



## **Licensing Board**

April 22, 2014 – 7:00 PM – **Agenda**  
City Hall, 133 William Street, Room 120

**\*\*View Minutes\*\***

### **LICENSING BOARD MEETING -AGENDA-**

**Tuesday, April 22, 2014**

**“CV WINE & MALT LICENSE LOTTERY” - 6:30 P.M.**

**Ashley Room (120) – 7:00 p.m.**

#### **REQUIRED: Steven A. Beauregard, Chairman**

**Marcelino “Sonny” G. Almeida, Commissioner**

**A/O 04/16/14**

**Edmund F. Craig, Jr., Commissioner**

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

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

**Nick Nanopoulos, Director**

#### **\*\*\*CV WINE & MALT LICENSE LOTTERY\*\*\***

Notice is hereby given, under Chapter 138 of the Massachusetts General Laws, that an open meeting will be held in **Room 120, City Hall, on Tuesday, April 22, 2014 at 6:30 p.m.** for the purposes of conducting a ‘lottery’ for a ‘New’ Common Victualler (Restaurant) On Premise Wine & Malt Only License, which was not renewed and returned to the City of New Bedford.

**To be eligible to participate in the ‘lottery’** all interested parties must register **in person** with the City of New Bedford Licensing Board **by Friday, April 18, 2014 at 11:30 a.m.**; **No additional registrations will be accepted after the noted date and time.**

#### **APPROVALS RECEIVED FROM THE ALCOHOLIC BEVERAGES CONTROL COMMISSION**

##### **Transfer & Pledge of License - Trans. # 101 – Plot # 52--286**

**Columbus Group, LLC d/b/a Columbus Restaurant. Xiaohui Yang (alias Shiawee Yang), Manager of LLC, who is petitioning for a Transfer of a Common Victualler (Restaurant) All Alcoholic Beverages License and a Change of Description to Casa Chessa, Corp. d/b/a Portobello; the applicant is also requesting approval of a Pledge of the Common Victualler (Restaurant) All Alcoholic Beverages License to Columbus Group, LLC, 555 Pleasant Street, N.B., MA. as security to authorize and execute a promissory note in the amount of Sixty-Five Thousand Dollars (\$65,000.00), pursuant to Massachusetts General Laws Ch.138 s.23. Upon approval, Pietro Chessa will be the President, Treasurer, a Co- Director, and a Co-Shareholder (50%); and Mairy M. Chessa will be the Secretary, a Co-Director, a Co-Shareholder (50%), and the Proposed New Manager of the Liquor License. The proposed new licensed premises consists of a 3,200 sq. ft. area that is fully sprinklered and which is located on the first floor of a five-story building, and includes Two (2) Dining Areas, a Bar Area, and a Kitchen & Storage Area; and a Private Party Dining Area, which is located four (4) steps down from the main dining area on the same floor. There are Two (2) Handicapped Restrooms located in the common area located off the south side of the restaurant. There is one entrance/exit in the front of the building onto Pleasant Street and two additional exits/entrances on the Market Street side of the building, as well as an entrance/exit in the rear of the building into the rear parking lot on South Sixth Street via the common area in the main lobby of the building, which includes an elevator to the main dining area; and a handicap accessible entrance/exit on the Market Street side of the building. There will be additional storage space in the basement area for alcohol. The premise is situated on the west side of Pleasant Street, between Union and Market Streets, and **will remain numbered 555 Pleasant Street.****

Final approval will require a ‘Certificate of Inspection’ from the Building Department, a ‘Food Permit’ from

the Health Department, and a signed 'Fire & Building Certificate' as required under the Chapter 304 Fire Acts Compliance; along with a copy of 'Proof of Liquor Liability'.

**Approved By ABCC – 03/19/14**

**Change of Manager - Trans. # 040 – Plot # 104--64**

**Whaling City Club, Inc., 447 Belleville Avenue, is requesting the approval of Carlos Ferreira, who resides at 79 Charles Street, New Bedford, MA. as their new manager.**

**Approved By ABCC – 04/02/14**

**Change of Manager - Trans. # 077 – Plot # 53--195**

**The Pequod, Inc. d/b/a Rose Alley ale House, 94 Front Street, is requesting the approval of Darbie Martins, who resides at 63 County Street, New Bedford, MA. as their new manager.**

**Approved By ABCC – 04/02/14**

**Change of Manager - Trans. #094 – Plot # 108--8**

**New Bedford Sports Club, Inc., 1792 Acushnet Avenue, is requesting the approval of Luis Vieira who resides at 76 Mt. Pleasant Street, New Bedford, MA. as their new manager.**

