



Licensing Board

June 27, 2016 – 7:00 PM – **Minutes**
City Hall, 133 William Street, Room 314

PRESENT: Steven A. Beauregard, Chairman

Marcelino “Sonny” G. Almeida, Commissioner

Edmund F. Craig, Jr., Commissioner

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

Nick Nanopoulos, Director

(Atty. John A. Markey, Jr., Asst. City Solicitor – Out of

Town)

MOTION TO ACCEPT THE MEETING MINUTES OF April 25, 2016 - Unanimous

MOTION TO ACCEPT THE MEETING MINUTES OF May 23, 2016 - Unanimous

APPROVALS RECEIVED FROM THE ALCOHOLIC BEVERAGES CONTROL COMMISSION

Change of Officers, Directors, & Manager - Trans. # 141 – Plot # 25-A-25

Young Cape Verdean Athletic Association, Inc., Donald S. Soares, New President, who is petitioning for a **Change of Officers, Directors, and Manager of the Club All Alcoholic Beverages license**. The petitioner is requesting that the resignations of the current slate of Officers and Directors currently on file with the Alcoholic Beverages Control Commission be accepted, and be updated as follows, per the Commission’s directive of 09/30/14 regarding “Club” licenses. Upon approval, Donald Soares will be the President, Blaine Ferguson will be the Vice President, Mary Barrett-Maciél will be the Treasurer, and Norma Morrero will be the Secretary; and Bonaventura J. Barboza, III, Paul Massey, Jose Jorge, and Maria Wanyoike will all be Co-Directors. **John Maciel** will be the **New Manager**. Premises will remain the same at **418 South Front Street**.

Approved By ABCC – 05/27/16

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

Change of Officers & Directors - Trans. # 212 – Plot # 37—322

Bisca Tournament Club, Inc., Ayres Gonzales, 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 Treasurer and all the 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 remain as the President, John Soares will remain as the Vice-President, Susan Santos will be the New Treasurer, and Karen Jackson will remain as the Secretary; and Julia Costa, Cindy Pires, Tony Lopes, Betty Fermino, and Tony Ferreira will be the ‘new’ Co-Directors. Premises will remain the same at **157-161 Acushnet Avenue**.

Approved By ABCC – 05/27/16

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

Transfer of License, Change of Lic. Type, & Pledge of Lic. - Trans. # 067 – Plot # 30--316

Park Restaurant, Inc., Carla Medeiros, President, who is petitioning to transfer a **General on Premise All Alcoholic Beverages License** to **Ambiance Park Café, Inc.** The proposed transferee is also requesting a **Change of License Type** from a **sec. 12 General on Premise All Alcoholic Beverages License** to a **sec. 12**

Restaurant All Alcoholic Beverages License. The proposed transferee is also requesting approval of a **Pledge of the Common Victualler All Alcohol License** to **Carla Medeiros** with an address of **42 McCormick Street, Dartmouth, MA.** as security to authorize and execute a promissory note in the amount of **Forty Thousand Dollars (\$40,000.00), pursuant to Massachusetts General Laws Ch.138 s.23.** Upon approval, **Olimpia J. Goncalves** will be the President, Clerk, Co- Director, and Co-Shareholder (50%); and **Lionel Goncalves** will be the Treasurer, Co-Director, and Co-Shareholder (50%). **Olimpia J. Goncalves** is the **Proposed New Manager.** The previously approved description will remain the same as follows: The licensed premises consist of one room, with seating for thirty (30), kitchen w/ stock area, and two (2) restrooms, on the first floor of a one-story building. There is one (1) entrance/exit in the front and one (1) exit in the back of the building. Premise is situated on the north side of Rivet Street between Briggs and Bolton Streets and **numbered 369 Rivet Street.**

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

Approved By ABCC – 06/07/16

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

DISAPPROVALS RECEIVED FROM THE ALCOHOLIC BEVERAGES CONTROL COMMISSION

Change of Manager - Trans. # 174 – Plot # 12--165

Pub 6 Social Corp. d/b/a Pub 6 at the Sixth Bristol, 736 Ashley Boulevard, is requesting the approval of **Jonathan Sylvia,** who resides at **304 Rockdale Avenue, New Bedford, MA.** as their new manager.

Disapproved By ABCC – 05/31/16 - Failure to Comply With Mass Tax Laws (DUA) – 1st Attempt

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

1. PETITION - Trans. # 029 – Plot # 99—132 (No Representation Required)

Casa Do Benfica No. 27, Inc., Jose M. Toledo, 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, Jose M. Toledo will be the President, David Fernandes will be the Vice-President, Michael Mendonca will be the Treasurer, and Jose Brasil will be the Secretary; and Vasco DaSilva, Joao Martins, and Paulo Cordeiro will all be Co-Directors. **Daniel Da Costa** will remain as the **Manager.** Premises will remain the same at **1484 Acushnet Avenue.**

(No Advertisement nor Abutters Notification Required)

Present: No one was required to attend.

Mr. Nanopoulos informed the Board that the application was before them was for a Change of Officers and Directors, which would update the current list of officers and directors that are on file with the ABCC, per the Commission’s directive of 09/30/14; and that no representation was required, since the manager was staying the same.

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

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

Club Recordacoes de Portugal, Inc., Antonio DaSilva, 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 DaSilva will be the President and a Co-Director, Alipio DosAnjos will

be the Vice-President and a Co-Director, Carlos Chaves will be the Treasurer and a Co-Director, and Avelino Sequeira will be the Secretary and a Co-Director. **Ricardo Martins** will remain as the **Manager**. Premises will remain the same at **249-253 Coggeshall Street**.

(No Advertisement nor Abutters Notification Required)

Present: No one was required to attend.

Mr. Nanopoulos informed the Board that this application that was before them was also for a Change of Officers and Directors, which would update the current list of officers and directors that are on file with the ABCC, per the Commission's directive of 09/30/14; and that no representation was required, since the manager was staying the same.

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

3. PETITION - Trans. # 201 – Plot # 104--52 (No Representation Required) – LATE FILE

N & W Convenience Mart, Inc., Waqar A. Butt, President, who is requesting approval of a **Pledge of the Retail Package Store Wine & Malt Only Beverages License** to **St. Anne's Credit Union of Fall River, MA.**, with an address of **286 Oliver Street, Fall River, MA.**, as security to authorize and execute a promissory note in the amount of **Two Hundred & Thirty-Five Thousand Dollars (\$235,000.00)**, pursuant to Massachusetts General Laws Ch.138 s.23.

