



Licensing Board

May 22, 2017 – 7:00 PM – **Agenda**
City Hall, 133 William Street, Room 120

REQUIRED: Steven A. Beauregard, Chairman
Marcelino “Sonny” G. Almeida, Commissioner
Edmund F. Craig, Jr., Commissioner
Atty. Kreg Espinola, Asst. City Solicitor
Capt. Adelino Sousa, Police Department Liaison to the Lic. Bd.
Nick Nanopoulos, Director

A/O 05/17/17

APPROVALS RECEIVED FROM THE ALCOHOLIC BEVERAGES CONTROL COMMISSION:

Pledge of License - Trans. #02829-RS-0778 – Plot # 52—292 (No Representation Required)

Vault LLC d/b/a Greasy Luck Brewery, 791-797 Purchase Street, Mark Martino, Co-Manager of LLC, is requesting approval of a Pledge of the Common Victualler (Restaurant) All Alcoholic Beverages License to TD Bank N.A. with an address of P.O. Box 1029, 200-A Carolina Point Parkway, Greenville, South Carolina, as security to authorize and execute a promissory note in the amount of Eight Hundred & Fifty Thousand Dollars (\$850,000.00), pursuant to Massachusetts General Laws Ch.138 s.23.

Approved By ABCC – 04/26/17

Change of Officers, Directors, & Manager - Trans. # 00094-CL-0778– Plot # 106--85

St. Michael Social Club, Inc., Nelson Tavares, 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, Nelson Tavares will be the (New) President, Chris Pereira will remain as Vice-President, Rodolfo Botelho will remain as the Treasurer, and Valdir Araujo will be the (New) Clerk. Nelson Tavares, Chris Pereira, Rodolfo Botelho, Valdir Araujo, Joe Avelar, Fernando Pacheco, and Jay Williams will all be Co-Directors. The ‘Club’ is also requesting the approval of Nelson Tavares, who resides at 275 Bates Street, New Bedford, MA. as their new manager. Premises will remain the same at 101 Madeira Avenue.

Approved By ABCC – 05/09/17

Altering of Premises - Trans. #00151-RS-0778 – Plot # 53--198

Cultivator Shoals, Inc. d/b/a Cultivator, Jason P. Lanagan, President, who is petitioning to Change the Description of the Common Victualler (Restaurant) All Alcoholic Beverages license to include an outdoor patio area approximately 378 sq. ft. (14’ X 27’) to be used as a ‘Sidewalk Café’, which will be enclosed with a 42” high wooden fence & planters, and will be used for seated dining purposes only. The enclosed area, which will include Five (5) tables for the seating of Twenty-Eight (28) patrons, will be located on the south side (front) of the building, which is contiguous to the licensed premises. **The Combined Maximum Occupancy for Both Inside and Outside Will Not Exceed Thirty-Four (34) People. The proposed outdoor area will only be accessible by way of an entrance/exit on the west side of the enclosed area in the front of the building, and will be accessible by ‘Hostess Seating’ only; the area will also be monitored by the hostess and waitstaff at all times. The proposed hours of operation are **daily from 11:00 a.m. until 10:00 p.m., at which time all outdoor activity must cease, and shall be in effect from May 1ST through October 30th**, in accordance, and as specified in the City of New Bedford Sidewalk Café Permit Ordinance. (Ord. Ch. 15, Article VI, sec. 15-100 (B) (Item #’s 8 & 15). The licensed premises will remain numbered **35 Union Street.****

Approved By ABCC – 05/10/17

1. PETITION - Trans. # 00014-RS-0778 – Plot # 47—41 (No Representation Required)

P37, LLC d/b/a Pier 37, Ramon Silva, Authorized Person, who on behalf of the New Bedford Economic Development Council, Inc. pursuant to an Order of the Bankruptcy Court, District of Massachusetts, Docket # 16-14367 (Dated 02/23/17); for a license currently issued at 37 Union Street, is petitioning to Transfer a Common Victualler (Restaurant) All Alcoholic Beverages License to Franklin Hospitality Corporation, who is also requesting

a Change of Location from 37 Union Street to 24 Union Street. Upon approval, Richard L. Lafrance will be the President, Treasurer, Secretary, Sole Director, Sole Stockholder (100 %), and **Manager of the Liquor License.**

The proposed new location will have three (3) rooms, a stock room, a kitchen, and two restrooms in area approximately 2,184 sq. ft., which is located on the first floor of a two –story building. The premises will have one (1) entrance/exit in the front of the building onto Union Street, and one (1) emergency exit on the south side of the building. The proposed licensed premise is situated on the southwest corner of Union and Front Streets, and will be **numbered 24 Union 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**’.

