

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

CITY CLERKS OFFICE
NEW BEDFORD, MA
2017 AUG 28 A 9:23
CITY CLERK

MOTION TO ACCEPT THE MEETING MINUTES OF March 27, 2017

APPROVALS RECEIVED FROM THE ALCOHOLIC BEVERAGES CONTROL COMMISSION:

Change of Officer, Director, Stockholder, and Transfer of Stock - Trans. # 00043-RS-0778—Plot # 112—142

A & E Jacinto, Inc. d/b/a Bom Appetite, Antonio Jacinto, President, who is requesting a **Change of Officer, Director, Stockholder, and a Transfer of Corporate Stock of the Common Victualler (Restaurant) All Alcoholic Beverages License.** Antonio Ferreira is petitioning to allow the transfer of all his corporate shares (100 Shares); and to accept his resignation as Treasurer, Co-Director, and Co-Stockholder in the corporation. Upon approval, Antonio Jacinto will be the President, Treasurer, Secretary, Sole Director, and Sole Shareholder (100%). **Antonio Jacinto** will also remain as the **Manager.**

Premises will remain the same at **703 Belleville Avenue.**

Approved By ABCC – 07/12/17

Altering of Premises to Include the Entire 2nd Fl. & Sidewalk Seating - 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.

Approved By ABCC – 07/25/17

Change of Manager - 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.

Approved By ABCC – 07/25/17

Change of Manager - Trans. #00174-PK-0778– Plot # 18--107

People's Super Liquor Stores, Inc. d/b/a Douglas Wine & Spirits, 446 Dartmouth Street, is requesting the approval of **Michael J. Duclos,** who resides at **94Wampanoag Trail, Riverside R.I.,** as their new manager.

Approved By ABCC – 07/27/17

Change of Officers & Directors - Trans. # 00085-CL-0778- Plot # 93--210—6

Portuguese American Athletic Club of Greater New Bedford, Inc., Arlindo Moura, President, who is petitioning for a **Change of Officers and Directors of the Club All Alcoholic Beverages license**. The petitioner is requesting that the resignations of the current slate of Officers and Directors currently on file with the Alcoholic Beverages Control Commission be accepted, and be updated as follows, per the Commission's directive of 09/30/14 regarding "Club" licenses. Upon approval, Arlindo Moura will be the President, Manuel dos Santos will be the Vice-President, Jose Ribeiro will be the Treasurer, and Rosangela Ribeiro will be the Secretary; and Joao Marcal, Jose Ferreira, Marcel Vieira, and Domingos Adao will all be Co-Directors. Premises will remain the same at **56 Holly Street**.

Approved By ABCC – 08/08/17

Change of Officers & Directors (Not For Profit Club) - Trans. # 00056-CL-0778- Plot # 46—6

Wamsutta Club, Inc. Robert G. Morris, (New) President who is petitioning for a **Change of Officers and Directors on Club All Alcoholic Beverages license**. The petitioner is requesting that the resignations of the current slate of Officers and Directors currently on file with the Alcoholic Beverages Control Commission be accepted, and be updated as follows, per the Commission's directive of 09/30/14 regarding "Club" licenses. Upon approval, Robert G. Morris will be the President, Charles Demaille Jr. will be the Vice-President, John Fernandes will be the Treasurer, and Anne Eades will be the Secretary; and Dr. J. Greer McBratney, Nancy Crosby, Jules Ryckebusch, Richard Dow, and Peter S. Barney (Immediate Past President) will all be Co-Directors. Premises will remain the same at **427 County Street**.

Approved By ABCC – 08/08/17

Transfer & Change of Location - Trans. # 03550-RS-0778 (Old # (00014-RS-0778) – Plot # 47—41

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 an 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'.

Approved By ABCC – 08/09/17

Change of Officers & Directors (Not For Profit Club) - Trans. # 00072-CL-0778- Plot # 14—198

Washington Social & Musical Club, Inc., Kenneth Kendall (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, Kenneth Kendall will be the President, Stephanie McKnight will be the Vice-President, Stephanie Mitchell will be the Treasurer, and Joyce Abbott will be the Secretary; and Mark Blanchard, Kevin Blanchard, Blaine Hopwood, William O'Brien, Jr., Brian Lowe, Scott R. Boutin, Mel Chase, Fred Caton, and Jon Marinelli will all be Co-Directors. Premises will remain the same at **90 David Street**.

Approved By ABCC – 08/09/17

Change of Officers & Directors - Trans. # 00230-CL-0778- Plot # 119--7

Irmandade do Divino Espirito Santo Do Pico, Inc., Fernando Lima, (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, Fernando Lima will be the President and a Co-Director, Jose M. Lima will be the Vice-President and a Co-Director, Maria L. Lemos will be the Treasurer and a Co-Director, and Fatima DaFonte will be the Secretary and a Co-Director; and Almerinda Costa, Maria C. Medeiros, Maria Neves, and Jose Xavier will all be Co-Directors, as well. Premises will remain the same at **2056 Acushnet Avenue**.

