



Licensing Board

June 26, 2017 – 7:00 PM – **Final 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

APPROVALS RECEIVED FROM THE ALCOHOLIC BEVERAGES CONTROL COMMISSION:

Change of Officers & Directors - # 00118-RS-0778– Plot # 47-45-A

Zeiterion Theatre, Inc. Peter Hughes, President, who is petitioning for a **Change of Officers and Directors of the General on Premise 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.

Upon approval, Peter Hughes will be the President and Co-Director, Martha Worley will be the Vice-President and Co-Director, Jessica Platt will be the Treasurer and Co-Director, and Gail Davidson will be the Clerk and a Co- Director. No change in Stock Interest (Non-Profit). **Justin T. LaCroix** will remain as Manager.

Premises will remain the same at 684-686 Purchase Street.

Approved By ABCC – 05/22/17

Change of Officers, Directors, & Manager - Trans. # 00209-CL-0778– Plot # 93--181

Centro Luso Americano Club, Inc., Adriano Carvalho, Jr., 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, Adriano Carvalho, Jr. will remain as the President, Dean Pires will remain as the Vice-President, Joe Silva will remain as the Treasurer, and Horace Carvalho will be the ‘new’ Secretary; and John Gomes, Jim Neville, Edward Roy, and Lucy Carvalho will remain as Co-Directors. The ‘Club’ is also requesting the approval of **Jose D. Salgado**, who resides at **1167 Tacoma Street, N.B., MA. as their New Manager**. Premises will remain the same at **34 Beetle Street**.

Approved By ABCC – 05/23/17

1. PETITION - Trans. # 02829-RS-0778 - Plot # 52--92

Vault, LLC d/b/a Greasy Luck Brewery, Mark Martinho, Co-Manager of LLC, who is petitioning for a **Change of Description (Addition To) of the Common Victualler (Restaurant) All Alcoholic Beverages License to include the entire 2nd Floor area** of the two-story building and an **outdoor 'Sidewalk Café' seating area**. The 4,254 sq. ft. 2nd floor area will include two (2) existing private function/dining rooms, and four (4) office spaces and seven (7) storage rooms (which may be used for expansion at a later date); as well as a liquor storage room and two (2) restrooms. The front private function/dining room (approx. 484 sq. ft.) will include a portable bar and seating for approx. 48 patrons. The back private function/dining room (approx. 837 sq. ft.) will also include a portable bar and seating for approx. 96 patrons. The 2nd floor area will be accessible by way of both an elevator and stairway located in the reception area on the main (1st) floor in the front of the building. There are also two additional emergency exits located in the rear of the 2nd Floor area, which leads to emergency exits on the 1st Floor. The 670 sq. ft. outdoor 'Sidewalk Café' area, which will be enclosed with a 2” Nautical Rope and Seven (7) Planters (2’x4’ and 30” high), and will be used for **seated dining purposes only**. The enclosed area, which will include three (3) tables with seating for four (4) and three (3) tables with seating for two, which will allow for the seating of Eighteen (18) patrons, will be located on the east side (front) of the building, which is contiguous to the licensed premises. The proposed outdoor area **will only be accessible** by way of an entrance/exit on the south 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. There will be one entrance/exit that leads to the front door of the establishment.

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 premises will remain numbered **791-797 Purchase 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.

2. PETITION - Trans. # 00054-CL-0778 - 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 **Manager**. Premises will remain the same at **249-253 Coggeshall Street**.

(No Advertisement nor Abutters Notification Required)

3. APPLICATION, (No Representation Required)

Community Foundation of Southeastern MA., Diana Painter, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Graduation Party' to be held at the **N.B. Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Thursday, June 8, 2017 from 5:00 p.m. until 7:00 p.m.**

4. APPLICATION, (No Representation Required)

Centro – Luso American Club, Inc., Horace Carvalho, Secretary, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a '4th of July Cookout', to be held in the **'Club Parking Lot'**, located at **34 Beetle Street**; and to be held on **Tuesday July 4, 2017, from 12:00 p.m. until 8:00 p.m.**

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

5. APPLICATION, (No Representation Required)

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 13, 2017, from 4:00 p.m. until 8:00 p.m.**

6. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Tim Nelson, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a "Taste of the Port Event" to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Saturday, July 15, 2017, from 6:00 p.m. until 10:00 p.m.**