Present: No one was required to attend.

Mr. Nanopoulos informed the Board that the application was a request for a Pledge of License, and that it was simply an administrative request, therefore, no representation was required.

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

4. PETITION - Trans. # 095 – Plot #106—137

Clube Ponta Delgada, Inc., Eric Stephens, 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, Eric Stephens will be the President, Alan Mello will be the Vice-President, Kristen Fiano will be the Treasurer, and Corilyn Gibau will be the Secretary; and Maria Simas, Robert Mello, Robert Lopes, and Clement Costa will all be Co-Directors. The 'club' is also requesting the approval of **Walter Gibau, Jr.**, who resides at **1520 Purchase Street, N.B., MA. as their New Manager**. Premises will remain the same at **61-65 Madeira Avenue**.

(No Advertisement nor Abutters Notification Required)

Present: Walter Gibau, Jr., Proposed New Manager along with Eric Stephens, proposed New President

Responding to questions from Chairman Beauregard, Mr. Gibau stated that he's been with the club for nine years and that he's served as an Auditor and the Treasurer, as well as serving as the manager of the 'club' in 2014; and that he also has experience working at nightclubs (Temptation), as well as several other bars; he also stated that he was T.I.P.S. Certified and that he's on site about 35-40 hours a week, which includes nights and weekends; and that there would not be any changes to the day to day operations of the club.

Voted: On a motion by Commissioner Almeida, the Board **voted unanimously to approve the petition as presented**, and to forward the application to the Alcoholic Beverages Control Commission for their approval; with the stipulation that Mr. Gibau 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.

Voted: On a motion by Commissioner Almeida the Board **voted unanimously to take up item # 51 out of**

order.

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

Route Six Properties, Inc. d/b/a Temptation, Steven M. Camara, President, who is requesting a **Change of Officers, Director, (New) Stockholder, and the Transfer of Corporate Stock of the Common Victualler (Restaurant) All Alcoholic Beverages License**; and the acceptance of his resignation as the President, Treasurer, Secretary, and Sole Director; and to allow the transfer of all his Corporate Stock (100%). The proposed transferee is also requesting a **Change of d/b/a to Club Déjà Vu and a Pledge of the Common Victualler All Alcoholic License to Steven Camara** with an address of **1134 American Legion Highway, Westport, MA.** as security to authorize and execute a promissory note in the amount of **Five Hundred Thousand Dollars (\$500,000.00), pursuant to Massachusetts General Laws Ch.138 s.23.**

Upon approval, Kelvin Ortiz will be the President, Treasurer, Secretary, Sole Director, Sole Stockholder (100 %); and **Kelvin Ortiz** will remain as the **Manager. Premises will remain the same at 161 Pope's Island.**

Application has been advertised; Abutters Notification is not required.

Present: Atty. Patrick Matthews along with Kelvin Ortiz, Manager and Proposed New Owner

Responding to questions from Chairman Beauregard, Atty. Matthews stated that Mr. Ortiz, who was previously approved as the manager, is now purchasing the business from Mr. Camara; and upon approval, will become the Sole Officer, Sole Director, and Sole Stockholder of the corporation; adding that Mr. Camara is now legally disabled and cannot work anymore, which necessitated this change; he also stated that the operation would be basically the same as it is now under Mr. Ortiz.

He also stated that Mr. Ortiz has security in place and that all the bartenders and waitresses are T.I.P.S. Certified, as well as Mr. Ortiz; and that Mr. Ortiz is there as a full time manager, both days and evenings.

Atty. Matthews stated that Mr. Ortiz is trying to re-brand the establishment and to change the reputation to some extent, which is the reason for the name change to Club Déjà vu.

In discussing the selling price, Atty. Matthews stated that Mr. Ortiz is assuming some of Mr. Camara's outstanding debts, that is why there is no down payment, but as the pledge of license indicates, the debt will be paid off over time with the payments increasing over time based on the increase in revenue.

When asked by Chairman Beauregard if the purchase price included the property, Atty. Matthews stated that it did not include the property, which he stated was a rental property.

When informed by Chairman Beauregard that the ABCC might question the validity of the Promissory Note, Atty. Matthews responded, they might ... they may have questions about it ... but we'll be able to verify everything ... Mr. Camara has nothing do with this business any more.

When questioned by Chairman Beauregard if the weekly numbers were doable, Atty. Matthews responded, I know what you're saying ... but because this business was in such a hole ... that is why it's structured the way it is ... it's based on performance ... right now, it's going to be a challenge ... you're not wrong about that ... but restructuring the business this way ... is the only way to make this all work.

When Chairman Beauregard expressed his doubts that the payment numbers would work, Atty. Matthews responded, I don't share your pessimism ... I think we're a little more enthusiastic ... already since he's been managing ... a lot of things that were wrong there financially ... he's taking care of it ... vendors have all been brought up to date ... the DOR and DUA have been addressed ... each one on these problems ... Mr. Ortiz has addressed one after another ... we think this is doable with all due respect.

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

6. PETITION - Trans. # 169 – Plot # 36--140

Lobo's Lounge, Inc. d/b/a Washington Square Package Store, Jose A. Lobo, President, who is petitioning to **transfer a Retail Package Goods Store All Alcoholic Beverages License to Expo's Liquors, Inc. d/b/a Expo's Liquors.** Upon approval, **Kyle Duarte** will be the President, Treasurer, Secretary, Sole Director, Sole Shareholder, and **Manager.** Premises will remain the same at **281 County Street.**

Final approval will require a **'Change of Tenant'** from the Building Department.

Application has been advertised; Abutters Notification is not required.

Present: Atty. John Williams along with Kyle Duarte, Proposed Owner/Manager

Prior to Chairman Beauregard opening the hearing on the application, Mr. Nanopoulos informed the Board that he had been notified by Mark Fuller, Assistant Treasurer, that the seller owed the City some back taxes, and requested that the Board, if they were to approve the application, stipulated that the back taxes would have to be paid before they grant their final approval of the transfer, once approved by the ABCC. (Mr. Lobo was in attendance, and acknowledged that he would resolve any outstanding issues.)

When Atty. Williams made the point that his client was not purchasing the property, Mr. Nanopoulos informed him that the request was being made due the fact that the property owner (Mr. Lobo) was selling his liquor license.