Approved By ABCC – 08/15/17

Change of Officers & Directors - Trans. #00141-CL-0778- Plot # 25-A-25 “LATE FILE”

Young Cape Verdean Athletic Association, Inc. Donald Soares, President, who is petitioning for a **Change of Officer & 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, Donald Soares will be the President, Blaine Ferguson will be the Vice President, Mary Barrett-Maciel will be the Treasurer, and John L. Maciel will be the Secretary; and Bonaventura J. Barboza, III, Paul Massey, Jose Jorge, and Maria Wanyoike will all be Co-Directors. Premises will remain the same at **418 South Front Street**.

Approved By ABCC – 08/24/17

1. PETITION - Tr. #00031-GOP-0778– Plot # 23--9

161 Highland Avenue, Inc. d/b/a Trio Restaurant, Sandra S. Rodrigues, President who is petitioning to **transfer a Common Victualler (Restaurant) All Alcoholic Beverages License to Antero L. Coelho d/b/a Antero’s** Upon approval, **Antero L. Coelho will be the Sole Proprietor and Manager of the Liquor License**. The premises will remain the same as follows: The premises is located on the street level of a Three (3) story building, which includes One (1) dining room approximately 2,000 sq. ft. with a bar, Two (2) Handicapped Restrooms, and seating for approximately Eighty (80) people, a pastry shop, approximately 350 sq. ft., with seating for approximately Ten (10) people; there is also a full kitchen, approximately 650 sq. ft., with the storage of liquor in the basement. There are two (2) main entrances/exits; one (1) into the dining room from Rivet St. and one(1) into the Pastry Shop/Kitchen from Bolton St., and two (2) additional rear exits. The licensed premises also includes a ‘Seasonal Outdoor Patio Area’ approximately 430 sq. ft. (10’ x 43’) to be used as a ‘Sidewalk Café’, which is enclosed by a 4 ft. high resin fence with a decorative lattice panel design, and is to be used for **seated dining purposes only**. The enclosed area includes Ten (10) tables for the seating of Thirty – Two (32) patrons for dining only, as well as a Hostess Station; and is located on the east side of the building, which is contiguous to the licensed premises. The outdoor area is **only accessible** by way of an entrance/exit off the main entrance ramp located in the front of the building, and is accessible by ‘Hostess Seating’ only; the area will also be monitored by the hostess and waitstaff at all times. The 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), and requires yearly approval from the City of New Bedford. The premise is situated on the corner of Rivet & Bolton Streets **and will remain the same at 418-420 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**’.

Application has been advertised; “Abutters notification not required”.

2. PETITION - Tr. #00158-RS-0778– Plot # 53--197

Nabih Moujabber d/b/a Lebanese Kitchen, for a license currently issued at **1487-1489 Purchase Street, Nabih Moujabber, Licensee**, who is petitioning to **Transfer a Common Victualler (Restaurant) Wine & Malt Only Beverages License to The White Rose, LLC d/b/a Sam Potter’s Roast Beef Sandwiches, who is also requesting a Change of Location to 37 Union Street**. Upon approval, Christopher R. Whittingham and Jean Nicolazzo will be Co-Managers and Co-Interest-Holders (50% each) of the LLC; and **Christopher R. Whittingham will be the Manager of the Liquor License**. Upon completion of the proposed renovations, the premise will consist of one room on the first floor of a one – story building, in an area approximately 2,520 sq. ft., which includes a dining area with a small bar, an order and waiting area, a food prep area, a kitchen, three (3) handicapped access restrooms, and a walk-in cooler. There will also be an outdoor patio area approximately 448 sq. ft. (16’ X 28’) to be used as a ‘Sidewalk Café’, which will be enclosed with 21” high planters that will be used to rope off the described area, and will be used for **seated dining purposes only**. The enclosed area, which will include Five (5) tables for the seating of Twelve (12) patrons and two (2) umbrellas for shading, will be located on the south side 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 also be an additional 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 licensed premise is situated on the North Side of Union Street between Johnny Cake Hill and Front Street, with an entrance/exit onto Union Street, with an emergency exit located at the rear of the building on the North Side of the building. The premises will be numbered **37 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.

3. PETITION - Tr. #00210-CL-0778-Plot # 99—5 (No Representation Required)

Our Lady of Angels Band, Inc., Antonio F.D. Cabral, President, who is petitioning for a **Change of Officers and Directors of the Club All Alcoholic Beverages license**. The petitioner is requesting that the resignations of the current slate of Officers and Directors currently on file with the Alcoholic Beverages Control Commission be accepted, and be updated as follows, per the Commission's directive of 09/30/14 regarding "Club" licenses.

