



**GARDINER CITY COUNCIL  
AGENDA ITEM INFORMATION SHEET**



<b>Meeting Date</b>	04/07/2021	<b>Department</b>	City Clerk
<b>Agenda Item</b>	4.g) Consider approval of a new liquor license for El Oso Taqueria & Giftshop LLC		
<b>Est. Cost</b>			

<b>Background Information</b>	Councilors will be asked to approve a new liquor license for El Orso Taqueria & Giftshop, LLC.		

<b>Requested Action</b>	" I move to approve a new liquor license for El Oso Taqueria & Giftshop LLC "
<b>City Manager and/or Finance Review</b>	Acting City manager approves this motion.
<b>Council Vote/ Action Taken</b>	
<b>Departmental Follow-Up</b>	

<b>City Clerk Use Only</b>	1 <sup>st</sup> Reading _____	Advertised _____	<b>EFFECTIVE DATE</b> _____
	2 <sup>nd</sup> Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____



**APPLICATION FOR A  
LICENSE/BUSINESS/EVENT**

C/K  
Date Received in Office 2/25/2024  
Received by: HEB  
Office Amount Received \$100  
Approved \_\_\_\_\_ Denied \_\_\_\_\_

Business Name	El Oso Taqueria + Giftshop LLC
Business Location	347 Water St, Gardiner ME 04345
Business Mailing Address	416 Po Box, Gardiner ME 04345
Owner Name	Paola Buentello
Mailing Address (if different)	Po Box 416, Gardiner ME 04345
Phone Number	863-514-0393
Business Number	207-588-7926
Type of Business	Restaurant + Giftshop
Description of Business (attach paper if necessary)	Food, gifts, local art, Latin food

**Type of License Being Applied for:**

(check all that apply)

	Doing Business As (One-time Registration)	\$10	
	Special Event - Exhibitions & Shows (Minor)	\$50	
C	Special Event - Exhibitions & Shows (Major)	\$100	
	Street Sellers (Annual)	\$50	
	Street Sellers (Per Event)	\$20	
	Street Sellers (Farmer's Market) (Annual)	\$10	
C	Junkyards (<100 ft highway) (Annual)	\$200	
C	Junkyards (>100 ft highway) (Annual)	\$50	
C	Automobile Recycling Business (5-year)	\$250	
	Other	\$	
C	Victualers License to Sell Food (Annual)	\$50	
C	Victualers License -- One Day (Festival)	\$25	
C	Victualers Non-profit License to sell food (Annual)	\$10	
C	Roving/On Wheels/Lunch Wagon (Annual)	\$100	
C	Roving/On Wheels/Lunch Wagon (Non-profit)	\$10	
C	Roving/On Wheels/Lunch Wagon (3-Day)	\$25	
C	Taxicabs/Vehicles for Hire	\$50	
	Sales (Special, OOB, etc) (Per Event/Sale)	\$25	
	Beano/Bingo/Games of Chance/Pinball Machines (Annual)	\$10	
	Shooting Galleries/Pool Hall/Bowling Alley (Annual)	\$50	
C	Pawn (Annual)	\$50	
C	Tavern Keeper (Annual)	\$25	
C	Liquor/Bottle Club (1-50 seats) (Annual)	\$75	
C	Liquor/Bottle Club (51-100 seats) (Annual)	\$100	X
C	Liquor/Bottle Club (101+ seats) (Annual)	\$150	
C	Catering Off-Premises (liquor is served) (per event)	\$10	
C	Entertainment/Special Amusement License (Annual)	\$75	
C	Outside Consumption Permit (Annual)	\$25	

Please send application and payment (payable to City of Gardiner) to:  
City Clerk's Office, 6 Church Street, Gardiner, ME 04345





4. Indicate the type of license applying for: (choose only one)

- Restaurant (Class I, II, III, IV)
- Hotel (Class I, II, III, IV)
- Golf Course (included optional licenses, please check if apply) (Class I, II, III, IV)
- Tavern (Class IV)
- Qualified Caterer
- Class A Restaurant/Lounge (Class XI)
- Hotel - Food Optional (Class I-A)
- Auxiliary
- Other: \_\_\_\_\_
- Self-Sponsored Events (Qualified Caterers Only)
- Class A Lounge (Class X)
- Bed & Breakfast (Class V)
- Mobile Cart

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

347 Water St, Gardiner ME 04345

6. Is the licensee/applicant(s) citizens of the United States?  Yes  No

7. Is the licensee/applicant(s) a resident of the State of Maine?  Yes  No

**NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.**

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

Yes  No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

Yes  No  
 Not applicable - licensee/applicant(s) is a sole proprietor

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10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes  No