Responding to questions from Chairman Beauregard, Atty. Williams stated on behalf of his client that he would continue to run it as Mr. Lobo has for years, and that his client currently is not T.I.P.S. Certified but he would be getting that done next week; adding that he's been running Expo's Variety Store down on Dartmouth Street for about six years, so he has experience in the retail industry; and he also has experience in checking I.D.'s for the cigarette sales of which they sell quite a bit of at that store.

Chairman Beauregard stated the following as a point of information; I've been on this Board for twenty years ... and I've never had anybody put a sign and contact a liquor distributor ... prior to approval from this Board and the ABCC ... this will be the first ... it's never happened before.

VOTED: On a motion by Commissioner Almeida the Board ***voted in the majority*** to approve the application and to forward the application to the Alcoholic Beverages Control Commission for their approval with the following stipulations:

1. That the licensee completes an Alcohol 'Server Certification' course **within Thirty (30) Days days after final approval is received or prior**; and proof of your certification be provided to this office; and that all his employees be 'certified' as well, with copies of their certifications to be kept on file for review, if needed;
2. And that the current license holder, who is also the property owner, **be current on all his city taxes prior to the Board granting their final approval of the transfer of his liquor license to Expo's Liquors, Inc.**; and said proof be submitted to the Licensing Board office.

7. PETITION - Trans. # 232 – Plot # 8--36

Kaitlyn Duarte d/b/a Expo's, who is petitioning as an individual for a **New Retail Package Store Wine and Malt Only Beverages License**. The proposed licensed premises is a convenience store located on the first floor of a three-story building in an area approximately 1,316 sq. ft., which will include a walk-in cooler for the storage of alcohol, as well as coolers and shelving for the sale and display of alcohol; the area also includes two rooms for storage in the rear of the building. Alcohol will also be stored in the basement. There is one (1) entrance/exit in the front of the building, as well as one emergency exit located at the rear of the building. The premise is situated on the east side of Brock Avenue, between Charles and Aquidneck Streets, and will be numbered **332 Brock Avenue**.

Final approval will require a '**Certificate of Inspection**' from Inspectional Services.

Application has been advertised; Abutters have been notified.

Present: Atty. Walter Frazee, Jr. along with Kaitlyn Duarte, Proposed Owner/Manager

Responding to questions from Chairman Beauregard, Atty. Frazee stated on behalf of his client ... for several years Kaitlyn has operated a small convenience store in a building that's owned by her father on Brock Avenue ... it's a residential district ...

that doesn't have any package stores in it of any kind ... I know that right at the start of Brock Avenue ... there is one ... but this a very large geographic area ... totally underserved ... so ... she has been in the business for several years ... she's been running it ... she's very experienced in checking I.D.'s ... it's more difficult to buy cigarettes than it is to buy a bottle of beer ... so she's very well trained with all the protocols for checking and verifying I.D.'s ... she also posted a sign to see if there was support ... or even if there was any opposition to this ... in response ... she got a very large number of people who signed in favor of the petition ... there was no

opposition ... nobody signed or said any word in opposition ... so we are confident that this is something that the neighborhood wants ... that they need ... and that they will be very well served ... so she has the experience ... this will be her full time job ... she spends approx. 50 hours a week at the site ... since her father owns the building ... so essentially it will be a family business ... owned solely by my client.

The Board voted unanimously to receive the petition that was submitted by Ms. Duarte and place it on file.

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

Upon hearing and seeing none, Chairman Beauregard closed that portion of the hearing and called for a motion. Commissioner Craig stated that based on the fact that the nearest package store one was just over a mile and a half away and not in the area of this location, and that there was nothing within a half mile of that location, that he would second Commissioner Almeida's motion and vote in favor of issuing a new license at this location.

VOTED: On a motion by Commissioner Almeida the Board *voted in the majority* to approve the application and to forward the application to the Alcoholic Beverages Control Commission for their approval with the following stipulations:

1. That the licensee completes an Alcohol 'Server Certification' course **within Thirty (30) Days days after final approval is received or prior**; and proof of your certification be provided to this office; and that all his employees be 'certified' as well, with copies of their certifications to be kept on file for review, if needed.

8. Hearing: Cultivator Shoals, Inc. d/b/a Cultivator

Mr. Jason P. Lanagan, Owner

35 Union Street

Transfer Approved 10/23/15

Your presence is respectfully requested at a hearing to discuss the current status of your Common Victualler (Restaurant) All Alcoholic Beverages license. The Board will also consider your request to open your establishment without an operating kitchen as previously approved by the Licensing Board at its meeting on September 21, 2015.

Minutes of 09/21/15 Meeting

Present: Jason P. Lanagan, Co-Owner

Responding to questions from Commissioner Almeida, Mr. Lanagan stated that the renovations relative to the previously approved plans were just about done; and they hoped to be open by Thanksgiving eve; and that he was T.I.P.S. Certified and that his staff would be certified as well.

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

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

Present: Jason P. Lanagan, Owner

Responding to questions from Chairman Beauregard, Mr. Lanagan stated that the bar side which has seating for 29 patrons was just about 100% complete and ready to open but the kitchen side still has substantial renovations and is about 20% complete; adding that the hood is up ... the fire grating is up ... the fire alarms work ... and that he still had to have some final inspections to be done ... it's been a while ... were trying to get open ... but it's a financial burden to get the kitchen open ... and not be open ... I think we would be able to get the kitchen open a lot quicker ... if we're open and generating some revenue ... there are also people waiting in the wings too ... they've been waiting for a while ... they're all T.I.P.S. Certified ... they're all experienced ... so that's where we are ... we're a couple of weeks away from being ready to open without the kitchen.

When asked by Chairman Beauregard as to when he anticipated that the kitchen would be ready, Mr. Lanagan responded, I would say about 6 months ... we still have to install a grease trap, which is a substantial cost ...

purchase the equipment and get it up and running ... and we don't want to do it half way ... we want to do it the right way.

Chairman Beaugard responded, if we were to approve the opening and we have you back in November, you should be good to go; to which Mr. Lanagan responded, "Yes".

VOTED: On a motion by Commissioner Almeida the Board **voted unanimously** to allow Mr. Lanagan to open without an operating kitchen, with the understanding that the kitchen would be operational by the end of November; failure to have the kitchen operational by November will require the licensee to appear before the Board at that time.