Application has been advertised; Abutters have been notified.

Stipulations for approval:

1. That the licensee complete an Alcohol ‘Server Certification’ course; and proof of that certification be provided to this office; and that all employees are ‘certified’ as well, with copies of their certifications kept on file for review, if needed;
2. That the licensee files an electronic application to amend the description of the premises and any other changes, as soon as the plans, business name, and possible new manager are decided upon;
3. Final Licensing Board Approval is required prior to opening.

2. PETITION - Trans. # 237 – Plot # 71--154

ARA Convenience, Inc. d/b/a Payless Convenience Store, Mohammed H. Rashid, President, who is petitioning for a **New Retail Package Store Wine and Malt Only Beverages License.** Upon approval, Mohammed H. Rashid will be the President, Treasurer, Secretary, a Co-Director, and a Co-Shareholder (51%), and Halima A. Mili will be the Vice-President, a Co-Director, and a Co-Shareholder (49%). **Mohammed H. Rashid** is the **Proposed Manager.** The proposed licensed premises is a convenience store located on the 1st floor of a three-story building in an area approximately 1,222 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 an office, three rooms for storage, and one restroom. There is one (1) entrance/exit in the front of the building, situated on the northeast corner of Cedar and Parker Streets, **and numbered 274 Cedar Street.**

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

Application has been advertised; Abutters have been notified.

3. APPLICATION, (No Representation Required)

Club SS Sacramento Scholarship Committee, Edward Camara, Jr., Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Wine Tasting Fundraiser’ to be held at the **Madeira Field - Main Pavilion;** and to be held on **Saturday, May 13, 2017 from 6:00 p.m. until 11:00 p.m.**

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

4. APPLICATION, (No Representation Required)

Day of Portugal Committee, Dulce Matos, Senior Vice-President, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a ‘Day of Portugal Fundraiser’ to be held at the **Madeira Field – Main Pavilion Area,** located on **Madeira Avenue;** and to be held on **Sunday, May 21, 2017 from 12:00 p.m. until 6:00 p.m.**

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

5. APPLICATION, (No Representation Required)

New Bedford Art Museum, Jennifer Almeida, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Jacob’s Family Dinner Reception’ event to be held at the **N.B. Art Museum,** located at **608 Pleasant Street;** and to be held on **Wednesday, May 24, 2017, from 5:00 p.m. until 10:00 p.m.**

6. APPLICATION, (No Representation Required)

Coastline Elderly Services, Inc., Leanne Allebach, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Wine & Malt Tasting Fundraiser’ to be held at **Howland Place – 1st Floor,** located at **650 Orchard Street;** and to be held on **Friday, June 2, 2017 from 6:00 p.m. until 9:00 p.m.**

7. APPLICATION, (No Representation Required)

New Bedford Art Museum, Jennifer Almeida, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for an ‘Art Opening’ event to be held at the **N.B. Art Museum,**

located at **608 Pleasant Street**; and to be held on **Friday, June 2, 2017, from 6:00 p.m. until 8:00 p.m.**

8. APPLICATION, (No Representation Required)

Rotch-Jones-Duff House, Kimberly Rioux, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a ‘Fundraiser’ event to be held at the **Rotch-Jones-Duff House**, located at **396 County Street**; and to be held on **Saturday, June 10, 2017, from 6:00 p.m. until 10:00 p.m.**