Upon approval, Antonio F.D. Cabral will remain as the President, Paul Chasse will be the (new) Vice-President, Nancy Cabral will be the (new) Treasurer and Lisa Chasse will be the (new) Secretary; and (new) Mario J. Duarte (new) Rogerio Matos, (new) Dulce Matos, John Medeiros, and Antonio Ventura will all be Co-Directors. Premises will remain the same at **1446-1452 Acushnet Avenue**.

(No Advertisement nor Abutters Notification Required)

Tabled At 07/24/17 Meeting

4. Hearing: Our Lady Of Angels Band, Inc.

Mario J. Duarte, Manager

1446-1452 Acushnet Avenue

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

At the time of this hearing, if your organization remains non-compliant the Board must take action and as such, **you are hereby instructed to bring with you your 2017 Liquor License**. Depending on the Board's decision, you may be required to surrender your license until this matter is resolved.

Please contact this office immediately upon receipt of this notice for assistance with this matter.

5. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Joclyne Nunes, Representative, who is requesting approval of an application for a **Special All Alcoholic Beverages License** for a "Going Away Party" to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Thursday, August 24, 2017, from 5:00 p.m. until 8:00 p.m.**

6. APPLICATION, (No Representation Required)

The New Cape Verdean Ultramarine Band Club, Inc., Ramona Silva, Representative, who is requesting approval of an application for a **Special All Alcoholic Beverages License** for a "100th Year Birthday Celebration" to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Saturday, August 26, 2017, from 7:00 p.m. until 11:00 p.m.**

7. APPLICATION, (No Representation Required)

New Bedford Art Museum/Artworks!, Jamie Uretsky, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for an 'Art Reception' to be held at the **New Bedford Art Museum**, located at **608 Pleasant Street**; and to be held on **Friday, September 1, 2017 from 6:00 p.m. until 8:00 p.m.**

8. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Joclyne Nunes, Representative, who is requesting approval of an application for a **Special All Alcoholic Beverages License** for a "Azorean Whaleboat Regatta Dinner" 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.**

9. APPLICATION, (No Representation Required)

New Bedford Whaling Museum, Joclyne Nunes, Representative, who is requesting approval of an application for a **Special All Alcoholic Beverages License** for a "Azorean Whaleboat Regatta Dinner" to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Thursday, September 7, 2017, from 5:00 p.m. until 7:00 p.m.**

10. APPLICATION, (No Representation Required)

Azorean Maritime Heritage Society, Louise Medeiros, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for a 'Reception for Regatta Participants and Associate Members' to be held within the **Madeira Field Pavilion Area**, located at **50 Madeira Avenue**; and to be held on **Saturday, September 9, 2017, from 6:00 p.m. until 11:00 p.m.**

****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 All Alcoholic Beverages License** for an "Azorean Whaleboat Regatta Dinner" to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Sunday, September 10, 2017, from 5:00 p.m. until 9:00 p.m.**

12. APPLICATION, (No Representation Required)

Marion Institute, Inc., Zoe Hansen-Dibello, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a 'Taste of September Fundraiser Event' to be held within the **Fort Taber Community Center and adjacent tented area in the parking lot**, located within **Fort Taber**; and to be held on **Wednesday, September 13, 2017, from 5:30 p.m. until 8:00 p.m. (Final approval will require Liquor Liability with the City named as additionally insured)**

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

13. APPLICATION, (No Representation Required)

New Bedford Art Museum/Artworks!, Jamie Uretsky, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for an 'Art Reception' to be held at the **New Bedford Art Museum**, located at **608 Pleasant Street**; and to be held on **Thursday, September 14, 2017 from 6:00 p.m. until 8:00 p.m.**

14. APPLICATION, (No Representation Required)

Jardin & Marotta, LLC/Southcoast Chamber Business Assoc., Jane Cardoza,, Representative, who is requesting approval of an application for a **Special All Alcoholic Beverages License** for a "Southcoast Chamber Business After Hours" to be held at the **DeMello International Center**, located at **128 Union Street**; and to be held on **Thursday, September 14, 2017, from 5:00 p.m. until 7:00 p.m.**

15. APPLICATION, (No Representation Required)

Acushnet Veterans Memorial Committee, Thomas J. DaCosta, Representative, who is requesting approval of an application for a **Special One-Day Wine & Malt Only Beverages License** for an 'Adam Taylor Foundation Fundraiser' to be held within the **Madeira Field Pavilion Area**, located at **50 Madeira Avenue**; and to be held on **Sunday, September 17, 2017, from 1:30 p.m. until 6:00 p.m. (Final approval will require Liquor Liability with the City named as additionally insured & a copy of the Police Detail Contract)**

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

16. APPLICATION, (No Representation Required)

Carl Lee Pacheco Memorial Trust Fund, Jeffrey Coutinho, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Fundraiser Dinner', to be held at the **Madeira Field – Main Pavilion**, located on **Madeira Avenue**; and to be held on **Saturday, September 30, 2017 from 5:00 p.m. until 11:00 p.m.**