9. APPLICATION, Representation Required

N. B. Whaling Blues Festival/Zeiterion Theatre, Justin LaCroix, Representative who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for their '2016 New Bedford Whaling Blues Festival' to be held within **Fort Taber Park On The Great Lawn**; and to be held on **Saturday, August 13, 2016, from 11:00 a.m. until 9:00 p.m. (Site Plan & Security Plan On File)**

Present: Justin LaCroix, Representative

Responding to questions from Chairman Beaugard, Mr. LaCroix reviewed the layout of area being used within Fort Taber on the Great Lawn; he also stated that they were bring back the Blues Festival that hasn't been held in 10 years, and would be featuring local bands as well as big artists, and that the enclosed area would include a VIP Tent and a Concession Tent; and that they were hoping and planning for about 1,500 to 2,000 attendees, maybe a more from 11:00 a.m. until 9:00 p.m.

Responding to further questions from Chairman Beaugard, Mr. LaCroix stated that there would be three means of egress into the totally enclosed area; one would be an entrance/exit for the performers and staff; the second would be the main entrance/exit; and there would be an additional exit only gate; and that all three means of egress would have a Police Detail as well as event security and staff; and there would be additional security within the event area along with Police Details, which would be determined by Police Detail Officer; and that the alcohol would be served by the 'Z's T.I.P.S. Certified bartenders who they use at the theatre; and that the alcohol would purchased through Quality Beverages, whose looking to come in as a sponsor; and they will be delivering and picking up all the alcohol; and the I.D.'s will be checked by event staff and that wristbands will be issued.

VOTED: On a motion by Commissioner Almeida the Board **voted unanimously** to approve the security/site plan and the application as presented.

10. APPLICATION, Representation Required

New Bedford Folk Festival, Inc. Justin LaCroix, Representative, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a 'New Bedford Folk Festival', to be held in **an enclosed area in the street**, located at **684-686 Purchase Street**; and to be held on **Saturday, July 9, 2016 and Sunday, July 10, 2016, from 11:00 a.m. until 9 p.m. (Last Call @ 8:30 p.m.)**

*****Previously approved as presented on 05/23/16; A request has been made to extend the hours on Saturday night only until 11:30 p.m. for a Private Event Party after the last performance for the Performers/Volunteers, etc.*****

Present: Justin LaCroix, Representative

VOTED: On a motion by Commissioner Almeida the Board **voted unanimously** to approve the request, to extend the hours on Saturday night only until 11:30 p.m. for a Private Event Party after the last performance for the Performers and Volunteers.

VOTED: Commissioner Almeida made a motion to take up **Item #'s 11 - 43** at one time; waive reading; and approve the applications as presented – **Unanimous**

11. APPLICATION, (No Representation Required)

Society of Senhor Da Pedra, Mario Almeida, President who is requesting approval of an application for a

Special One-Day All Alcoholic Beverages License for a ‘Fundraiser Event’ to be held within the **Madeira Field Pavilion Area**, located at **50 Madeira Avenue**; and to be held on **Saturday, June 25, 2016, from 2:00 p.m. until 8:00 p.m.**

12. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Arthur P. Motta, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Gallery Opening’ to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Friday, July 1, 2016 from 6:00 p.m. until 9:00 p.m.**

13. APPLICATION, (No Representation Required) – “LATE FILE”

Fathoms Bar & Grille, Inc., Christopher Bentley, Manager, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a ‘Captain’s Dinner/ Shark Tournament’, to be held **on the outdoor grass area, which is contiguous to the outdoor patio area of the licensed establishment**, located at **255 Pope’s Island**; and to be held on **Thursday, July 14, 2016, from 4:00 p.m. until 8:00 p.m.**

14. APPLICATION, (No Representation Required)

Low Tide Yacht Club, Ray Holberger, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Steak Out/Silent Auction Fundraiser and Dinner, to be held **inside** the **Low Tide Yacht Club**, located within **Fort Taber Park**; and to be held on **Saturday, July 16, 2016, from 12:00 p.m. until 11:45 p.m. (Final approval will require Liquor Liability with the City named as additionally insured)**

15. APPLICATION, (No Representation Required)

Sandra Crowell, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘50th Birthday Party’ to be held at the **Fort Taber Community Center**, located within **Fort Taber**; and to be held on **Sunday, July 17, 2016, from 12:00 p.m. until 6:00 p.m.**

16. APPLICATION, (No Representation Required)

Sara Sylvia, Representative, who is requesting approval of an application for a **Special One-Day Alcoholic Beverages License** for a ‘Sylvia Wedding Reception’ to be held at the **Fort Taber Community Center**, located within **Fort Taber**; and to be held on **Sunday, July 24, 2016, from 4:00 p.m. until 10:00 p.m.**

17. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Cassie Poirier, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a ‘Lagoda Centennial Gala Fundraiser’ to be held at the **N.B. Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Saturday, August 6, 2016, from 5:30 p.m. until 10:00 p.m.**

18. APPLICATION, (No Representation Required)

Buttonwood Park Zoological Society, Inc., Kristen Gray, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a ‘Feast in the Wild Food Tasting Fundraiser’, to be held within the **Buttonwood Park Zoo**; and to be held on **Thursday, August 11, 2016, from 6:00 p.m. until 10:00 p.m.**

*((Liquor Liability with the City named as additional insured on certificate is required/along w/Copy of the Police Detail Contract) **NO CHANGES, AS PREVIOUSLY APPROVED***

19. APPLICATION, (No Representation Required)

Low Tide Yacht Club, Ray Holberger, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Light The Bay/Pig Roast’, to be held **inside** the **Low Tide Yacht Club**, located within **Fort Taber Park**; and to be held on **Saturday, August 20, 2016, from 12:00 p.m. until 11:45 p.m. (Final approval will require Liquor Liability with the City named as additionally**

insured)

20. APPLICATION, (No Representation Required) – “LATE FILE”

Society of Senhor Da Pedra, Fernando Arruda, Feast President who is requesting approval of an application for a **Special One Day All Alcoholic Beverage License** for a ‘Fundraiser/ A Feast of Senhor Da Pedra’ to be held on the **Madeira Field – Stands 1 & 2**, located on **Madeira Avenue**; and to be held on **Friday, August 19, 2016 from 6:00 p.m. until 11:45 p.m., Saturday, August 20, 2016 from 6:00 p.m. until 11:45 p.m., and Sunday, August 21, 2016 from 2:00 p.m. until 11:00 p.m.** (*Final approval will require Liquor Liability and a copy of the Police Detail Contract*)

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

21. APPLICATION, (No Representation Required)

Jeanne M. Costa, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a ‘100th Birthday Party’ to be held at the **Fort Taber Community Center**, located within **Fort Taber**; and to be held on **Saturday, September 3, 2016, from 1:00 p.m. until 6:30 p.m.**

- **New Bedford Bay Sox Games - Special One-Day Licenses (22)**
Alcohol Control Policy (On File) was approved by the Licensing Board at its April 25, 2016 Meeting.

22. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O’Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Bay Sox Baseball Game’ to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Saturday, June 4, 2016 from 5:00 p.m. until 10:00 p.m.**

23. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O’Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Bay Sox Baseball Game’ to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Saturday, June 11, 2016 from 5:00 p.m. until 10:00 p.m.**

24. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O’Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Bay Sox Baseball Game’ to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Sunday, June 12, 2016 from 5:00 p.m. until 10:00 p.m.**

25. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O’Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Bay Sox Baseball Game’ to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Wednesday, June 15, 2016 from 5:00 p.m. until 10:00 p.m.**

26. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O’Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Bay Sox Baseball Game’ to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Saturday, June 18, 2016 from 5:00 p.m. until 10:00 p.m.**

27. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O'Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a 'Bay Sox Baseball Game' to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Tuesday, June 21, 2016 from 5:00 p.m. until 10:00 p.m.**

28. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O'Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a 'Bay Sox Baseball Game' to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Sunday, June 26, 2016 from 5:00 p.m. until 10:00 p.m.**

29. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O'Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a 'Bay Sox Baseball Game' to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Tuesday, June 28, 2016 from 5:00 p.m. until 10:00 p.m.**

30. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O'Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a 'Bay Sox Baseball Game' to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Sunday, July 3, 2016 from 5:00 p.m. until 10:00 p.m.**

31. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O'Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a 'Bay Sox Baseball Game' to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Wednesday, July 6, 2016 from 5:00 p.m. until 10:00 p.m.**

32. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O'Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a 'Bay Sox Baseball Game' to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Friday, July 8, 2016 from 5:00 p.m. until 10:00 p.m.**

33. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O'Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a 'Bay Sox Baseball Game' to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Saturday, July 9, 2016 from 5:00 p.m. until 10:00 p.m.**

34. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O'Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a 'Bay Sox Baseball Game' to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Tuesday, July 12, 2016 from 5:00 p.m. until 10:00 p.m.**

35. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O'Connor, President, who is requesting approval of an application for a

Special One-Day Wine & Malt Only Beverages License for a ‘Bay Sox Baseball Game’ to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Thursday, July 14, 2016 from 5:00 p.m. until 10:00 p.m.**

36. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O’Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Bay Sox Baseball Game’ to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Saturday, July 16, 2016 from 5:00 p.m. until 10:00 p.m.**

37. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O’Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Bay Sox Baseball Game’ to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Friday, July 22, 2016 from 5:00 p.m. until 10:00 p.m.**

38. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O’Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Bay Sox Baseball Game’ to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Saturday, July 23, 2016 from 5:00 p.m. until 10:00 p.m.**

39. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O’Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Bay Sox Baseball Game’ to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Sunday, July 24, 2016 from 5:00 p.m. until 10:00 p.m.**

40. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O’Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Bay Sox Baseball Game’ to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Thursday, July 28, 2016 from 5:00 p.m. until 10:00 p.m.**

41. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O’Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Bay Sox Baseball Game’ to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Saturday, July 30, 2016 from 5:00 p.m. until 10:00 p.m.**

42. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O’Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Bay Sox Baseball Game’ to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Sunday, July 31, 2016 from 5:00 p.m. until 10:00 p.m.**

43. APPLICATION, (No Representation Required)

New Bedford Bay Sox, Inc., Pat O’Connor, President, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Bay Sox Baseball Game’ to be held at **Paul Walsh Field**, located at **230 Hathaway Boulevard**; and to be held on **Monday, August 1, 2016 from 5:00 p.m. until 10:00 p.m.**

44. Meeting: The Club Madeirense S.S. Sacramento, Inc. d/b/a Feast of the Blessed Sacrament

Mr. Paul E. LeConte, 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 **102nd Feast of the Blessed Sacrament (August 4th – 7th)**.

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 102nd 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 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 at 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**.

ADOPTED FOR 2015

- ✓ To purchased four (4) more I.D. Check Wristband Machines
- ✓ To purchase six (6) more Ticket Machines
- ✓ Will remove some trees at the Hathaway Street entrance, which would allow the foot traffic to flow more freely into the enclosed area.
- ✓ Cutting back on their marketing and advertising for this year’s event.

Present: Paul E. LeConte, President along with David Lucio and James Gouveia; and Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

When asked by Chairman Beauregard if they planned anything ‘new’ this year, Mr. LeConte stated that **they purchased three (3) more I.D. Check Wristband machines and three (3) more ticket machines**; and that the major changes for this year is that **there would not be a carnival area due to construction of the new school**.

He also stated that they’re up to 475 T.I.P.S. Certified Servers and that **no one is allowed to serve alcohol on the Feast Grounds, unless they are T.I.P.S. Certified**; and that **they have four (4) Certified Trainers that belong to the club**, and we hold the classes at the club.

Responding to a question from Chairman Beauregard, Mr. LeConte stated that the former carnival area is completely fenced off; therefore, no one would be able to cut through that area; so they will have to exit by way of the top or bottom of Hathaway Street.

When asked by Chairman Beauregard if they had added any land for this year’s event, Mr. LeConte stated that they hadn’t but it was something they continue to work on but that’s in the future.

Chairman Beauregard suggested that the changes that were discussed be adopted as part of the 2016 approval.