7. APPLICATION, (No Representation Required)

First Citizens' Federal Credit Union, Melanie Gluveia, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a "Chamber of Commerce Business After Hours" to be held at the **First Citizens Bank**, located at **468 County Street**; and to be held on **Wednesday, July 19, 2017, from 5:00 p.m. until 7:00 p.m.**

8. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Jocyne Nunes, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a "How Diplomacy Brought Peace to Northern New England Lecture & Reception" to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Thursday, July 20, 2017, from 6:00 p.m. until 8:00 p.m.**

9. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Jocyne Nunes, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for an "O'ER the Wide by Mike Dyer Gallery Opening and Reception" to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Friday, July 21, 2017, from 6:00 p.m. until 8:00 p.m.**

10. APPLICATION, (No Representation Required)

Low Tide Yacht Club, Edward Lobo, 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 **within the Low Tide Yacht Club, as well as in the adjacent tent, located within Fort Taber Park**; and to be held on **Saturday, July 22, 2017, from 12:00 p.m. until 11:45 p.m.** (*Final approval will require Liquor Liability with the City named as additionally insured*)

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

11. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Joclyne Nunes, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a “New Bedford Whaling Museum Gala” to be held at the **New Bedford Whaling Museum, located at 18 Johnny Cake Hill**; and to be held on **Saturday, July 29, 2017, from 6:00 p.m. until 10:00 p.m.**

12 APPLICATION, (No Representation Required)

New Bedford Whaling Museum/Prince Henry Society, Joclyne Nunes, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a “Send Off Party/Pedro Correia” to be held at the **New Bedford Whaling Museum, located at 18 Johnny Cake Hill**; and to be held on **Wednesday, August 2, 2017, from 6:00 p.m. until 9:00 p.m.**

13. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Joclyne Nunes, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a “Peter Pereira Photojournalism Lecture & Reception” be held at the **New Bedford Whaling Museum, located at 18 Johnny Cake Hill**; and to be held on **Thursday, August 10, 2017, from 6:00 p.m. until 8:00 p.m.**

14. APPLICATION, (No Representation Required)

Knucklehead’s, LLC d/b/a Knucklehead’s Restaurant, John Stone, Manager, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a ‘Shenanigan’s Reunion in Memory of Mae Boise’ to be held in the **Knucklehead’s Parking Lot, located at 85 MacArthur Drive**; and to be held on **Sunday, August 13, 2017 from 12:00 p.m. until 11:00 p.m.**

15. APPLICATION, (No Representation Required)

Low Tide Yacht Club, Edward Lobo, 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 **within the Low Tide Yacht Club, as well as in the adjacent tent, located within Fort Taber Park**; and to be held on **Saturday, August 19, 2017, from 12:00 p.m. until 11:45 p.m.** (*Final approval will require Liquor Liability with the City named as additionally insured*)

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

16. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Joclyne Nunes, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a “Retrospective on Azorean Whaleboats Exhibit Opening and Reception” to be held at the **New Bedford Whaling Museum, located at 18 Johnny Cake Hill**; and to be held on **Wednesday, September 6, 2017, from 6:00 p.m. until 8:00 p.m.**

17. APPLICATION (Special Permit Has Been Approved) – “NEW LOCATION”

Maximiliano M. Galvan, who resides at **240 State Street, N.B. MA.**, is requesting approval of an application for a **Motor Vehicle Class II (Used Car Dealer) License** for **Union Auto Towing, Inc. d/b/a Union Auto Towing #3**, with premises situated at **649 Mt. Pleasant Street**. Upon completion of renovations, plans indicated site will be used for car sales and repairs; Total amount of cars for display will be determined by Inspectional Services.

Final approval of the Motor Vehicle Class II License will require a ‘**Certificate of Inspection**’ from the **Office of Inspectional Services**, a **\$25,000.00 Bond**, and a **Notarized Letter** stating where the repairs will be done.

18a. Meeting: The Club Madeirense S.S. Sacramento, Inc.