**Approved By ABCC – 04/03/14**

**Change of Manager - Trans. # 072 – Plot # 14--198**

**The Washington Social and Musical Club, Inc., 90 David Street, is requesting the approval of Fred Caton III, who resides at 14 Fulton Street, New Bedford, MA. as their new manager.**

**Approved By ABCC – 04/07/14**

**Change of Manager - Trans. #094 – Plot # 106--85**

**St. Michael Social Club, Inc., 101 Madeira Avenue, is requesting the approval of Albert Cardoso, who resides at 1068 Bowles Street, New Bedford, MA. as their new manager.**

**Approved By ABCC – 04/07/14**

**1. PETITION - Trans. #172 – Plot # 19--9**

**ICJ Corp. d/b/a Freitas Package Store, 1295 Cove Road, is requesting the approval of Carlos DaPonte, who resides at 32 Hollyhock Street, New Bedford, MA. as their new manager.**

**2. PETITION - Trans. # 226 – Plot # 130A-1**

**Nar Fuel, Inc. d/b/a Hi Lo Gas, Ghada Hamzeh President, who is petitioning for a New Retail Package Store Wine and Malt Only Beverages License. Ghada Hamzeh is the President, Secretary, Co-Director, and Co-Shareholder (50%), and Adel Eldehni is the Treasurer, Co-Director, Co-Shareholder (50%), and Proposed Manager. The proposed licensed premises is a convenience store located in a street level building in an area approximately 1,400 sq. ft., which will include a walk-in cooler for the storage of alcohol, as well as three (3) coolers and shelving for the sale and display of alcohol; the area also includes an office, two (2) storage rooms, and one (1) restroom. There is one (1) entrance/exit in the front of the building, as well as one (1) additional exit located on the south side of the building. The premise is situated on the corner of Chaffee Street and Acushnet Avenue, and numbered 2780 Acushnet Avenue.**

**Final approval will require a 'Certificate of Inspection' from the Building Department and a 'Food Permit' from the Health Department.**

***Application has been advertised; Abutters have been notified.***

**Note: Item #'s 3 & 4 are related items. (1 license transferred out/1 license transferred in)**

**3. PETITION - Trans. #191 – Plot # 97--175**

**China Lantern Restaurant, Inc., Wah Fong Leung, President, license formerly exercised on premises located at 116 Nauset Street, who is petitioning to transfer a Common Victualler (Restaurant) Wine & Malt**

Only Beverages License to **Izzy's Restaurant, LLC d/b/a Izzy's Restaurant**, who is also requesting approval of a **Pledge of the Common Victualler (Restaurant) Wine & Malt License** to **China Lantern, Inc., 536 Hawthorn Street, Dartmouth, MA.** as security to authorize and execute a promissory note in the amount of **Ten Thousand Dollars (\$10,000.00)**, pursuant to Massachusetts General Laws Ch.138 s.23.

Upon approval, Izidora D. Goncalves will be the Sole Member, Sole Manager, and Sole Interest Holder of the LLC; **Izidora D. Goncalves** is also the **Proposed Manager of the Liquor License**. The new proposed licensed premises consist of an area approximately 1,144 sq. ft. on the first floor of a two-story building, which will include one room for dining (6 tables) with a small bar (4 seats), a kitchen, and one restroom. Alcohol will be stored in the kitchen as well as in the small bar area. The premises is situated on the south side of Spring Street between North Sixth and Pleasant Streets, and a main entrance/exit in the front of the building onto Spring Street, with an emergency exit on the southwest corner of the building onto North Sixth Street; **and numbered 72 Spring Street.**

Final approval will require a signed '**Fire & Building Certificate**' as required under the Chapter 304 Fire Acts Compliance; along with a copy of '**Proof of Liquor Liability**'.

*Application has been advertised; Abutters have been notified.*

#### **4. PETITION - Trans. #100 – Plot # 97--175**

**Pastime, Inc. d/b/a Continental Tavern, Jose Teixeira, President**, for a license formerly exercised on the premises located at **114 Nauset Street**, who is petitioning to **transfer a Common Victualler (Restaurant) All Alcoholic Beverages License** to **Ying Dynasty Nauset, LLC d/b/a Ying Dynasty**, who is also petitioning to **Alter the Premises** to include an additional room; as well as requesting approval of a **Pledge of License and Stock of the Common Victualler (Restaurant) All Alcoholic Beverages License** to **Jose Teixeira, 40 Quakers Lane, Acushnet, MA.** as security to authorize and execute a promissory note in the amount of **Four Hundred and Fifty-Five Thousand Dollars (\$455, 000.00)**, pursuant to Massachusetts General Laws Ch.138 s.23.