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

17. APPLICATION, (No Representation Required)

Ribeiro Brothers, LLC d/b/a Pour Farm Tavern & Grille, Noah Griffith, Manager, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a 'Belgian Beer'd Fest' event to be held **within Wing's Court**, which is contiguous to the **Pour Farm Tavern**, located at **780 Purchase Street**; and to be held on **Sunday, October 8, 2017, from 1:00 p.m. until 5:00 p.m. (Final approval will require Liquor Liability and a copy of the Police Detail Contract) .**

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

18. APPLICATION, (No Representation Required)

South Coast Business Alliance, Kevin Trahan, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for their '11th Annual Oktoberfest Fundraiser' to be held within the **New Bedford State Pier Building**, located at **93 State Pier**; and to be held on **Saturday, October 14, 2017 from 3:00 p.m. until 11:45 p.m. (Last call will be at 11 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****

19. APPLICATION, (No Representation Required)

New Bedford Art Museum/Artworks!, Jamie Uretsky, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for an 'Art Reception' to be held at the **New Bedford Art Museum**, located at **608 Pleasant Street**; and to be held on **Friday, October 27, 2017 from 6:00 p.m. until 8:00 p.m.**

20. APPLICATION, (No Representation Required)

New Bedford Art Museum/Artworks!, Jamie Uretsky, Representative, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a 'Tasting Event', to be held at the **New Bedford Art Museum**, located at **608 Pleasant Street**; and to be held on **Friday, November 10, 2017 from 6:00 p.m. until 9:00 p.m.**

21. APPLICATION, (No Representation Required)

New Bedford Art Museum/Artworks!, Jamie Uretsky, Representative, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Holiday Party' to be held at the **New Bedford Art Museum**, located at **608 Pleasant Street**; and to be held on **Friday, December 1, 2017 from 6:00 p.m. until 9:00 p.m.**

Tabled At 07/24/17 Meeting**22. APPLICATION, (Special Permit Has Been Approved/Change of Ownership)**

Martha Perez, who resides at **777 County Street, N.B., MA.**, is requesting approval of an application for a **Motor Vehicle Class II (Used Car Dealer) License** for **Ebenezer Used Tires, Mechanical Work, and Used Car Sales**, with premises situated at **1519 Purchase Street**.

Note: Site was previously licensed to Universal Used Autos & Repairs, whose license was surrendered on 04/25/17; site was previously approved for the display of Ten (10) cars by the Office of Inspectional Services.

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

23. APPLICATION, (Special Permit Has Been Approved/Change of Ownership)

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. #4**, with premises situated at **1466 Pleasant Street**.

Note: Site was previously licensed to Carlos Tavares d/b/a Tavares Auto Sales, whose license was surrendered on 04/13/17; site was previously approved for the display of Twenty-Two (22) cars by the Office of Inspectional Services.

Final approval of the Motor Vehicle Class II License will require a '**Change of Tenant**' from the **Office of Inspectional Services**.

24. APPLICATION, (Applicant Is In The Process of Obtaining A Special Permit/Change of Ownership)

Ana P. and John R. Singleton, who both reside at **125 South Pickens Street, Lakeville, MA.** are requesting approval of an application for a **Motor Vehicle Class II (Used Car Dealer) License** for **North End Auto Sales, LLC**, with premises situated at **1336 Ashley Boulevard**.

Note: Site is currently licensed to Simao F. Pacheco d/b/a North End Auto Sales, which is currently approved for the display of Twenty-Eight (25) cars by the Office of Inspectional Services.

Final approval of the Motor Vehicle Class II License will require a '**Change of Tenant**' from the **Office of Inspectional** and a **Notarized Letter** stating where the repairs will be done.

25. Hearing: Casa Chessa Corp. d/b/a Portobello**Mrs. Mairy M. Chessa, Manager/Owner****555 Pleasant Street****Closed 06/30/17 – Licensee Decision****Prior Hearings (0)**

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2017. The hearing is also being held at the request of the members of this Board to discuss your plans for your liquor license for the year 2017 prior to this Board considering approval of your 2018 renewal application.

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

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

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.

Tabled At 03/27/17 Meeting**26. Hearing: Columbus Group, LLC d/b/a Columbus Restaurant****Ms. Xiaohui Yang, Owner****218 Union Street****Transfer Approved On 12/09/14 – “Proposed Hotel”****Prior Renewal Hearings: (7)**

Your presence is respectfully requested at a hearing to be held in this office to determine the status of your annual liquor license for the year 2017. If warranted, the Board may cancel the license of any license holder who “ceases to conduct the licensed business” that is, *any license holder who closes the business or stops doing business*. Licensees should be conducting the licensed business on all days authorized by the license. Any licensee that does not comply with its obligation to conduct the licensed business and holds a so-called “pocket License” is subject to possible action by the Board.