Feast of the Blessed Sacrament

Mr. Steven B. Duarte, 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 **103rd Feast of the Blessed Sacrament (August 3rd – 6th)**. The meeting will include Capt. Adelino Sousa, Liaison to the Licensing Board and Capt. Thomas Flood, 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 103rd 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).
 - ✓ AgeBand Bracelets – includes last name and last 4 digits of identification (social security) #'s.
 - ✓ Wristbands will be placed on the person's right wrist for easier visibility.
 - ✓ Police can override negative or misread readings.
 - **35-Year-Old Plus Line** – I.D. checking for older adults will be done manually.
 - **Special Alcohol Safety Team** – Club members designated to audit liquor service areas for compliance with all liquor laws.
- ✓ **Bartender Training** – Training will be provided to volunteers responsible for serving alcohol.
- ✓ **Improved Signage** – Stating "The Feast Committee may revoke alcohol use at any time for any reason".
- ✓ Signs at all locations where alcohol is served.
- ✓ On the Screen/Main stage.
- ✓ Drinking is a privilege provided by the Club S.S. Sacramento and the Feast of the Blessed Sacrament to those individuals that are of lawful age and responsible.
- ✓ **Underage Sting Program** – The Feast welcomes state and local underage sting operations to help insure safety.
- ✓ **Public Notice** – Feast will promote and inform the public of all new initiatives in place to curb underage drinking and intoxication.
- ✓ **Cab Company/Transportation** – An arrangement has been formed with a local cab company to be available to drive home guests that appear to be under the influence.

Jocelyn Andrade of the Substance Abuse Task Force stated that she would be issuing posters that will help with verifying

I.D.'s; and would be looking into holding a training seminar for the Committee and their servers, to which Mr. Colangelo stated would be held the Wednesday before the feast.

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

ADOPTED FOR 2008:

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

****Recommendations by the NBPD and the NBLB***

Issuing Wristbands

- ✓ 10 handheld devices have been purchased
- ✓ All machines linked to computer and each other
- ✓ Separate lines for 30+/35+ years old
- ✓ ID visually checked to verify it is that of the person presenting it.
- ✓ ID scanned and if formatted with proper state encoding and of lawful age a barcode and numeric wristband is printed and information stored in computer – The barcode or id number on the wristband can be used to retrieve information from computer
- ✓ Wristband placed on individual's right-hand
- ✓ Software prohibits multiple uses of same ID, and can be used to ban individuals from reuse
- ✓ Any questions are consulted with Police stationed at the Wristband booths
- ✓ In the event that a scanning machine appears to be a misread, police can override
- ✓ NB Substance abuse task force members will assist with issuing of wristbands

Special Alcohol Safety Team

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

Training and Policy review

- ✓ Review Alcohol and Safety Policy to all Feast Committee members – Mandatory (Wednesday before Feast) – Also, any other members present.
- ✓ Two TIPS training sessions offered to all volunteers and neighborhood bar personnel

ADOPTED FOR 2009

- ✓ “ONLY 2 Drinks would be served 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 purchase 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.

ADOPTED FOR 2016

- ✓ To purchase three (3) more I.D. Check Wristband machines and three (3) more ticket machines.
- ✓ **There would not be a carnival area due to construction of the new school.**
- ✓ They would have 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.

***Licenses for this year's event must be applied for by July 7, 2017.**

18b. 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 3, 2016 from 6:00 p.m. until 11:45 p.m., Friday, August 4, 2016 from 12:00 p.m. until 11:45 p.m. and Saturday & Sunday, August 5th & 6th, 2017 from 12:00 p.m. until 11:45 p.m.**

18c. APPLICATIONS

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 3, 2016 from 6:00 p.m. until 11:45 p.m., Friday, August 4, 2016 from 12:00 p.m. until 11:45 p.m. and Saturday & Sunday, August 5th & 6th, 2017 from 12:00 p.m. until 11:45 p.m.**

19a. 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 **103rd Feast of the Blessed Sacrament (August 3rd - 6th).** The meeting will include Capt. Adelino Soares, Liaison to the Licensing Board and Capt. Thomas Flood, Detail Officer for Special Events.

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

Minutes of 06/27/16 Meeting

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 do not let anyone else in.

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

*Licenses for this year’s event must be applied for by July 7, 2017

19b. APPLICATION

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 **Friday, August 4, 2017 from 12:00 p.m. until 11:45 p.m. and Saturday & Sunday, August 5th & 6th, 2017 from 12:00 p.m. until 11:45 p.m.** *** **NOTE**: **Thursday night has been eliminated this year.** ***

20a. 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 **103rd Feast of the Blessed Sacrament (August 3rd – 6th)**. The meeting will include Capt. Adelino Soares, Liaison to the Licensing Board and Capt. Thomas Flood, Detail Officer for Special Events.