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

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

45. APPLICATION,

Club Sports Madeirense, - S.S. Sacramento, Inc. Paul LeConte, President requesting approval of an application for a **Special One Day All Alcoholic Beverage License** for a ‘102nd Feast of the Blessed Sacrament’ to be held on the **Madeira Feast Grounds (88 Tinkham Street)**, located on **Madeira Avenue**; and to be held **Thursday, August 4, 2016 from 6:00 p.m. until 11:45 p.m., Friday, August 5, 2016 from 12:00 p.m. until 11:45 p.m. and Saturday & Sunday, August 6th & 7th, 2016 from 12:00 p.m. until 11:45 p.m.**

46. APPLICATION,

Club Sports Madeirense - S.S. Sacramento, Inc. Paul LeConte, President requesting approval of an application for a **Special One Day All Alcoholic Beverage License** for a '102nd Feast of the Blessed Sacrament' to be held at the **Museum of Madeira Heritage**, located at **1 Funchal Place**; and to be held **Thursday, August 4, 2016 from 6:00 p.m. until 11:45 p.m., Friday, August 5, 2016 from 12:00 p.m. until 11:45 p.m. and Saturday & Sunday, August 6th & 7th, 2016 from 12:00 p.m. until 11:45 p.m.**

VOTED: Commissioner Almeida made a motion to take up Item #'s 45 & 46 at one time and to waive the reading; and to approve the applications as presented. – **Unanimous**

47. 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 '102nd Feast of the Blessed Sacrament' (**August 4th – 7th**). 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 Fernandes; Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

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

Responding to further questions from Chairman Beauregard, Mr. (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 they don't 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.

48. APPLICATION, (No Representation Required)

Club Sports Madeirense, Inc., Richard Fernandes, President, who is requesting approval of an application for a **Special One Day All Alcoholic Beverage License** for a 'Fundraiser' to be held in the '**Club – Parking Lot**', located at **1626 Acushnet Avenue**; and to be held **Thursday, August 4, 2016 from 6:00 p.m. until 11:45 p.m., Friday, August 5, 2016 from 12:00 p.m. until 11:45 p.m. and Saturday & Sunday, August 6th & 7th, 2016 from 12:00 p.m. until 11:45 p.m.**

VOTED: Commissioner Almeida made a motion to waive the reading, and to approve the application as presented. – **Unanimous**

49. 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 '102nd Feast of the Blessed Sacrament' (**August 4th – 7th**). 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, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

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; and that **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; **They would also be applying for a Police Detail to be assigned between 7:30 pm. and 11:30 p.m.**

50. APPLICATION, (No Representation Required)

Panthers Athletic and Social Club, Inc. Jeffrey Baker, Manager who is requesting approval of an application for a **Special One Day All Alcoholic Beverage License** for a "Fundraiser" to be held in the **Club – Parking Lot**, located at **43 Madeira Avenue**; and to be held **Thursday, August 4, 2016 from 6:00 p.m. until 11:45 p.m., Friday, August 5, 2016 from 12:00 p.m. until 11:45 p.m. and Saturday & Sunday, August 6th & 7th, 2016 from 12:00 p.m. until 11:45 p.m.**

VOTED: Commissioner Almeida made a motion to waive the reading, and to approve the application as presented. – **Unanimous**

51. Meeting: Clube Ponta Delgada, Inc.

Mr. Walter Gibau, 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 '102nd Feast of the Blessed Sacrament' (**August 4th – 7th**). 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: Walter Gibau, Jr. Proposed New Manager along with Eric Stephens, President; Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

- Mr. Gibau stated that they **would not be applying** for a Special License.
- That they **would be closing at 11:30 p.m.** as they have done in the past; and that they would have security at both the front door and back door, as well as having additional security personnel on the inside.
- That they would be using only plastic cups during the feast weekend.

- That they would not be offering any entertainment that weekend.

The Board also reminded them that they are not allowed to offer reduced drink prices for that weekend, which has occurred in the past; and that no one should be allowed in or out of the Club with alcohol.

52. Meeting: Saint Michael Social Club, Inc.

Mr. Joao A. Raposo, 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 ‘102nd Feast of the Blessed Sacrament’ (August 4th – 7th). 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: Joao A. Raposo along with Joao Medeiros, President; Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

Mr. Raposo stated that the club would follow what they’ve done in the past and that they do not having anything planned for the either the inside or the outside of the club; and that only the bar would be open.

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

53. 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 ‘102nd Feast of the Blessed Sacrament’ (August 4th – 7th). 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 with Mario Almeida, President; Capt. Steven Vicente, Liaison to the Licensing Board and Lt. Joao Chaves, Detail Officer for Special Events.

Mr. Almeida 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 11:30 p.m., as they’ve done in the past.

Mr. Almeida also stated that they **would be applying for a Police Detail.**

54. Hearing: Pub 6 Social Corp. d/b/a Pub 6 at the Sixth Bristol

Ms. Donna Finni, Treasurer
736 Ashley Boulevard

Your presence and that of Robert Morris, Finance Committee, is requested at a hearing to determine whether you have violated certain provisions of M.G.L. 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. Please be advised that the application that you submitted for a Change of Manager was disapproved by the ABCC on May 31, 2016 (see attached), for failure to comply with Mass Tax Laws; also, be advised that failure to comply with Mass. Tax Laws is a violation of M.G. L. Ch. 138, sec.64, To Wit: Failure to comply with the Laws of the Commonwealth.

M.G. L. Ch. 138, sec.64

Failure to comply with the Laws of the Commonwealth.

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 once again 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 Unemployment Assistance (DUA) in a timely manner, which is required to complete your application for a Change of Manager.

You have until June 23, 2016 to resolve your issues with the DUA

Once you resolve your issues with the DUA, you must contact this office immediately in order to submit your application for reconsideration.

As a result of your failure to be in compliance with the law, the Board will entertain testimony as to the actions you have taken to resolve this issue. Short of full compliance, the Board must take action and **as such you are hereby ordered to bring with you your 2016 Liquor License**. Depending on the Board's findings, you may be required to surrender your license until this matter is resolved.

Present: Donna Finni, Treasurer along with Robert Morris, Finance Committee and Paul Ventura, Board of Directors

Mr. Nanopoulos opened the hearing by reminding those present of the Board's prior decision, which included the stipulation, that if the application that was submitted at the last meeting for a change of manager was returned for "any" reason, the club would have to surrender their license until all outstanding issues were resolved.

When asked by Chairman Beauregard as to who would be speaking on behalf of the club, Mr. Morris offered the following response; since we last appeared before the Board ... a lot of things have happened ... we have received an offer to purchase the club ... which I brought with me (It was an offer that was submitted to Jeff Pontiff from Mr. Robert Xifaras) ... we have a meeting scheduled for tomorrow night, so that we can put it before the Board ... and if they approve it ... it would then go before the general body on July 10th for a vote to approve the sale.