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

03/27/17 Decision

As a result of the open hearing held on March 27, 2017 to determine the status of your annual liquor license for the year 2017, and to discuss your plans for your liquor license for the year 2017 the **Board voted unanimously to table the matter until this Board’s August 28, 2017 meeting.**

The Board’s decision was based on the information provided by Atty. (Christopher) Markey at said meeting, at which he stated that he’s been in contact with a potential buyer; as well as stating that the project looks like it’s going to move forward rather quickly with a tentative April 1, 2018 opening.

The Board’s decision will give you sufficient time to complete the sale of your license or determine if you would rather keep the license to be used at the proposed new hotel project.

This office will continue to post your contact information on the liquor license availability list, which we have posted in the office and distribute upon request.

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.

Tabled At 07/24/17 Meeting27. Hearing: Ying Dynasty Nauset, LLC d/b/a Ying Dynasty
Mr. Shang Ying Zhao, Manager of LLC
114-116 Nauset Street

Approved 06/03/14 – Renovations
Prior Renewal Hearings: (7)

Your presence is respectfully requested at a hearing to be held in this office, **City Hall, Room 120, on Monday evening, July 24, 2017 at 7:00 p.m.**, to determine the status of your annual liquor license for the year 2017. The hearing is also being held at the request of the members of this Board to discuss your plans for your liquor license for the year 2017 prior to this Board considering approval of your 2018 renewal application.

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

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

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.

03/06/17 Written Decision

As a result of the open hearing held on February 27, 2017 to determine the status of your annual liquor license for the year 2017, during which the Board considered your request for a 6 month extension to complete the ongoing renovations; **the Board voted unanimously to approve your request and to table the matter until this Board’s July 24, 2017 meeting.**

The Board’s decision was based on the written request submitted by Atty. (Chris) Markey on your behalf, in which he stated that due to some financial issues that arose because of some extra work that needed to be done, that some additional time would be needed to complete the renovations; adding that he believes that everything should be resolved within the next 6 months.

If you are operational by August 28, 2017, you will not be required to appear as notified.

Minutes of 07/24/17 Meeting

Action Taken: Based on the Licensee’s legal counsel unavailability to attend the 07/24/17 meeting due to a scheduling conflict; therefore, the Board voted unanimously to table the matter to the next meeting on August 28, 2017.

Tabled At 02/27/17 Meeting28. Hearing: Pub 6T5, LLCMr. Richard F. Trapilo, Manager/Co-Owner
736 Ashley Boulevard

Approved 12/12/16 – On Going Renovations
Prior Renewal Hearings: (1)

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2017. If warranted, the Board may cancel the license of any license holder who “ceases to conduct the licensed business” that is, *any license holder who closes the business or stops doing business*. Licensees should be conducting the licensed business on all days authorized by the license. Any licensee that does not comply with its obligation to conduct the licensed business and holds a so-called “pocket License” is subject to possible action by the Board.

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

02/27/17 Decision

As a result of the open hearing held on February 27, 2017 to determine the status of your annual liquor license for the year 2017, as well as receiving an update with regard to the ongoing renovations; **the Board voted unanimously to table the matter until this Board’s August 28, 2017 meeting.**

The Board’s decision was based on the update that you provided as to where you currently stood in the process of renovating the premises, which hopefully would be complete by the end of July.

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.

If you are operational by August 28, 2017, you will not be required to appear as notified.

29. Hearing: Shooter’s Pub, Inc.

Ms. Jere A. Espejo, Manager/Owner

2112 Acushnet Avenue

Closed 06/30/17 – Licensee Decision

Prior Hearings (0)

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2017. The hearing is also being held at the request of the members of this Board to discuss your plans for your liquor license for the year 2017 prior to this Board considering approval of your 2018 renewal application.

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

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

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.

Tabled At 03/27/17 Meeting

30. Hearing: Times Square Restaurant, Inc. d/b/a Bar 908

Mr. Thomas A. Kern, Manager

908 Purchase Street

Closed 07/21/15

Prior Renewal Hearings: (5)

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2017. If warranted, the Board may cancel the license of any license holder who “ceases to conduct the licensed business” that is, *any license holder who closes the business or stops doing business*. Licensees should be conducting the licensed business on all days authorized by the license. Any licensee that does not comply with its obligation to conduct the licensed business and holds a so-called “pocket License” is subject to possible action by the Board.

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

03/27/17 Decision

As a result of the open hearing held on March 27, 2017 to determine the status of your annual liquor license for the year 2017 and to discuss your plans for your liquor license for the year 2017, **the Board voted unanimously to table the matter until this Board’s August 28, 2017 meeting.**

The Board’s decision was based on the information you provided to the Board in which you stated that the ongoing renovations would be complete soon but it was your intention to submit a transfer of license. Please be advised that your application for transfer must be submitted as soon as possible but *by no later than August 1, 2017.*

If you are operational by August 28, 2017, you will not be required to appear as notified.

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.