9. APPLICATION, (No Representation Required)

W.H.A.L.E (Waterfront Historic Area League, Inc.), Diane M. Brodeur, Membership and Events Manager, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a “Urban Soiree Fundraiser”, to be held at **149 Union Street (W.H.A.L.E. property)**; and to be held on **Friday, June 16, 2017 from 5:30 p.m. until 7:30 p.m.**

10. APPLICATION, (No Representation Required)

New Bedford Heritage Center, Jessica D. Bailey, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Cocktail Party Fundraiser’, to be held at the **New Bedford Heritage Center**, located at **38 Bethel Street**; and to be held on **Saturday, June 24, 2017 from 6:30 p.m. until 9:00 p.m.**

11. 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 ‘2017 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 25, 2017 from 12:00 p.m. until 5:00 p.m. ****NO CHANGES, AS PREVIOUSLY APPROVED******

12. APPLICATION, (No Representation Required)

New Bedford Art Museum/Artworks!, Margaret A. Albert, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a ‘Fundraiser Garden Party’ event to be held at the **Haskell Gardens**, located at **787 Shawmut Avenue**; and to be held on **Friday, July 7, 2017, from 6:00 p.m. until 9:00 p.m.**

13. APPLICATION, (No Representation Required)

Shark’s Fund Fisheries Corp., Matthew F. Philips, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for an ‘Awards Banquet/North Atlantic Shark Tournament’, to be held at **Marine Park on Pope’s Island (under a tent)**; and to be held on **Saturday, July 15, 2017, from 7:00 p.m. until 11:45 p.m. (Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)**

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

14. APPLICATION, (No Representation Required)

The Monte Pio Luso Americano Corp., Helder Almeida, Treasurer, requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for their ‘Annual Holy Ghost of Acores Feast’ to be held in the ‘**Club Parking Lot**’, located at **540 Orchard Street**, and to be held on **Friday, July 14, 2017 and Saturday, July 15, 2017, from 6:00 p.m. until 11:45 p.m. each night; and Sunday, July 16, 2017, from 12:00 p.m. until 10:30 p.m.**

(Copy of the Police Detail Contract Required)

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

15. APPLICATION, (No Representation Required)

W.H.A.L.E (Waterfront Historic Area League, Inc.), Diane M. Brodeur, Membership and Events Manager, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Wine Festival & Auction Fundraiser’ to be held at the **Allen C. Haskell Public Gardens**, located at **787 Shawmut Avenue**; and to be held on **Friday, September 15, 2017 from 5:30 p.m. until 9:00 p.m.**

- **Friday Nights on the Summer Concert Series - Special One-Day Licenses (6)**

Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract; Concert series will begin on Friday on July 7th and end August 11th with rain dates of August 18th & August 25th **NO CHANGES, AS PREVIOUSLY APPROVED******

16. APPLICATION, (No Representation Required)

N. B. Harbor Development Commission, Edward Anthes-Washburn, Executive Director, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Summer Sound Series - Friday Concert on the Pier’, to be held on the **City Pier – Pier 3**; and to be held on **Friday, July 7, 2017, from 6:00 p.m. until 8:00 p.m.**

17. APPLICATION, (No Representation Required)

N. B. Harbor Development Commission, Edward Anthes-Washburn, Executive Director, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Summer Sound Series - Friday Concert on the Pier’, to be held on the **City Pier – Pier 3**; and to be held on **Friday, July 14, 2017, from 6:00 p.m. until 8:00 p.m.**

18. APPLICATION, (No Representation Required)

N. B. Harbor Development Commission, Edward Anthes-Washburn, Executive Director, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Summer Sound Series - Friday Concert on the Pier’, to be held on the **City Pier – Pier 3**; and to be held on **Friday, July 21, 2017, from 6:00 p.m. until 8:00 p.m.**

19. APPLICATION, (No Representation Required)

N. B. Harbor Development Commission, Edward Anthes-Washburn, Executive Director, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Summer Sound Series - Friday Concert on the Pier’, to be held on the **City Pier – Pier 3**; and to be held on **Friday, July 28, 2017, from 6:00 p.m. until 8:00 p.m.**