Ms. Finni added, we're expecting another offer in a couple of days.

Chairman Beauregard responded to the offer that was shown to the Board by stating, just for the record ... this has happened before with this proposed purchaser ... another licensee also came in with an offer sheet from this person ... and it didn't go anywhere ... so I would question if this paperwork goes anywhere .

When asked by Chairman Beauregard as to what their plans are now, Mr. Morris responded, we've also assigned Atty. Joe Michaud with Power of Attorney to help resolve our tax issues ... getting that information for us ... and he's contacted the Department of Revenue to get those numbers.

Ms. Finni added, she was informed by Linda Morad (St. Anne's Credit Union) that at the point of sale ... and she has done this before ... there would be an agreement to pay all the taxes and other debts right then and there by the bank ... and that the offer that is being presented would be enough to cover all of that.

Mr. Ventura responded to Ms. Finni's comments by stating, we don't know if that offer is legit or not ... you know the person ... you know the situation ... but again, it is an offer ... it is there ... but if he can come up with the financing ... we don't know that yet ... Atty. Michaud is going to look into that ... we've given him Power of Attorney ... in order to make sure that everyone is paid ... so we're trying to get to a number so that at the end of the day ... everyone is paid off ... all the creditors ... all the taxes ... everything is paid ... and hopefully, maybe with a little leftover for the members ... we don't know that ... so that's kind of where we are ... so what

we're trying to do at this point ... is just keep the lights on ... so we don't have an empty building ... and pay the gas and electric ... and keep the tenants that we have upstairs with the lights on ... the mortgage is paid up to this point ... we're currently on a 12:00 a.m. closing at this point ... we have no bands except on Tuesday ... as far as I know ... there have been no problems with the police ... I don't think there's been any problem with the neighbors to this point.

Chairman Beauregard responded, the problem you have is that you don't have an approved manager of record ... due to your outstanding DUA issues ... we can't get the new manager approved by the ABCC ... until such a time that those issues are resolved.

Mr. Ventura responded, the problem is ... we can't resolve those issues until we have the sale.

Mr. Nanopoulos interjected; you can't transfer the liquor license until those issues are resolved.

Mr. Ventura responded, we need about thirty days ... so we can get this thing resolved ... we do have another offer that we think is coming in ... we have another meeting with the members on July 10th ... but it has to be sold ... and believe me ... we're not making any money closing at 12 a.m. ... it's very ... very minimal ... it's the mortgage ... and gas and electric ... Comcast ... but again ... we have two tenants that we're concerned about.

When asked by Mr. Nanopoulos if Atty. Michaud had made a recommendation to them about the situation, Mr. Ventura responded, No, he just said to come here tonight ... and he thought you'd take the license tonight ... and that I expressed to him that I was hoping to get a continuance ... so we would have time to get these things resolved ... and Donna is meeting with him tomorrow on the Power of Attorney issue.

Chairman Beauregard responded, I understand what you're saying ... but you have to be mindful when we met last or the meeting before ... that we said that the matter had to be rectified in order for us to approve a manager ... and if not ... we would have to take the license ... and that's where we are right now.

When asked by Mr. Morris, how can we hire a manager now if we're going to be selling the club?

Chairman Beauregard responded, you can't ... I said that three meetings ago ... that I didn't want to approve it then ... because I know you couldn't do what you were trying to do.

Commissioner Craig responded, what we did is ... we extended you a courtesy to allow it to go as far as it did without a manager ... and it's impossible for you to get a manager approved until you resolve all those other issues ... and there have been issues up there with a manager ... there is debt ... there have been other issues up there ... so how can we allow you to operate without an approved manager ... now you don't have a manager ... it's impossible for us to allow you to continue.

Mr. Ventura responded, all we're looking to do is to keep the lights on ... again ... I don't even know if this is even a legit offer or not ... but if it is and we get this thing resolved ... it could be a smooth transition ... so what we're looking for is a 30 day extension.

Ms. Finni stated that she's spoken to the proposed buyer (Mr. Xifaras) and he's looking to get this done.

Mr. Nanopoulos offered the following to the timeline to the Board; no matter who applies ... an application would have to be submitted complete by July 7th for the Board's July 25th meeting ... and today is June 27th ... so you're talking 11 days to get an application in ... then it takes 6 to 8 weeks for that application to be approved by the ABCC ... without any outstanding issues ... and right now ... it wouldn't go through ... as soon as they get it ... it would be denied for the same DUA issues ... as it did with the manager's application ... it's not going anywhere ... you're asking for 30 days ... but if that application isn't in by July 7th ... it's not 30 days ... it's much longer than that.

Mr. Ventura responded, what he (Mr. Xifaras) is proposing is that he get in there by September ... he's looking to come in and makes some renovations to the building ... again ... my biggest concern is the tenants that are upstairs.

Chairman Beauregard responded, I hear you ... but I think we're beating a dead horse ... as I'm sitting here ... and I'm only one of three votes ... I don't see how we can make this work for you after tonight ... I really don't.

Commissioner Almeida stated that he agreed with his fellow Board members and felt that the Board had extended it long enough, and that it would be his motion to suspend the license immediately until such a time that all outstanding DUA issues are resolved.

When asked by Mr. Nanopoulos if they were in a position to resolve their DUA issues, Mr. Ventura stated that they did not have the money to do so at this time, and they would only be able to resolve them as a result of the sale of the club.

In response, Commissioner Craig stated, there have been other places where people from the club put their own cash up to resolve their issues with the DOR and DUA, and were later reimbursed by the club; they were in the same situation as you.

Mr. Ventura responded that there wouldn't be any member that would do that, since everybody has walked away.

Responding to Mr. Ventura's response, Commissioner Craig seconded Commissioner Almeida's motion.

VOTED: Commissioner Almeida made a motion to suspend the license immediately until such a time that all outstanding DUA issues are resolved. – **Unanimous**

The licensee has the right to appeal this decision to the Alcoholic Beverages Control Commission under the provisions of M.G. L. Ch. 138 within five (5) days of receipt of this decision. A copy of said appeal must also be submitted to this office.

The following written decision in part was issued to the licensee on 06/30/16:

Per your recent hearing to determine whether you have violated certain regulations of the Alcoholic Beverages Control Commission, specifically M.G.L. Ch. 138, sec. 26 – To Wit: Failure to have the appointment of the manager approved by the Alcoholic Beverages Control Commission; and M.G. L. Ch. 138, sec.64, To Wit: Failure to comply with the Laws of the Commonwealth (Failure to comply with Mass Tax Laws – DUA), this Board took the following action.