Tabled At 07/24/17 Meeting**31. Hearing: Ramon D. Silva Enterprises, LLC d/b/a "Union City"**Mr. Ramon D. Silva, Owner248-250 Union Street**Closed 11/16/15 – Licensee Decision****Prior Renewal Hearings: (4)**

Your presence is respectfully requested at a hearing to determine the status of your annual liquor license for the year 2017. The hearing is also being held at the request of the members of this Board to discuss your plans for your liquor license for the year 2017 prior to this Board considering approval of your 2018 renewal application.

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

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

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.

If you fail to submit an application as requested, you will be required to appear before this Board once again, at which time the Board will consider revoking your license for non-use.

04/25/17 Written Decision

As a result of the open hearing held on April 24, 2017 to determine the status of your annual liquor license for the year 2017, **this Board voted unanimously to table the matter until this Board's June 26, 2017 meeting.**

The Board's decision was based on the information that you provided to the Board in which you stated that you were finalizing a lease to move your license to a new location; and that you planned to keep your license and operate the premises yourself. You were also instructed by the Board to submit a completed application in a sufficient amount of time, so that it may be placed on the June Agenda for consideration by the Board for approval.

Please be advised that a completed application must be submitted by June 9, 2017 in order for it to be properly advertised. Should you need assistance in filing your application for a transfer of license, please contact this office at your earliest convenience.

Minutes of 07/24/17 Meeting

Action Taken: Applicant was unable to attend the 07/24/17 meeting due to being unable to get back from Martha's Vineyard due to weather conditions; therefore, the Board voted unanimously to table the matter to the next meeting on August 28, 2017.

If you fail once again to appear as requested, you will be required to appear before this Board, at which time the Board will consider revoking your license for non-use.

Tabled At 07/24/17 Meeting**32. Hearing: Portugal Verde Soccer Academy, Inc.**Mr. Isaias M. Furtado, Manager424 Nash Road**Approved on 12/09/15 – Never Opened****Prior Renewal Hearings: (5)**

Your presence is respectfully requested at a hearing at the request of the members of this Board **to determine if you are in full compliance to be issued your liquor license for 2017; failure to be in full compliance may require the Board to initiate its decision of 01/23/17, as stated below.**

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

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

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 General on Premise Wine & Malt Only Beverages License.

01/23/17 Written Decision

Per your recent hearing to determine the status of your annual liquor license, **this Board voted unanimously to revoke your General on Premise Wine and Malt Only Beverages License, however, the revocation has been set aside until the Board's July 24, 2017 meeting.**

The Board's decision was based on your failure to meet requirements as set forth by the Office of Inspectional Services and the Fire Department (M.G.L. Ch. 138, sec. 64-failure to comply with the Laws of the Commonwealth, To Wit: M.G. L. Chapter 138, section 77, Chapter 304 of the Acts of 2004, An Act Relative to Fire Safety in the Commonwealth, and local Building Code Regulations) in order for you to be issued your Occupancy Permit and 304 Fire Certificate. Both of these forms are required for you to receive your liquor license.

As you are aware, your license has been inactive since December 9, 2015. We understand your issues with Inspectional Services but unfortunately they are issues that are out of our control. That said, it is our responsibility to ensure that your license gets activated and it is for this reason that the Board set-aside the revocation for six months with the hope that you can resolve your building issues or to give you adequate time to sell the license.

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

Minutes of 07/24/17 Meeting

Action Taken: Licensee was unable to attend the 07/24/17 meeting due to illness; therefore, the Board voted unanimously to table the matter to the next meeting on August 28, 2017.

33. Hearing: EZ Convenience & Gas, LLC d/b/a Mutual Mart

Mr. Hitesh Patel, Sole Member/Manager of LLC
1800 Purchase Street

Your presence is requested at a hearing to determine whether you have violated certain provisions of M. G. L., Alcoholic Beverages Control Commission (ABCC) Regulations, and Licensing Board Rules and Regulations.

Upon reviewing your recent filings with the Massachusetts Secretary of State's office, it was determined that the management and ownership of E-Z Convenience and Gas, LLC is not the same as what was approved by this board. It appears that you have made changes to your LLC without Board approval which is a violation of the terms of your license. (M.G.L. Ch. 138, Sec 12, 12A, 15A & 64) (Licensing Board Regulations 1 & 6)

The Board will entertain testimony as to the intent of your actions and may elect to suspend your license until such time as this matter is resolved. **You are hereby ordered to bring your 2017 liquor license to this meeting.**

Tabled At 07/24/17 Meeting

34. Hearing: Simba, Inc. d/b/a Whiskey Lounge

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

"AMENDED"

Your presence and that of Kevin Sbardella, Bouncer, 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, as reported in City of New Bedford Police Department Incident Report. **The Board will also discuss a recent complaint filed with this office regarding your policy regarding minors as it relates to I.D. Checks and the sale of alcohol to minors.** Based on their findings, the Licensing Board may take action to modify, suspend, revoke, or cancel your license. They are as follows:

Violations: Massachusetts General Laws Chapter 138, sections 34, 34b, 34c-

It is illegal for anyone under the age of twenty-one years to purchase or be in possession of an alcoholic beverage; identification must be checked on the day of service.