Upon approval, Shang Ying Zhao will be the Sole Manager and Sole Interest Holder of the LLC; and Melanie Jiang and Shang Xiong Zhao will be members of the LLC. **Shang Xiong Zhao** is also the **Proposed Manager of the Liquor License**. Upon completion of the renovations, the new proposed licensed premises will consist of two rooms within an area approximately 6,184 sq. ft. on the first floor of a street level building. The first room will have a bar area with seating for 18 people and two restrooms, with an access way into the dining area.

The second room will be a dining area that will include fifteen (15) - four (4) person booths, four (4) - six (6) person booths, and four (4) tables with seating for eight (8) people each; as well as two restrooms and a room for the storage of alcohol. In the middle of the restaurant between the two rooms, there will be an area that will include a kitchen, a storage room, and an office. The premises, which is situated on the south side of Nauset Street between Mt. Pleasant and Myrtle Streets, will have three (3) entrances/exits in the front of the building onto Nauset Street, and three (3) emergency exits in the rear of the building, and **will be numbered 114-116 Nauset Street.**

Final approval will require a '**Certificate of Inspection**' from the Building Department, a '**Food Permit**' from the Health Department, a signed '**Fire & Building Certificate**' as required under the Chapter 304 Fire Acts Compliance; along with a copy of '**Proof of Liquor Liability**'.

*Application has been advertised; Abutters have been notified.*

#### **5. PETITION - Trans. #078 – Plot # 52--229**

**Almost Brothers, Inc. d/b/a Hibernia Pub, Barry (Bartholomew) W. Flynn, President**, who is petitioning to **transfer a General on Premise All Alcoholic Beverages License** to **Carrig, Inc. d/b/a Hibernia Brew Pub**, who is also requesting approval of a **Pledge of the General on Premise All Alcoholic License** to the **New Bedford Economic Development Council, 1213 Purchase Street, N.B., MA.** as security to authorize and execute a promissory note in the amount of **One Hundred and Thirty-Five Thousand Dollars (\$135,000.00)**, pursuant to Massachusetts General Laws Ch.138 s.23. **Barry (Bartholomew) W. Flynn** will be the President, Sole Director, a Co-Shareholder (50%), and the **Proposed Manager**; and Catherine Flynn will be the Treasurer, Secretary, and a Co-Shareholder (50%). Premises will remain the same at **109 William Street.**

Final approval will require a '**Change of Tenant**' from the **Building Department**, a new '**Food Permit**' from

the **Health Department**, a new signed **'Fire & Building Certificate'** as required under the Chapter 304 Fire Acts Compliance; along with a new copy of **'Proof of Liquor Liability'**.

*Application has been advertised*

**6. PETITION - Trans. #109 – Plot # 19--53**

**United Fishermen Club, Inc., Jack Custodio, President**, who per a vote taken at the Annual 'Club' Meeting held on December 29, 2013, is petitioning for a **Change of Officers, Directors, and Manager** of the **General on Premise All Alcoholic Beverages License**. Upon approval, the New Officers and Directors will be as follows: Jack Custodio will remain as the President and a Co-Director, Paulo Vieira and Mark Custodio will serve as Vice – Presidents and Co-Directors, Manuel Gil will be the Treasurer and a Co-Director, John Santos will be the Secretary and a Co-Director, Ernesto Pimental will serve as Asst. Secretary and Co-Director, and Antonio Afonso will be a Co-Director, respectively: **Mark Custodio** is the **Proposed New Manager**. Premises will remain the same at **639 Orchard Street**.

*Advertisement & Abutters Notification not required.*

**Tabled at 03/24/14 Meeting**

**7. Hearing: United Fisherman's Club, Inc.**

**Jack Custodio, Manager**

**639 Orchard Street**

You are hereby notified that **your presence** and that of the **Club's Bookkeeper** is required at a hearing to determine whether you have violated certain provisions of M.G.L. Ch. 138, sec. 64-Failure to Comply with the Laws of the Commonwealth, To Wit: M.G.L. Ch. 138, sec. 12 & 26, as follows:

1. An application must be filed to obtain approval from the local licensing authority and the ABCC for a Change (New) of Officers and Directors.
2. 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.

As well as your failure to comply with the requirements set by this Board with regard to hall rentals and special events, which require the filing of a 'Hall Rental Agreement' for all events held in your hall, as well as applying for police details in the club's name; these conditions were reviewed with you at this Board's November 18, 2013 meeting, at which time Atty. (Christopher) Markey stated the following on your behalf:

"He is under the understanding of the probation requirements and the bookkeeper is as well, that they are to notify the Director as to who is renting out the hall ... and providing that information to the Board ... as well as the need to hire a police detail every time it's rented out. Mr. Custodio knows of those conditions ... he understands that he can't have a promoter come in and do that ... so he's fully aware of that ... he's fully aware that he's to put the Director on notice as to who is coming in for what purposes of renting out the facility."