If yes, please provide details: \_\_\_\_\_  
 \_\_\_\_\_

11. Do you own or have any interest in any another Maine Liquor License?  Yes  No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Paola Buentello	05/17/1980	Guadalajara, Jal Mexico
Eduardo Buentello	10/08/1979	Brownsville, Texas
Romeo Buentello	1/29/01	Winter Haven, Florida
Andrya Roque	10/3/2000	Rockport, Maine
Residence address on all the above for previous 5 years		
Name Paola & Eduardo Buentello	Address: 6 Stoddard Lane,	
Name Paola & Eduardo Buentello	Address: 112 Eastern Ave, Apt 603, Augusta ME 04330	
Name Paola & Eduardo Buentello	Address: Bangor, Maine	
Name Paola & Eduardo Buentello	Address: 615 Oak st, Auburndale FL 33823	

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13. Will any law enforcement officer directly benefit financially from this license, if issued?

Yes  No

If Yes, provide name of law enforcement officer and department where employed:

\_\_\_\_\_

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States?  Yes  No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States?  Yes  No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

16. Has the licensee/applicant(s) formerly held a Maine liquor license?  Yes  No

17. Does the licensee/applicant(s) own the premises?  Yes  No

If No, please provide the name and address of the owner:

John Tsao and Riva Stein--378 Costello Rd, Gardiner, ME 04345

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& Enforcement

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: \_\_\_\_\_

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

As you enter the premises, that immediate area is a gifshop. As you advance into the building, to the left there will be a bar that extends all the way to the outside kitchen wall. On the right side, there will be booths. The end of the building consist of the kitchen and restroom.

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Gardiner Area H.S(.7miles) Methodist Church 800ft

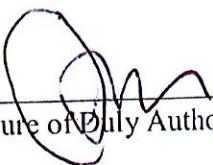
Distance: 800.00

**Section II: Signature of Applicant(s)**


By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 01/27/2021

  
\_\_\_\_\_  
Signature of Duly Authorized Person

Paola Buentello  
Printed Name Duly Authorized Person

  
\_\_\_\_\_  
Signature of Duly Authorized Person

Eduardo Buentello  
Printed Name of Duly Authorized Person

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**Section III: For use by Municipal Officers and County Commissioners only**

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: \_\_\_\_\_

Who is approving this application?  Municipal Officers of \_\_\_\_\_

County Commissioners of \_\_\_\_\_ County

- Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine’s liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

**1. Hearings.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

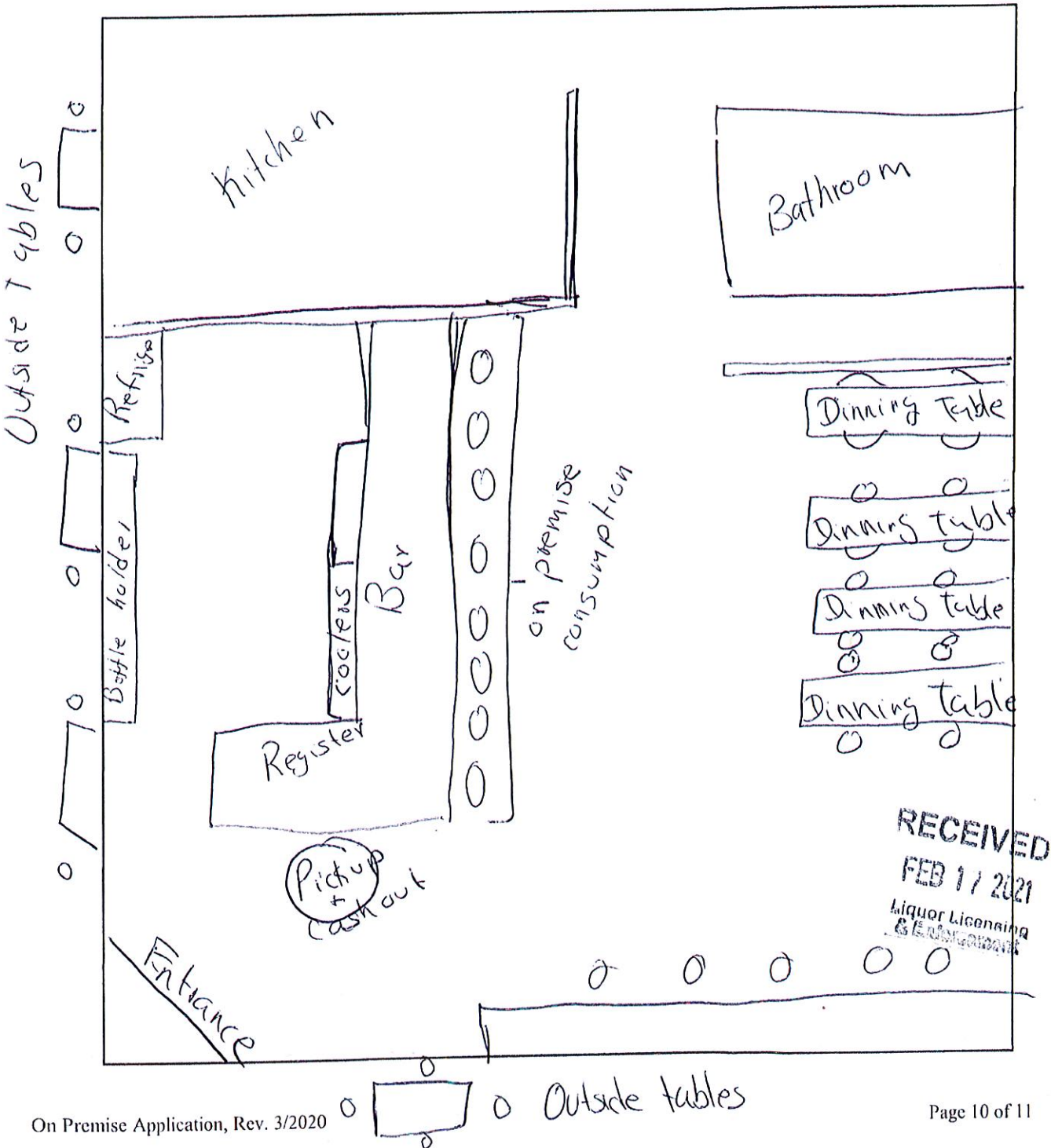
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BUREAU



## Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



**Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities**

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

*All Questions Must Be Answered Completely. Please print legibly.*

- Exact legal name: El Oso Taqueria + Giftshops
- Doing Business As, if any: \_\_\_\_\_
- Date of filing with Secretary of State: 5-17-2019 State in which you are formed: ME
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: \_\_\_\_\_
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Paola Buentello	315 Water St, Gardiner, ME 6 Stoddard Lane, Hallowell, ME 112 Easter Ave, Augusta, ME 1574 Barfield Rd, Florida	5/17/80	Owner	100%
Romeo Buetello	Same as above ↑	1/29/01	Family	∅
Ardroya Roque	6 Stoddard Lane, Hallowell, ME - Unknown	10/3/2000	Family	∅
Eduardo Buentello	315 Water St, Gardiner, ME 6 Stoddard Lane, Hallowell, ME 112 Easter Ave, Ap 603, Augusta 1574 Barfield Road, Florida	10/8/79	Owner/Husband.	

(Ownership in non-publicly traded companies must add up to 100%.)

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& REGISTRATION



## Alisha Ballard

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**From:** Rick Sieberg  
**Sent:** Wednesday, March 3, 2021 1:43 PM  
**To:** Alisha Ballard  
**Subject:** RE: Attachment for EL Oso

No Problems for the Fire Department.

**Rick Sieberg**  
Fire Chief | City of Gardiner  
6 Church Street  
Gardiner, ME 04345  
C: 207-620-0217  
p: 207-582-4535  
e: [rick.sieberg@gardinermaine.com](mailto:rick.sieberg@gardinermaine.com)

**From:** Alisha Ballard <[ABallard@gardinermaine.com](mailto:ABallard@gardinermaine.com)>  
**Sent:** Wednesday, March 3, 2021 11:45 AM  
**To:** Anne Davis <[ADavis@gardinermaine.com](mailto:ADavis@gardinermaine.com)>; Jerry Douglass <[JDouglass@gardinermaine.com](mailto:JDouglass@gardinermaine.com)>; Jim Toman <[JToman@gardinermaine.com](mailto:JToman@gardinermaine.com)>; Kristopher McNeill <[kmcneill@gardinermaine.com](mailto:kmcneill@gardinermaine.com)>; Rick Sieberg <[rick.sieberg@gardinermaine.com](mailto:rick.sieberg@gardinermaine.com)>; Tracey Desjardins <[TDesjardins@gardinermaine.com](mailto:TDesjardins@gardinermaine.com)>  
**Subject:** Attachment for EL Oso

Ooops.. forgot to attach the file.

**Alisha Ballard**  
City Clerk / Registrar of Voters  
6 Church Street,  
Gardiner Maine 04345  
P: 207-582-4200  
F: 207-528-6895  
E: [aballard@gardinermaine.com](mailto:aballard@gardinermaine.com)

## Alisha Ballard

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**From:** Kristopher McNeill  
**Sent:** Wednesday, March 3, 2021 1:27 PM  
**To:** Alisha Ballard; Anne Davis; Jerry Douglass; Jim Toman; Rick Sieberg; Tracey Desjardins  
**Subject:** RE: Attachment for EL Oso

No issues Alisha

**From:** Alisha Ballard <ABallard@gardinermaine.com>  
**Sent:** Wednesday, March 3, 2021 11:45 AM  
**To:** Anne Davis <ADavis@gardinermaine.com>; Jerry Douglass <JDouglass@gardinermaine.com>; Jim Toman <JToman@gardinermaine.com>; Kristopher McNeill <kmcneill@gardinermaine.com>; Rick Sieberg <rick.sieberg@gardinermaine.com>; Tracey Desjardins <TDesjardins@gardinermaine.com>  
**Subject:** Attachment for EL Oso

Oops.. forgot to attach the file.