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. 5, 11, 12-

Sale of alcoholic beverages, wine and malt beverages to persons under twenty-one years of age is prohibited; 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 1653 Acushnet Avenue as a result of a neighbor's complaint of possibly hearing gun shots (5) being fired emanating from this area; the shots were also recorded by Shotspotter. Upon arrival the Officers observed a large crowd of approximately 15 to 20 people outside of the Whiskey Lounge on the Tinkham Street side of the building. Upon seeing the Officers, the crowd immediately began to disperse with some going back into the bar, and others taking off on foot or in vehicles.

Upon entering the premises from the side door, the Officers observed 25-35 people inside and approximately 5 more people standing at the front door. The Officers talked to several people who kept stating that there was a fight between two females outside. The Officers also stated that the crowd was extremely uncooperative. Officers then located two witnesses who stated that an incident occurred inside the premises, and at some point a male exited the bar brandishing a firearm and fired 3 to 4 shots in the air.

Another female witness stated that she was inside the bar when another female approached her and they began to argue inside the establishment.

The witness stated that she left and went outside at which point the other female followed her outside and they began to physically fight.

She also stated that someone from the bar took her identification and phone...

When asked by the Officers what had transpired prior to their arrival, the bouncer (Kevin Sbardella) stated that nothing had happened that he was aware of.

When asked if he had any knowledge of the fight that occurred outside or of the male that had left the Whiskey Lounge with a firearm, and firing it in the street, the bouncer insisted he had no knowledge of any incident that had occurred outside, and that he was standing at the front door for the last 15 to 25 minutes.

Date and time of alleged violations: Friday, May 26, 2017 @ approximately 12:25 a.m. Police Report # 17-6208-OF

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

Minutes of 07/24/17 Meeting

Rec'd 07/12/17 – A written request by Atty. Gregory Longo to table the matter until the Board's August 28th Meeting, due to a scheduling conflict on this date.

VOTED: Commissioner Almeida made a motion to receive the request and place it on file, and approve the request; and to table the matter to the Board's August meeting. – **Unanimous**

35. Hearing: County Street Liquor Store
Mr. Matthew Do, Licensee
111-113 County Street

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, as reported in City of New Bedford Police Department Incident Report. Based on their findings, the Licensing Board may take action to modify, suspend, revoke, or cancel your license. They are as follows:

Violations: Massachusetts General Laws Chapter 138, sections 15, 33-

A Section 15 package store licensee is only permitted to make sales between 8:00 a.m. and 11:00 p.m. Monday – Saturday; and 10:00 a.m. until 11:00 p.m. on Sundays.

Alcoholic Beverages Control Commission 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.

Summary of Incident Report #1:

Police Department Incident Report states that the Reporting Officer conducted a directed patrol focusing his efforts on the County Street Liquor Store located at 113 County Street, as a result of received complaints that the liquor store was opening in the early morning hours and selling alcohol.

The Officer stated that shortly after 6:00 a.m., the Officer observed a male approach the front door of the business and unlocked the metal gate and open it half way. The male then went under the metal gate and opened the door to the business and entered. At approximately 6:45 a.m. the Officer observed a male exit his car with a cell phone and goes under the gate, and stood at the front door of the liquor store. The male waited there for approximately one or two minutes before coming under the metal gate to the sidewalk. The male waited on the sidewalk in front of the liquor store and appeared to be looking at his cell phone. The male then went under the gate a second time and waited at the front door of the liquor store but was never let in; the male then walked back to his vehicle he came in and drove away a few minutes later. *(The Officer filed the FIR to document the early morning activity at the liquor store in regards to the complaints that were received.)*

Date and time of Report: Monday, June 26, 2017 @ approx. 6:45 a.m. Police Report # 17-293-FI

Summary of Incident Report #2:

Police Department Incident Report states that in early June 2017, South End Units were informed that County Street Liquors located at 113 County Street was selling alcohol early in the morning prior to the authorized time allowed by law.

As a result of this notice, patrol in the area monitored this location and filed the following reports:

#1 – On July 7, 2017 at approx. 7:00 a.m. a male was observed standing under the half opened gate in front of County Street Liquors. The Reporting Officer then observed the male walking down the street holding a brown paper bag. The Officer exited his cruiser and encountered the male, and asked if he had liquor inside the bag; upon being told that he did indeed have liquor in the bag, the Officer asked if he could look in the bag, to which the male agreed. The Officer then looked in the bag and observed a pack of Newport cigarettes and a twelve (12) pack of watermelon nips.

When asked by the Reporting Officer if he had purchased these items at County Street Liquors, he stated “yes”.