Please be advised that your failure to appear before this Board as requested may result in the suspension of your General on Premise All Alcoholic Beverages License until compliance is met.

**Minutes of 03/24/14 Meeting:**

Following the public hearing of March 24, 2014, at which time the above stated issues were discussed at length, this Board voted unanimously to table the matter to the Board's April 22, 2014 meeting. The Board also warned the licensee that if a complete application was not submitted to the Office of the Licensing Board for the required changes **by Friday, April 4, 2014**, the Board would vote to suspend their license until an appropriate application was submitted.

**8. PETITION - Trans. #227 – Plot # 12--287**

**The Edge Hospitality, LLC d/b/a The Edge-Tiki Bar**, which is petitioning for a New **'Seasonal' Common**

**Victualler (Restaurant) All Alcoholic Beverages License** under M.G.L. Chapter 138, sec.12. Margaret Kulpinski is the Sole Member, Sole Manager, and Sole Interest Holder of the LLC. **Antonio E. Hernandez, Jr.** is the **Proposed Manager of the Liquor License**. The proposed licensed premise consists of an area approximately 3,000 sq. ft. which will be enclosed by a 4 ft. high jersey barrier, with breaks in the barrier to allow ingress and egress. The enclosed area will contain a wood 'Tiki' bar structure approximately 150 to 200 sq. ft. (approx. 19' x 8'), which will contain refrigeration, sinks, and a locked storage area to maintain alcohol, and 15 to 17 tables for dining, with a total seating capacity for 75 patrons. The enclosed area, which will be approximately 150 ft. from the existing building, will be located on the east end of the parking lot, and numbered **1480-S East Rodney French Boulevard**.

Final approval will require a '**Certificate of Inspection**' from the Building Department, a '**Food Permit**' from the Health Department, and '**Proof of Liquor Liability**'.

**NOTE:** The '**previous**' Seasonal License for this location was approved with the following terms and stipulations:

**TERMS AS REQUIRED BY THE M.G.L. AND ABCC**

1. Alcohol to be sold in this area must be purchased separately from a distributor, and cannot be taken out of stock of the existing licensed premise (Main Building).
2. All purchases of alcohol must be delivered to and stored in the licensed area.
3. Separate accounting must be maintained for each entity.

**STIPULATIONS**

1. License valid from May 15<sup>th</sup> through October 15<sup>th</sup>, yearly
2. Hours of Operation – 11:00 a.m. until 11:30 p.m.
3. Recorded music will be allowed to a level that will not be disruptive to the neighbors.
4. No live entertainment will be allowed.
5. Occupancy is limited to Seventy-Five (75) patrons within this area
6. Besides the bartender(s) and wait staff, a manager will be on site at all times to monitor the flow of alcohol.
7. Drinks may only be consumed within the licensed area. Alcohol may not be brought out of or into this area from the restaurant (The Edge).

**9. PETITION - Trans. #074 – Plot # 12--287**

**The Edge Hospitality, LLC d/b/a The Edge Seafood and Bar, 1480 E. Rodney French Boulevard**, is requesting the approval of **Antonio Hernandez, Jr.** who resides at 56 Eastman Street, Warwick, R.I. as their new manager.

*\*\*Item #'s 10 – 15 to be taken up at one time.*

**10. APPLICATION, "Representation Required"**

**N. B. Harbor Development Commission, Jeffrey D. Stieb, Executive Director**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Summer Sound Series - Friday Concert on the Pier', to be held on the **City Pier – Pier 3**; and to be held on **Friday, July 11, 2014, from 6:00 p.m. until 8:00 p.m.** (*Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract*)

*Note: Concert series will be Friday on July 11<sup>th</sup> and end August 15<sup>th</sup> with rain dates of August 22<sup>nd</sup> & August 29<sup>th</sup>.*

**11. APPLICATION, "Representation Required"**

**N. B. Harbor Development Commission, Jeffrey D. Stieb, Executive Director**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Summer Sound Series - Friday Concert on the Pier', to be held on the **City Pier – Pier 3**; and to be held on **Friday, July 18, 2014, from**

**6:00 p.m. until 8:00 p.m. (Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)**

**12. APPLICATION, "Representation Required"**

**N. B. Harbor Development Commission, Jeffrey D. Stieb, Executive Director**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Summer Sound Series - Friday Concert on the Pier', to be held on the **City Pier – Pier 3**; and to be held on **Friday, July 25, 2014, from 6:00 p.m. until 8:00 p.m. (Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)**