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

Minutes of 06/27/16 Meeting

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

*Licenses for this year’s event must be applied for by July 7, 2017.

20b. APPLICATION

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 3, 2017 from 6:00 p.m. until 11:45 p.m., Friday, August 4, 2017 from 12:00 p.m. until 11:45 p.m. and Saturday & Sunday, August 5th & 6th, 2017 from 12:00 p.m. until 11:45 p.m.**

21. Meeting: Clube Ponta Delgada, Inc.

Ms. Kristen J. Stephens, 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 **103rd Feast of the Blessed Sacrament (August 3rd – 6th)**. The meeting will include Capt. Adelino Soares, Liaison to the Licensing Board and Capt. Thomas

Flood, Detail Officer for Special Events.

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

Minutes of 06/27/16 Meeting

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 and that the club **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; and that they would be using only plastic cups during the feast weekend. He also stated that they would not be offering any entertainment that weekend.

The Board would also like to take this opportunity to remind you that you 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.

***Licenses for this year's event must be applied for by July 8, 2017.**

22. 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 **103rd Feast of the Blessed Sacrament (August 3rd – 6th)**. The meeting will include Capt. Adelino Soares, Liaison to the Licensing Board and Capt. Thomas Flood, Detail Officer for Special Events.

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

Minutes of 06/26/17 Meeting

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.**

***Licenses for this year's event must be applied for by July 7, 2017**

23. Meeting: Saint Michael Social Club, Inc.

Mr. Nelson Tavares, 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 **103rd Feast of the Blessed Sacrament (August 3rd – 6th)**. The meeting will include Capt. Adelino Soares, Liaison to the Licensing Board and Capt. Thomas Flood, Detail Officer for Special Events.

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

Minutes of 06/27/16 Meeting

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 have anything planned for 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.

*Licenses for this year's event must be applied for by July 7, 2017.

Tabled at 05/22/17 Meeting

24. 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.

Minutes of 05/22/17 Meeting

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)

Voted: On a motion by Commissioner Almeida the Board **voted unanimously to receive the written request and to place it on file, and to table item #'s 33 & 34 until this Board's June 26th meeting.**

Tabled at 05/22/17 Meeting

25. 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.

26. Hearing: Barker's Lane, Inc. d/b/a The Garden Restaurant & Bar

Mr. Charles E. Lajoie, Jr., Manager

32 Barker's Lane

Your presence is requested at a hearing to determine whether you have violated certain provisions of M.G. L., ABCC Regulations, and Licensing Board Rules and Regulations; the Board will also review the ongoing calls to service to your establishment as reported by the N. B. Police Department, as well as reviewing the day to day management of the premises, especially on weekend nights. Based on their findings, the Licensing Board may take action to modify, suspend, revoke, or cancel your license; and if warranted, a roll back of hours may be considered.

They are as follows:

MGL Chapter 138, sec. 63A-

Any person who hinders, delays, and/or refuses to provide information to and/or refuses to admit entrance to any ABCC investigator or authorized agent of the local licensing authority in the performance of his or her duty may be punished by a fine of \$50.00 - \$200.00 or by imprisonment for not more than two (2) months or both.

ABCC Regulation 204 CMR 2.05: (2)-

States no licensee shall permit any illegality to occur on the licensed premises. The licensee is responsible, whether present or not, for ensuring that no disorder, disturbance, or illegality takes place in, or on a licensed premises.

Licensing Board Regulation No. 6, 10, 11, 12, 24-

Each corporate licensee shall appoint a manager (by a properly authorized and executed written delegation) who shall have

full authority and control of the premises, and who shall be satisfactory to the Board, and who shall be a United States citizen. Immediate notice of the appointment must be made to the Board in writing; Alcoholic Beverages shall not be served to a person who is or appears to be intoxicated; Objectionable persons shall not be permitted on or about the premises, and it is the responsibility of the Licensee to enforce this rule; Premises must at all times be kept safe; There should be no disorder on the premises or areas connected therewith.