The Reporting Officers then went back to the store and were let in by Mr. Matthew Do, who stated that he was the owner of the liquor store. When the officers informed Mr. Do that they had just stopped a male on County Street who stated that he purchased liquor from his store; Mr. Do first stated that the male knocked and he was afraid so he let him in through the locked door.

Mr. Do proceeded to state that the male stole the cigarettes and nips, and ran out of the store without paying. The Reporting Officers noted in their report that the cigarettes were held above the register and the nips are stored behind the counter and the only way to get either would be to go behind the counter. When asked if cameras were working, Mr. Do stated that he doesn't turn them on until he opens the store.

As the Officers were talking to Mr. Do, another male came into the store looking to purchase a single “Natty Daddy”; but after seeing the Officers in the store, the male stepped outside but later informed the Officers that he has purchased liquor in the past from County Street Liquors early in the morning.

Date and time of alleged violations: Friday, July 7, 2017 @ approximately 7:00 a.m.

Police Report # 17-8252-OF

Summary of Incident Report #2:

Police Department Incident Report states that Officers while on a direct patrol on Windsor Street and County Street, observed a

male walk into County Street Liquor Store at approximately 7:15 a.m., which has been a source of recent complaints regarding the selling of alcoholic beverages before allowed store hours. While waiting for the first male to come out, the Officers who maintained a visual on the building, observed a female walk inside the business in question; and at approximately 7:19 a.m. they observed another male also enter the store.

At approximately 7:22 a.m. the Officers observed the first male and the female exit the store in question with a grocery bag and inside the bag was what appeared to be multiple beer cans. When asked by the Officer what he purchased inside the store, the male who officers observed putting three cans of Naddy Daddy beer cans in a blue duffel bag along with a quarter pint of vodka stated that he just bought some beer and vodka from "County Street Liquor Store". The male also stated to the Officers that he usually buys liquor from the store in question anywhere from 7:00 a.m. to 8 a.m. because this is the only store that is open and that he sometimes even buys single cigarettes from there also.

As one Officer continued to talk to the male outside, the other Officer entered the premises to confront the owners for selling alcohol prior to 8:00 a.m. As the Officer walked inside, he observed a male about to walk out with a 40 oz. Milwaukee's Best Ice Beer. When asked what he purchased, the male stated a 40 oz. beer.

When the owner (Mr. Do) was asked what he was doing selling alcohol prior to the allowed store hours, Mr. Do stated that he could sell alcohol at 7:30 a.m. because he was doing it for 15 years.

The Officer then asked to see Mr. Do's liquor license which clearly showed the allowed hours of operation as follows: 8:00 a.m. until 11:00 p.m. on Weekdays and 10:00 a.m. until 11:00 p.m. on Sundays.

When the licensee was told that the violation report would be forwarded to New Bedford Licensing Board for selling alcohol prior to the allowed time by law, Mr. Do pleaded with the Officers not to send it there.

Date and time of alleged violations: Friday, July 21, 2017 @ approximately 7:15 a.m.

Police Report # 17-8928-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 – 05/23/17 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.

DECISION: Based on the evidence the Commission finds the Licensee violated 204 CMR2.05 (2) – Permitting an illegality on the licensed premises to wit: M.G.L. c.138 s.34 – Sale or delivery of an alcoholic beverage to a person under twenty-one years of age. Therefore the Commission **suspends the license for three (3) days of which three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

- **COMPLAINTS RECEIVED:**

The Following Liquor Licensees Failed Tobacco Compliance Checks By Selling To Minors:

1. **Biltmore Liquors**, 650 Pleasant Street
2. **Barry's Fine Wine & Spirits**, 573 Mill Street
3. **Mutual Mini-Mart**, 1800 Purchase Street
4. **Zully's Wine & Spirits**, 1240 Kempton Street

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

<u>NAME</u>	<u>POLICE REPORT#</u>	<u>DATE</u>	<u>VIOLATION</u>
1. Red J's Lounge	#17-9330-OF	07/29/17	Disturbance After Hours Numerous Calls to Service (Approximate Time of Violation 2:54 a.m.)
2. Euphoria Lounge	#17-2390-AR	07/30/17	Patron Driving Under the Influence/No I.D./Report of After an Party Being Promoted (Approximate Time of Violation 2:55 a.m.)
	#17-2391-AR	07/30/17	Serving a Minor/Serving to Intoxication/Report of an After Party (Approximate Time of Violation 4:33 a.m.)
3. Whiskey Lounge	#17-10284-OF	08/17/17	Patron Shot Outside of Premises Failure to Co-Operate With Police/Video Tapes (Approximate Time of Violation 2:44 a.m.)

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

- 12th Annual N. B. Seaport Chowder Festival – Sept. 24th - “Licenses Applied For – No Changes”
- 11th Annual “Oktoberfest” – October 14th - “Licenses Applied For – No Changes”

- **NEXT TWO MEETING DATES:** September 25th & October 23rd both on Mondays, in Ashley Room (120)

- **MEETING ADJOURNED:**