20. APPLICATION, (No Representation Required)

N. B. Harbor Development Commission, Edward Anthes-Washburn, Executive Director, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Summer Sound Series - Friday Concert on the Pier’, to be held on the **City Pier – Pier 3**; and to be held on **Friday, August 4, 2017, from 6:00 p.m. until 8:00 p.m.**

21. APPLICATION, (No Representation Required)

N. B. Harbor Development Commission, Edward Anthes-Washburn, Executive Director, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Summer Sound Series - Friday Concert on the Pier’, to be held on the **City Pier – Pier 3**; and to be held on **Friday, August 11, 2017, from 6:00 p.m. until 8:00 p.m.**

- **Day of Portugal (Security Plan Approved at 04/24/17 Meeting) (5)**

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

22. APPLICATION, (No Representation Required)

Cape Verdean Association in New Bedford, Inc, Raquel Dias, President, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Open House Fundraiser’ to be held within the **Cape Verdean Association Cultural Center**, located at **1157 Acushnet Avenue**; and to be held on **Saturday, June 10, 2017 and Sunday, June 11, 2017, from 5 p.m. until 7:00 p.m.** **NOTE:** This event is being held on the Day of Portugal weekend. ****NO CHANGES, AS PREVIOUSLY APPROVED****

23. APPLICATION, (No Representation Required)

Day of Portugal Committee, Veronica Medeiros, Representative who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for the ‘Day of Portugal Celebration’ to be held on **Acushnet Avenue (from Bullard Street to Beetle Street)**; and to be held **Friday, June 9, 2017 from 6:00 p.m. until 11:45 p.m., Saturday, June 10, 2017 from 12:00 p.m. until 11:45 p.m., and Sunday, June 11, 2017 from 12:00 p.m. until 10:00 p.m.** **NOTE:** Feast Committee will have two booths within the feast grounds.

24. APPLICATION, (No Representation Required)

European Café, Inc. d/b/a Café Europa, Pedro Ferreira, Manager, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for the ‘Day of Portugal Celebration’ to be held on **Acushnet Avenue (from Bullard Street to Beetle Street)**; and to be held **Friday, June 9, 2017 from 6:00 p.m. until 11:45 p.m., Saturday, June 10, 2017 from 12:00 p.m. until 11:45 p.m., and Sunday, June 11, 2017 from 12:00 p.m. until 10:00 p.m.**

25. APPLICATION, (No Representation Required)

Calderon & Calderon, Inc. d/b/a Café Portugal, Roberto Calderon, Treasurer, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for the 'Day of Portugal Celebration' to be held on Acushnet Avenue (from Bullard Street to Beetle Street); and to be held **Friday, June 10, 2016 from 6:00 p.m. until 11:45 p.m., Saturday, June 11, 2016 from 12:00 p.m. until 11:45 p.m., and Sunday, June 12, 2016 from 12:00 p.m. until 10:00 p.m.**

26. APPLICATION, (No Representation Required)

El Mexicano, Inc. d/b/a Mi Antojo Mexican Restaurant, Grisay Rojas, Manager, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for the 'Day of Portugal Celebration' to be held on Acushnet Avenue (from Bullard Street to Beetle Street); and to be held **Friday, June 9, 2017 from 6:00 p.m. until 11:45 p.m., Saturday, June 10, 2017 from 12:00 p.m. until 11:45 p.m., and Sunday, June 11, 2017 from 12:00 p.m. until 10:00 p.m.**

27. Hearing: Furtado's Auto Sales & Service

Mr. Simon Furtado, Licensee
805 Brock Avenue

Your presence is requested at a hearing because of your failure to maintain your premises in accordance with requirements of a Motor Vehicle Class II license. Based on the findings, the Licensing Board may take action to revoke your license. The hearing is being held at the request of the Commissioner of Buildings because of your failure to comply with their request to clean up your lot and get rid of the junk cars that are currently stored on your lot; as well as reducing the number of cars on your lot to the number (20) for which you've been approved. It has also been reported that body work and painting of cars are being performed outside and in the evenings.