Summary of Incident Reports

Police Department Incident Report states that Police Officers received a call about a possible stabbing at the Garden Restaurant & Bar, located at 32 Barker's Lane. Upon arrival, officers observed a fellow officer taking out his medical bag and getting ready to render aid to a male bleeding profusely from his lower back side. According to a female witness, the victim was only trying to help separate two other males that had been fighting outside the Garden Bar, and she witnessed one of the males forcefully stab the victim in the lower back. When questioned by the officers, the staff at the Garden Bar was uncooperative and did not assist with any information that could help identify the suspect male in any way although he was observed to be a patron inside the bar on this night. The reporting officer's first conversation was with a male who continued to ask why he needed to ask questions since according to him: "it didn't happen in here, it didn't happen inside, it happened out there." The officer noted in his report that he was rude and reluctant to give him any further information. When the officer asked all present if anyone had the number of the person who could access the camera system, and after getting no response; the Reporting Officer noted in his report that he was getting the impression that the staff at the Garden did NOT want anything to do with this incident or did not want to get involved in any way by evading and NOT answering any questions related to this incident.

The Reporting Officer then told the staff that this was an ongoing investigation and that detectives would be there soon, and that they may wish to speak to them; at which point two male staff members stated that there was an issue inside with two males, nothing serious they said, but (earlier, unrelated to the stabbing) that they had asked them to go outside and they did. When asked by the Reporting Officer if anyone remembers the victim who was stabbed outside, if he had been drinking inside, they both said yes and then he went outside, and that's all they could recall.

The Reporting Officer then went back outside through the Barker's Street exit to relay some of this information, and by the time the detectives arrived on the scene, the detectives noticed that the lights were off inside and the staff had left through the front entrance to Union Street; at which point there was no access to the establishment, and there was notice given by the staff they were securing and getting ready to leave; this after being told earlier by the Reporting Officer that this is an ongoing investigation and that detectives would be there soon, and that they may wish to speak to them.

Date and time of alleged violations: Sunday, April 23, 2017 @ approximately 2:01 a.m. - Police Report # 17-4583-OF & the Supplemental Report

Please be advised, failure to appear at this meeting will result in immediate suspension of your liquor license until this matter is resolved.

27. Hearing: Barker's Lane, Inc. d/b/a The Garden Restaurant & Bar

Mr. Charles E. Lajoie, Jr., Manager
32 Barker's Lane

Your presence is requested at a 'Public Hearing' to determine whether a roll back (decrease) of hours is warranted as a result of violations of certain provisions of M.G.L., ABCC Regulations, and Licensing Board Rules and Regulations, as a result of incidents reported by the New Bedford Police Department. This roll back (decrease) of hours could affect the hours in which you will be allowed to be open.

The local licensing authority, may after proper notice, hold a hearing to determine whether a roll back of hours is warranted, on the basis of frequency of arrests, disturbances, and incidents requiring police involvement inside or outside the licensed premises; this decision is one that is not appealable to the Alcoholic Beverages Control Commission or to the superior court. (As noted in Chapter 138, sec. 12 -)

28. Hearing: Sapatinha's Café, Inc. d/b/a Euphoria Lounge

Mr. Jose G. Borges, Jr. Manager/Owner
289 Acushnet Avenue

License Was Re-Issued On 04/10/17

Your presence is requested at a hearing to determine whether you have violated certain provisions of M.G. L., ABCC Regulations, and Licensing Board Rules and Regulations. Based on their findings, the Licensing Board may take action to modify, suspend, revoke, or cancel your license. They are as follows:

ABCC Regulation 204 CMR 2.05: (2)-

States no licensee shall permit any illegality to occur on the licensed premises. The licensee is responsible, whether present or not, for ensuring that no disorder, disturbance, or illegality takes place in, or on a licensed premises.

Licensing Board Regulation No. 11, 12-

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

Summary of Incident Reports

Police Department Incident Report states that Officers were dispatched to 289 Acushnet Avenue as a result of a neighbor's complaint of possibly hearing gun shots (7) being fired emanating from this location.

During their investigation of the perimeter of the Euphoria Lounge, Officers found four (4) .380 shell casings in front of the building, along with what seemed to be blood and three (3) errings near where the casings were located found; which was the area described by the complainant where she saw two females arguing.