Based on the organization's failure to secure a certificate of good standing from the Department of Unemployment Assistance (DUA), the Board **voted unanimously to impose an immediate suspension of your license until such a time that you resolve said issues.**

As you have been advised, in order to transfer your liquor license, you will be required to submit a "current" Certificate of Good Standing from the DOR; as well as having resolved all outstanding issues with the DUA.

• **CORRESPONDENCE**

ORDERED

"LATE FILE"

Received 06//22/16

ORDERED, that the sum of **TWO THOUSAND AND SEVETY-EIGHT DOLARS (\$2,078.00)** now standing to the credit of the account from **TRAFFIC SALARIES AND WAGES** be and the same is hereby transferred and appropriated to as follows:

LICENSING SALARIES AND WAGES..... \$1,600.00
LICENSING CHARGES AND SERVICES.....\$478.00

To be certified and approved by the Department Head
IN CITY COUNCIL, JUNE 9, 2016

Adopted – Yeas 10, Nays 0
Clerk

Dennis Farias, City

Presented to the Mayor for approval June 13, 2016
Clerk

Dennis Farias, City

Approved June 17, 2016

Jonathan F. Mitchell,

Mayor

ACTION TAKEN: Received & Placed on File.

• **COMPLAINTS RECEIVED:**

05/27/16 – The Monte Pio Club, 540 Orchard Street – The office received a written complaint from a wife of a patron who stated that the 'club' is opening up before the allowed time and that her husband is going to work late, and about to lose his job; she also states that the 'club' is opening up before 11 a.m. on Sundays.

Action Taken - (06/10/16): The complaint was forwarded to Capt. Steven Vicente, Liaison to the Licensing Board, with a request to have Officers in the area monitor the 'club' to see if they are opening before 8 a.m. on Mondays thru Saturday; and before 11 a.m. on Sundays.

06/06/16 – Southside Annie’s, 114 Cove Street – This office received a verbal complaint with regard to a certain barmaid that’s serving a minor and allowing the minor to stay on the premises after 2:15 a.m. to help her stock the bar.

Action Taken - (06/10/16): The Manager of Record, licensee was made aware of the complaint with a warning and further complaints would be forwarded to Capt. Vicente, Liaison to the Licensing Board.

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

<u>NAME</u>	<u>POLICE REPORT#</u>	<u>DATE</u>	<u>VIOLATION</u>
--NONE--			

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

1. **Fortuna Grill (DeAbreu & Sons, Inc. d/b/a)** – CV W & M – License/And Or Business For Sale – Closed 07/01/14 – **Prior Hearings (7)**
2. **Lebanese Kitchen (Nabih Moujabber d/b/a)** – CV W & M – Fire/Renovations – Closed 07/12/14 – **Prior Hearings (6)**
3. **Euphoria Lounge (Sapatinha Café, Inc. d/b/a)** – CVAA – Fire/Renovations – 01/26/15 – **Prior Hearings (6)**
4. **Columbus Group (Columbus Group, LLC d/b/a)** – CVAA – ‘Proposed Hotel’ – Approved 12/09/14 – **Prior Hearings (4)**
5. **Ying Dynasty (Ying Dynasty Nauset, LLC d/b/a)** – CVAA – Renovations – Approved 06/03/14 – **Prior Hearings (4)**
6. **VVK Realty, LLC (Smuggler’s Den Location)** – CVAA – Renovations – Approved 03/13/15 – **Prior Hearings (4)**
7. **Bar 908 (Times Square Restaurant, Inc. d/b/a)** – CVAA – License Only For Sale – Closed 07/01/15 – **Prior Hearings (2)**
8. **Kirby’s Irish Pub (JAKIBRI, LLC d/b/a)** – CVAA - License/And Or Business For Sale – Closed 09/21/15 – **Prior Hearings (2)**
9. **Royal II (Royal Food & Beverage Comp., Inc. d/b/a)** – GOP – Sale Pending – Closed 09/08/15 – **Prior Hearings (1)**
10. **Union City (Ramon D. Silva Enterprises d/b/a)** – CVAA – License/And Or Business For Sale – Closed 11/16/15 – **Prior Hearings (1)**
11. **Vila Franca Rest. & Café (Vila Franca Do Campo, Inc. d/b/a)** - CVAA– License/And Or Business For Sale – Closed 08/28/15 – **Prior Hearings (1)**
12. **Candleworks Ventures, LLC** – CVAA – Sale Pending - Approved 04/08/16 - **Prior Hearings (0)**
13. **Portugal Verde Soccer Academy, Inc.** – GOP W & M – Renovations – Approved – 12/09/15 – **Prior Hearings (0)**

14. **The Sky Room (Howland Mills Restaurant, Inc. d/b/a) – CVAA –Approved 04/05/16 – Prior Hearings (0)**
15. **Premium Liquors (Vallas Enterprises, Inc. d/b/a) – RPSAA – License/And Or Business For Sale – Closed 02/22/16 – “TD Bank”**
16. **Washington Sq. Package Store (Lobo’s Lounge, Inc. d/b/a) – RPSAA – Closed Licensee Decision 10/26/15 – “Transfer Pending”**
17. **Cultivator (Cultivator Shoals, Inc. d/b/a) – CVAA – Renovations – Approved 12/27/15 – “On 06/27/16 Agenda”**

ACTION TAKEN: To notify all inactive license holders and bring all in for a hearing at the July 25th meeting.

- **Upcoming Summer Events & Festivals**
 - **Cape Verdean Day Parade – July 2nd - “Applied/“No Changes” - *Approved on 05/23/16***
 - **New Bedford Folk Festival – July 9th & 10th - “Applied/“New Venue” – *Approved on 05/23/16***
 - **Summer Concert Series – July thru August. - “Applied/“No Changes” – *Approved on 05/23/16***
 - **Feast of the Blessed Sacrament (Madeira Feast) – Aug. 4th, 5th, 6th, & 7th - *On 06/27/16 Agenda***
- **NEXT TWO MEETING DATES: July 25th & August 29th both on Mondays in Room 314 - **APPROVED****
- **MEETING ADJOURNED: 8:10 p.m.**