11/21/16 Decision

Following the public hearing that was held on November 21, 2016 at the request of the Commissioner of Buildings as a result of your failure to comply with his request to clean up your lot and get rid of the junk cars that are currently stored on your lot; as well as reducing the number of cars on your lot to the number (20) for which you've been approved, **the Board voted unanimously to once again table any action until its May meeting.**

The Board took this action to allow you an additional amount of time (6 Months) to come into compliance with those conditions that are required to maintain a facility dedicated to carrying out said business (Used Car Dealer). All licensees must adhere to all conditions of the issued license.

This Board strongly recommends that you contact and meet with Danny Romanowicz, Commissioner of Buildings, to ensure that you fully understand what is expected of you in order for you to be in full compliance prior to this Board's May 22, 2017 meeting.

Short of full compliance, the Board must take action and, **as such, you are hereby ordered to bring with you your 2017 MV Class II License.** Depending on the Board's findings, you may be required to surrender your license until this matter is resolved.

05/09/17 – A Written Request was received from Dr. Sharma stating that he will be away on May 22, 2017, thus unable to attend the hearing, with a request for another date to be given. (On File)

28. Hearing: Emerald Partnership Ltd. d/b/a New Bedford Inn & Suites

Dr. Satish Sharma, President
500 Hathaway Road

Re: Licensing Board Regulation # 6

As you are aware, your business is currently operating without an approved manager and thus, **you were informed by this Board that you have until May 8, 2017 to re-submit an application for a new manager.** Your failure to comply will find you in violation of MGL Chapter 138 (S12 & 23) and Licensing Board Regulation #6 which would require the Board to take additional action.

As a reminder, while your liquor license is in our possession alcohol may not be stored, served, sold or consumed on the premises; **and at no time, is alcohol allowed to be brought onto the premises by your guests.**

Additionally, it has been brought to the Board's attention that there have been several incidents at this location requiring police involvement. **As a result, you are also hereby notified that you are required to appear before this Board.**

Should you need assistance in preparing your application, please feel free to contact our office.

29. PETITION - Trans. #00082-HT-0778 – Plot # 94--2

Emerald Partnership, LTD d/b/a New Bedford Inn & Suites, 500 Hathaway Road, is requesting the approval of Kathy M. Dehner, who resides at 1259 Rockdale Avenue, N. B, MA. as their new manager.

• **CORRESPONDENCE**

From: Ralph Sacramone, Executive Director

Dated – 05/01/17 Received –05/01/17

Re: Quick Stop Convenience, Inc.

2344 Acushnet Avenue

Notice of Hearing Date: Wednesday, June 28, 2017 @ 1:30 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 2344 Acushnet Avenue.

• **COMPLAINTS RECEIVED:**

---NONE--

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

<u>NAME</u>	<u>POLICE REPORT#</u>	<u>DATE</u>	<u>VIOLATION</u>
1. Euphoria Lounge	#17 – 5229 – OF	05/07/17	Disturbance/Shots Fired (Approximate Time of Violation 2:11 a.m.)
2. Tilia’s Restaurant & Cafe	#17 – 5228 – OF	05/07/17	Disturbance/Shots Fired (Approximate Time of Violation 2:04 a.m.)

• **Upcoming Summer Events & Festivals (For Review Only)**

- Day of Portugal – June 8th, 9th, 10th, & 11th - License Applied For – No Changes”
- New Bedford Jazz Fest – June 10th - License Applied For – No Changes”
- Irmandade Do Divino Espirito Santo Do Pico – June 23rd, 24th, & 25th - License Applied For – No Changes”
- Cape Verdean Day Parade – July 1st
June Meeting?)
- New Bedford Folk Festival – July 8th & 9th - License Applied For – New Set Up - Approved”
- New Bedford Food Truck Festival – July 15th - New Set Up - Approved”
- Summer Concert Series – July thru Sept. - Licenses Applied For – No Changes”
- Feast of the Blessed Sacrament (Madeira Feast) – Aug. 3rd, 4th, 5th, & 6th
(June Meeting)
- 12th Annual N. B. Seaport Chowder Festival – Sept. 24th

• **NEXT TWO MEETING DATES:** June 26th & July 24th, both on Mondays, in Ashley Room (120)

• **MEETING ADJOURNED:**