The reporting officer stated that he spoke to the owner and security who re-stated that they did not hear any gun shots; and that at the time this happened everyone was out of the establishment. The Officer also noted in his report that this was the second time in less than two weeks that there have been shots fired at this location,

Date and time of alleged violations: Sunday, May 7, 2017 @ approximately 2:11 a.m. - Police Report # 17-5229-OF

Please be advised, failure to appear at this meeting will result in immediate suspension of your liquor license until this matter is resolved.

• **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.

From: Ralph Sacramone, Executive Director **Dated – 05/23/17** **Received –05/26/17**
Re: J.A.C. Fine Wines & Spirits, Inc. d/b/a Friendly Liquors **1567 Acushnet Avenue**
Notice of Hearing Date: Tuesday, July 25, 2017 @ 11:00 a.m.; A hearing will be held by the Alcoholic Beverages Control Commission to determine whether the *Licensee* violated certain provisions of M.G. L. and Code of Massachusetts Regulations (CMR) as follows: 204 CMR 2.05 (2)-Permitting an illegality on the licensed premises, **to wit: M.G.L. Ch. 138 sec, 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age.** _____
Date of Alleged Offense: Saturday, May 13, 2017 at approximately 4:05 p.m.

In City Council January 12, 2017 **Received 06/08/17**
The undersigned Union Auto Towing, Inc., Maximiliano Galvan, President, 649 Mt. Pleasant Street) petitions the City Council to grant a SPECIAL PERMIT to allow Auto Sales & Repairs.

IN CITY COUNCIL, July 21, 2016

Special Permit Granted Dennis W. Farias, City Clerk

Presented to the Mayor for approval July 25, 2016 Dennis W. Farias, City Clerk

Approved August 1, 2016 Jonathan F. Mitchell,
Mayor

- **COMPLAINTS RECEIVED:**

---NONE--

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

<u>NAME</u>	<u>POLICE REPORT#</u>	<u>DATE</u>	<u>VIOLATION</u>
1. Hungry Whale	#17 – 1433 – AR	05/19/17	Drug Activity (Approximate Time of Violation 9:00 p.m.)
2. Whiskey Lounge	#17 – 6208 – OF	05/26/17	Disturbance/Patrons Fighting/Shots Fired (Approximate Time of Violation 12:25 a.m.)
3. Rookie’s Bar & Grill	#17 – 6973-OF	06/11/17	Disturbance/Loud Music/ Failure To Co-Operate With Police (Approximate Time of Violation 1:24 a.m.)

- **CHANGE PG OFFICERS & DIRECTORS APPLICATIONS REQUIRED** *(For Review Only)*

1. Irmandade Do Divino Espirito Santo Do Pico, Inc.
2. Our Lady of Angels Band, Inc.
3. Portuguese American Athletic Club of Greater N. B., Inc. – “Responded”
4. The Washington Social and Musical Club, Inc.
5. Wamsutta Club, Inc. – “Responded”
6. Young Cape Verdean Athletic Association, Inc.

ACTION TAKEN: Notices sent out on 06/09/17 to contact the Licensing Board Office within five (5) days of receipt of notice, which was hand delivered to each club.

- **INACTIVE LICENSES TO BE REVIEWED IN JULY** *(For Review Only)*

1. Dublin’s Sports Bar N Grille, LLC – CVAA – Business/License For Sale
2. Hibernia Brew Pub (Carrig, Inc. d/b/a) – CVAA – License For Sale – Closed 05/17/17
3. Lebanese Kitchen (Nabih Moujabber d/b/a) – CV W & M – Sale Pending – **Application Expected In July**
4. Portugal Verde Soccer Academy, Inc. – GOP W & M – Renovations
5. Royal II (Albert Santos d/b/a) – GOP – Business & License For Sale
6. Trio Restaurant (161 Highland Avenue, Inc. d/b/a) – CVAA – Business & License For Sale
7. Union City (Ramon D. Silva Enterprises d/b/a) – CVAA – License Only For Sale
8. Ying Dynasty (Ying Dynasty Nauset, LLC d/b/a) – CVAA – Renovations/Re-Opening February 1, 2017

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

- Cape Verdean Day Parade – July 1st - “Licenses Applied For – No Changes”
- 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: July 24th & August 28th, both on Mondays, in Ashley Room (120)**

- **MEETING ADJOURNED:**