**13. APPLICATION, "Representation Required"**

**N. B. Harbor Development Commission, Jeffrey D. Stieb, Executive Director**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Summer Sound Series - Friday Concert on the Pier', to be held on the **City Pier – Pier 3**; and to be held on **Friday, August 1, 2014, from 6:00 p.m. until 8:00 p.m. (Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)**

**14. APPLICATION, "Representation Required"**

**N. B. Harbor Development Commission, Jeffrey D. Stieb, Executive Director**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Summer Sound Series - Friday Concert on the Pier', to be held on the **City Pier – Pier 3**; and to be held on **Friday, August 8, 2014, from 6:00 p.m. until 8:00 p.m. (Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)**

**15. APPLICATION, "Representation Required"**

**N. B. Harbor Development Commission, Jeffrey D. Stieb, Executive Director**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Summer Sound Series - Friday Concert on the Pier', to be held on the **City Pier – Pier 3**; and to be held on **Friday, July 15, 2014, from 6:00 p.m. until 8:00 p.m. (Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract)**

**16. Meeting: Dia De Portugal Committee**  
**Carlos Pinhancos, President**

Your presence is requested at a meeting to be held in this office to discuss any concerns the Board may have **regarding security and enforcement of Licensing Board & ABCC Rules & Regulations** concerning the 'Day of Portugal' weekend, the meeting will include Lt. John Chaves, Detail Officer for Special Events.

Also, as agreed to last year, we respectfully request you submit a 'Security Plan', along with a 'Vendor Map' to this office **by April 18, 2014**, which would address the following issues:

- Alcohol Service - # of Drinks/Cups
- I.D. Checks and the Issuance of Wristbands
- Flow and Control of Alcohol
- # Of Police Officers
- Hours of Operation - Starting Times/Closing Times/Last Call/etc.

With an eye to this year's event, this Board is looking forward to working with you and your committee, and we would hope you would continue the improvements that have been implemented over the past few years, and that you explore ways to improve on that plan, with regard to I. D. check's; and to address the issue of how the I.D. bracelets are issued.

We fully anticipate that this year's committee will work with us to help ensure that the 'Day of Portugal' event, 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 Portuguese heritage, remains a safe and enjoyable event for all.

Also, please be advised that this year's deadline for each individual to file an application and submit the licensing fee of **\$450.00** for a Special Three - Day Liquor license for this year's event, which is scheduled for Fri. – Sun. – June 6<sup>th</sup>, 7<sup>th</sup>, & 8<sup>th</sup>, is **Monday, May 12<sup>th</sup>**.

As the committee has done in the past, it would be greatly appreciated if you would supply this office with a list of those that will be participating in this year's event ASAP, which should include the organization/ or business name, contact name, and phone #, so that this office can make sure that everyone applies in a timely manner.

The requirements will be the same as last year, which included that everyone will be required to apply for an **All-Alcoholic license for each of the days (3) for a total fee of \$450.00 (payment due w/application)**; also, so that there is uniformity among all participants, each license will be issued with the same hours and restrictions as follows:

- FRIDAY, JUNE 6<sup>th</sup> – 5:00 P.M. UNTIL 11:45 p.m.
- SATURDAY, JUNE 7<sup>th</sup> – 12:00 P.M. UNTIL 11:45 p.m.
- SUNDAY, JUNE 8<sup>th</sup> – 12:00 P.M. UNTIL 10:00 p.m.

**NOTE:** Only holders of Special One Day Licenses are allowed to serve alcohol in plastic cups from either booths set up along Acushnet Avenue or from inside licensed premises, *which must be consumed within the confined area of the festival* – Steven A. Beauregard, Chairman – N.B. Licensing Board.

**NO BOTTLES OR DRINK GLASSES ARE ALLOWED ONTO THE STREET**

**ALL DRINKS ON THE STREET MUST BE IN PLASTIC CUPS**

#### **17. APPLICATION, 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 'Whaling City Memorial Day Charity Ride' to be held in **Wing's Court**, and to be held on **Sunday, May 25, 2014 from 1:00 p.m. until 6:00 p.m.**

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

#### **18. Meeting: Irmandade Do Divino Espirito Santo Do Pico Club, Inc.**

**Jose Matos, President**  
**2056 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 with regard to your annual event, which is scheduled this year on June 27<sup>th</sup>, 28<sup>th</sup>, & 29<sup>th</sup>.

