summer Concert Series (Pier 3) – July thru Sept. - “Applied/“No Changes”
2. Cape Verdean Day Parade (Club Property) – July 5th - “Applied/“No Changes”
3. New Bedford Summerfest – July 4th, 5th, & 6th - “Applied/“No Changes”
4. Irmandade Do Divino Espirito Santo Do Pico (Club Grounds) – July 10th, 11th, 12th, & 13th - “Applied/“No Changes”
5. Sun of a Beach Festival (Ft. Taber) – July 18th - “Applied/“No Changes”
6. Feast of the Blessed Sacrament (Madeira Field) – July 30th, July 31st, Aug. 1st, & Aug. 2nd
(June Meeting)

- **Review Inactive License for July Meeting – “Informational Only”**

1. Braza Rotisserie (Ransan Rotisserie d/b/a) – CV W & M – License/And Or Business For Sale (Closed 12/31/13)
2. Columbus Group (Columbus Group, LLC d/b/a) – CVAA – Renovations (Approved 12/09/14)
3. Cultivator (Cultivator Shoals, Inc. d/b/a) – CV W & M – Renovations (Transfer Approved 10/01/14/Change of Description Approved (01/16/15)
4. Euphoria Lounge (Sapatinha’s Café, Inc. d/b/a) - GOP – Renovations (Fire) Closed/Fire 01/26/15)
5. Fortuna Grill (DeAbreu & Sons, Inc. d/b/a) – CV W & M – License/And Or Business for Sale – Tabled to September Meeting (Closed 07/01/14)
6. Lebanese Kitchen (Nabih Moujabber d/b/a) – CV W & M – Renovations – Tabled to July 27th Meeting (Closed/Fire 07/12/14)
7. Major League Burgers (JAMA, LLC d/b/a) – CVAA – License Only For Sale – Tabled to September Meeting (Closed 11/25/13)
8. Octane Sports Bar (Tane Corporation d/b/a) – CVAA – Sale Pending (Closed 10/01/13)
9. Seafire Bar & Grill (Calypso Hospitality, LLC d/b/a) – CVAA – Change of Location?? (Closed 03/10/15)

10. **The Sky Room (The Sky Room, Inc. d/b/a) – CVAA – License Foreclosed On (Closed 01/01/15)**
11. **Whiskey Lounge (Simba, Inc. d/b/a) - GOP – Renovations (Aug. 1st Opening) (Closed 12/31/14)**
12. **Ying Dynasty (Ying Dynasty Nauset, LLC d/b/a) – CVAA – Renovations – Tabled to May 18th Meeting (Approved 06/03/14)**

ACTION TAKEN: Bring all listed in for July 27th Meeting, except for Fortuna Grill and Major League Burgers, which were tabled to the Board's September Meeting.

- **NEXT TWO MEETING DATES: Monday, July 27th & Monday, August 24th both in Room 314- Approved**
- **MEETING ADJOURNED: 8:23 p.m.**