As is done with other outdoor events, it is required that you appear before the Board and outline your planned activities, and that you must submit a '**Security Plan**', which addresses the following issues, along with a '**Venue Map**':

- Hours of Operation - Starting Times/Closing Times/Last Call/etc.
- I.D. Checks and the Issuance of Wristbands
- Flow and Control of Alcohol
- # Of Police Officers

#### **19. APPLICATION, Representation Required – 'NEW OFFICER'**

**Irmandade Do Divino Espirito Santo Do Pico, Inc., Jose Matos, Treasurer** who is requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a 'Fundraiser/Summer Festival' celebration to be held in the **Association Parking Lot**, located at **2056 Acushnet Avenue**; and to be held **Friday, June 27, 2014, from 5:00 p.m. until 11:00 p.m., Saturday, June 28, 2014, from 4:00 p.m. until 11:00 p.m., and Sunday, June 29, 2014, from 12:00 p.m. until 10:00 p.m. (Final approval will require a copy of the Police Detail Contract)**

**Note:** There have been 13 Applications for 2014 as of this date. / 45 Day Notice Required for All Future Events.

*\*\*Item #'s 20 – 39 to be taken up at one time.*

**20. APPLICATION, (No Representation Required)**

**Southcoast Media Group, Amy Tolivaisa, Representative**, requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a 'Awards Banquet', to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Wednesday, April 23, 2014, from 5:30 p.m. until 7:30 p.m.**

**21. APPLICATION, (No Representation Required)**

**Gallery X, Brett Sylvia, Representative**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Performance Fundraiser' to be held at **Gallery X**, located at **169 William Street**; and to be held on **Saturday, May 3, 2014, from 6:00 p.m. until 10:00 p.m.**

**22. APPLICATION, (No Representation Required)**

**Chartwell's/UMass Dartmouth, JoAnn Woodis, Representative**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'UMass Dartmouth Alumni Event' to be held at the **Star Store –Dartmouth Campus**, located at **715 Purchase Street**; and to be held on **Saturday, May 3, 2014, from 4:30 p.m. until 6:30 p.m.**

**23. APPLICATION, (No Representation Required)**

**Centro – Luzo American Club, Inc., John Tomasia, Manager**, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a 'Papa John Bike Run/Kennedy Donovan Center Fundraiser', to be held in the 'Club Parking Lot,' located at **34 Beetle Street**; and to be held on **Saturday, May 3, 2014, from 11:00 p.m. until 7:00 p.m.**

**24. APPLICATION, (No Representation Required)**

**New Bedford ICES 2014 Organizing Committee, Michael Pol, Representative**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Clambake Banquet for a Scientific Meeting' to be held at the **Fort Taber Community Center**, located **within Fort Taber Park**; and to be held on **Thursday, May 8, 2014, from 5:45 p.m. until 10:30 p.m.**

**25. APPLICATION, (No Representation Required)**

**New Bedford Whaling Museum, Sarah Budlong, Representative**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Lecture & Reception' to be held at the **New Bedford Whaling Museum**, located at **18 Johnny Cake Hill**; and to be held on **Wednesday, May 14, 2014, from 6:00 p.m. until 7:00 p.m.**

**26. APPLICATION, (No Representation Required)**

**Bristol Community College Foundation, Wayne Wood, Representative**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Business After Hours' to be held at **Bristol Community College**, located at **800 Purchase Street**; and to be held on **Thursday, May 15, 2014, from 5:00 p.m. until 7:00 p.m.**

**27. APPLICATION, (No Representation Required)**

**Irmandade Do Divino Espirito Santo Do Pico Club, Jose Matos, Treasurer,** requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a ‘Fado Dinner Fundraiser’, to be held at the **Irmandade Do Divino Espirito Santo Do Pico Club**, located at **2056 Acushnet Avenue**; and to be held on **Saturday, May 17, 2014, from 6:00 p.m. until 11:00 p.m.**

**28. APPLICATION, (No Representation Required)**

**New Bedford Whaling Museum, Sarah Budlong, Representative,** who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a ‘Lecture & Dinner ’ to be held at the **New Bedford Whaling Museum** , located at **18 Johnny Cake Hill**; and to be held on **Saturday, May 17, 2014, from 6:30 p.m. until 10:00 p.m.**

**29. APPLICATION, (No Representation Required)**

**New Bedford Whaling Museum, Sarah Budlong, Representative,** who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a ‘Ground Breaking Ceremony ’ to be held at the **New Bedford Whaling Museum** , located at **18 Johnny Cake Hill**; and to be held on **Monday, May 19, 2014, from 5:00 p.m. until 9:00 p.m.**

**30. APPLICATION, (No Representation Required)**

**New Bedford Whaling Museum, Sarah Budlong, Representative,** who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for an ‘Annual Meeting’ to be held at the **New Bedford Whaling Museum** , located at **18 Johnny Cake Hill**; and to be held on **Friday, May 30, 2014, from 5:30 p.m. until 7:30 p.m.**

**31. APPLICATION, (No Representation Required)**

**New Bedford Whaling Museum, Sarah Budlong, Representative,** who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a ‘Lecture & Reception ’ to be held at the **New Bedford Whaling Museum** , located at **18 Johnny Cake Hill**; and to be held on **Friday, June 6, 2014, from 6:00 p.m. until 7:00 p.m.**

**32. APPLICATION, (No Representation Required)**

**Irmandade Do Divino Espirito Santo Do Pico Club, Jose Matos, Treasurer** requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a ‘Soccer Banquet’, to be held at the **Irmandade Do Divino Espirito Santo Do Pico Club**, located at **2056 Acushnet Avenue**; and to be held on **Saturday, June 14, 2014, from 6:00 p.m. until 11:00 p.m.**

**33. APPLICATION, (No Representation Needed)**

**Your Theatre, Inc., Eric Paradis, Representative** who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a ‘New Bedford Jazz Fest 2014’ to be held on **Pier 3**, and to be held on **Saturday, June 14, 2014 from 2:00 p.m. until 7:00 p.m.**

**Note:** The ‘Special Event Permit Application’ lists the anticipated number of attendees to be **250 - 500**.  
*(Final approval will require Liquor Liability along with endorsement page naming the City of New Bedford as additionally insured as well as a copy of the Police Detail Contract) - “No Changes As Previously Approved”*

**34. APPLICATION, (No Representation Required)**

**Society of Senhor da Pedra/Holy Ghost Society, Helder Camara, Representative** who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a ‘Fundraiser/Holy Ghost Society Feast’, to be held in **Webster Court (Senhor da Pedra Parking Lot)**, located at **81 Tinkham Street**; and to be held on **Saturday, June 14, 2014, from 6:00 p.m. until 11:45 p.m. and Sunday, June 15, 2014 from 6:00 p.m. until 11:00 p.m.** *(Final approval will require Liquor Liability naming the City of New Bedford)*

*Bedford as additionally insured as well as a copy of the Police Detail Contract) - “No Changes As Previously Approved”*

**35. APPLICATION, (No Representation Required)**

**New Bedford Whaling Museum, Sarah Budlong, Representative**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for an ‘Exhibit Opening ’ to be held at the **New Bedford Whaling Museum** , located at **18 Johnny Cake Hill**; and to be held on **Thursday, June 9, 2014, from 6:00 p.m. until 8:00 p.m.**

**36. APPLICATION, (No Representation Needed)**

**The Schwartz Center for Children, Beatrice Oliveira, Representative**, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a ‘Fishing for a Cause Tournament Fundraiser’ to be held at **Marine Park on Pope’s Island (under a tent)**; and to be held on **Friday, June 20, 2014, from 4:00 p.m. until 9:00 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”**

**37. APPLICATION, (No Representation Needed)**

**The Schwartz Center for Children, Beatrice Oliveira, Representative**, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a ‘Fishing for a Cause Tournament Fundraiser’ to be held at **Marine Park on Pope’s Island (under a tent)**; and to be held on **Saturday, June 21, 2014, from 5:00 p.m. until 10:00 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”**

**38. APPLICATION, (No Representation Required)**

**Irmandade Do Divino Espirito Santo Do Pico Club, Jose Matos, Treasurer** requesting approval of an application for a **Special One-Day All Alcoholic Beverage License** for a ‘Club Appreciation Dinner’, to be held at the **Irmandade Do Divino Espirito Santo Do Pico Club**, located at **2056 Acushnet Avenue**; and to be held on **Sunday, June 22, 2014, from 1:00 p.m. until 6:00 p.m.**

**39. APPLICATION, (No Representation Required)**

**New Bedford Whaling Museum, Sarah Budlong, Representative**, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for an ‘Exhibit Opening’ to be held at the **New Bedford Whaling Museum** , located at **18 Johnny Cake Hill**; and to be held on **Tuesday, July 1, 2014, from 6:00 p.m. until 8:00 p.m.**

**40. APPLICATION, (No Representation Required)**

**New Bedford Whaling Museum, Sarah Budlong, Representative**, who is requesting approval of an application for a **Special One Day All Alcoholic Beverages License** for a ‘Fundraising Gala’ to be held at the **New Bedford Whaling Museum** , located at **18 Johnny Cake Hill**; and to be held on **Saturday, August 2, 2014, from 5:30 p.m. until 10:00 p.m.**

*\*\*Item #' 41 & 42 were tabled at 03/24/14 Meeting*

**41. Hearing: Tropicana Bar & Grille, Inc.**

**Maria Barbosa, Manager/Co-Owner**  
**1700 Purchase Street**

**Your presence** and that of **Miguel Barbosa, Co-Owner**, is requested at a hearing to determine whether you have violated certain provisions of Alcoholic Beverages Control Commission Regulations, and Licensing Board Rules and Regulations, as reported to the N. B. Police Department. 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:

**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 Nos. 11 & 12-**

Excessive Noise, Crowds and 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 responded to two separate incidents on the same night at the Tropicana Bar and Grill, located at 1700 Purchase Street.

The first incident, which occurred at approximately 12:21 a.m., resulted in two patrons being placed in protective custody, as a result of an incident involving a fight in progress from inside the bar itself.

The second incident, which occurred at approximately 2:10 a.m., at which officers were dispatched once again to this location on a call of a disturbance involving a large crowd.

The Reporting Officer who had responded to the earlier call and who had just finished booking the two males arrested earlier into protective custody, once again responded to the call to show a presence at the bar's location and try to prevent any further issues; and as a result of noting earlier that the amount of vehicles parked outside of this bar on a Sunday night was more than the usual crowd he would see on these nights.

Upon arriving back into the area, he was immediately flagged down by a female who was yelling and screaming in the middle of the road stating, "The owner hit me and pushed me!" As he spoke to the female who continued to rant and scream about her alleged incident with the club owner, he noticed a significant crowd of 40-50 plus patrons who were making their way out of the bar, and were now dressing the street and the sidewalks.

The officer stated that he was then approached by another female and her mother, who stated that she had been pushed to the ground by a club worker inside the bar and had injured her knee, at which point she pointed to small spots of blood noticeable through her pants and left knee area.

As the officer attempted to secure the area, all three women became more irate and started yelling and screaming more excessively; the situation required the officer to call for assistance to assist with the control and dispersion of the crowd.

Upon entering the bar, the officers spoke to Mr. (Miguel) Barbosa who stated that he was clearing out the crowd for the night when these incidents took place. The bartender (name unknown) stated that she did see a male, (who did not work there) "hit a female" but that she didn't know who he was, and that it was her first night working as a bartender there.

The officers then brought in both females to see if they could identify the person who hit them, one of the females could not identify anyone as a suspect inside the bar; but the other women, after more than five minutes with the officers in the bar, identified the owner of the bar as the person who assaulted her. When asked if this occurred while attempting to clear the bar, she did not respond.

A male patron was also placed into protective custody, after being hit with a taser by one of the officers, as a result of becoming objectionable and refusing to obey police, as they attempted to clear the area.

**Date and time of alleged violations: Monday, February 17, 2014 @ approx. 2:10 a.m. - Police Report #'s 14-1911-OF**

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

**42. Hearing: Tropicana Bar & Grille, Inc.**

**Maria Barbosa, Manager/Co-Owner**  
**1700 Purchase Street**

Your presence and that of Miguel Barbosa, Co-Owner, 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 - )

- **CORRESPONDENCE,**

--NONE---

- **COMPLAINTS RECEIVED:**

--NONE--

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

<u>NAME</u>	<u>POLICE REPORT#</u>	<u>DATE</u>	<u>VIOLATION</u>
1. Pub 6 at the Sixth Bristol	#14-3428-OF	03/28/14	Disturbance/Serving a Minor (Approximate Time of Violation 1:48 a.m.)

- 2. **REVIEW OF LIQUOR FEES FOR 2015**

- **Upcoming Summer Events & Festivals**

- Charles W. Morgan New Bedford Homecoming – 06/28/14 – 07/06/14  
(May Meeting)
- Cape Verdean Day Parade – July 5<sup>th</sup>  
(May Meeting)
- New Bedford Summerfest – July 4<sup>th</sup>, 5<sup>th</sup>, & 6<sup>th</sup>  
(May Meeting)
- Sun of a Beach Festival – Fort Taber Park – July 26<sup>th</sup>  
(May Meeting)
- Feast of the Blessed Sacrament (Madeira Feast) – July 31<sup>st</sup>, Aug. 1<sup>st</sup>,  
2<sup>nd</sup> & 3<sup>rd</sup>  
(June Meeting)

- **NEXT TWO MEETING DATES:** May 19<sup>th</sup> & June 23<sup>rd</sup> both in the Ashley Room – 120 @7:00 p.m.

- **MEETING ADJOURNED:**