## Alisha Ballard

City Clerk / Registrar of Voters

6 Church Street,

Gardiner Maine 04345

P: 207-582-4200

F: 207-528-6895

E: [aballard@gardinermaine.com](mailto:aballard@gardinermaine.com)



## Alisha Ballard

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**From:** Jerry Douglass  
**Sent:** Wednesday, March 3, 2021 11:54 AM  
**To:** Alisha Ballard; Anne Davis; Jim Toman; Kristopher McNeill; Rick Sieberg; Tracey Desjardins  
**Subject:** RE: Attachment for EL Oso

No issues with PWD

Thanks

Jerry

Jerry Douglass, PWD  
City of Gardiner  
6 Church Street, 04345  
207-504-2234  
[jdouglass@gardinermaine.com](mailto:jdouglass@gardinermaine.com)

**From:** Alisha Ballard <[ABallard@gardinermaine.com](mailto:ABallard@gardinermaine.com)>  
**Sent:** Wednesday, March 3, 2021 11:45 AM  
**To:** Anne Davis <[ADavis@gardinermaine.com](mailto:ADavis@gardinermaine.com)>; Jerry Douglass <[JDouglass@gardinermaine.com](mailto:JDouglass@gardinermaine.com)>; Jim Toman <[JToman@gardinermaine.com](mailto:JToman@gardinermaine.com)>; Kristopher McNeill <[kmcneill@gardinermaine.com](mailto:kmcneill@gardinermaine.com)>; Rick Sieberg <[rick.sieberg@gardinermaine.com](mailto:rick.sieberg@gardinermaine.com)>; Tracey Desjardins <[TDesjardins@gardinermaine.com](mailto:TDesjardins@gardinermaine.com)>  
**Subject:** Attachment for EL Oso

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## Alisha Ballard

City Clerk / Registrar of Voters  
6 Church Street,  
Gardiner Maine 04345  
P: 207-582-4200  
F: 207-528-6895  
E: [aballard@gardinermaine.com](mailto:aballard@gardinermaine.com)

**Alisha Ballard**

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**From:** Tracey Desjardins  
**Sent:** Wednesday, March 3, 2021 1:30 PM  
**To:** Alisha Ballard; Anne Davis; Kristopher McNeill; Jim Toman; Jerry Douglass; Rick Sieberg  
**Subject:** RE: Updated Liquor License for El Oso Taqueria & GiftShop

No issues with this request.

Thank you

*Tracey K. Desjardins*

Economic Development Director/Planning

6 Church Street

Gardiner, ME 04345

Office: 207-582-4200 Cell: 207-242-1907 Fax: 207-582-6895

e: [tdesjardins@gardinermaine.com](mailto:tdesjardins@gardinermaine.com)

w: [www.gardinermaine.com](http://www.gardinermaine.com)

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Under Maine's Freedom of Access ("Right to Know") law, all e-mail and e-mail attachments received or prepared for use in matters concerning the City of Gardiner, business or containing information relating to city business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law. If you have received this message in error, please notify us immediately by return email. Thank you for your cooperation

**From:** Alisha Ballard <[ABallard@gardinermaine.com](mailto:ABallard@gardinermaine.com)>  
**Sent:** Wednesday, March 3, 2021 11:38 AM  
**To:** Anne Davis <[ADavis@gardinermaine.com](mailto:ADavis@gardinermaine.com)>; Tracey Desjardins <[TDesjardins@gardinermaine.com](mailto:TDesjardins@gardinermaine.com)>; Kristopher McNeill <[kmcneill@gardinermaine.com](mailto:kmcneill@gardinermaine.com)>; Jim Toman <[JToman@gardinermaine.com](mailto:JToman@gardinermaine.com)>; Jerry Douglass <[JDouglass@gardinermaine.com](mailto:JDouglass@gardinermaine.com)>; Rick Sieberg <[rick.sieberg@gardinermaine.com](mailto:rick.sieberg@gardinermaine.com)>  
**Subject:** Updated Liquor License for El Oso Taqueria & GiftShop

There was missing information from the application.  
Could you all please re-review and approve this application to move forward.

Thank you,

**Alisha Ballard**

City Clerk / Registrar of Voters

6 Church Street,

Gardiner Maine 04345

P: 207-582-4200

F: 207-528-6895

E: [aballard@gardinermaine.com](mailto:aballard@gardinermaine.com)



## Alisha Ballard

---

**From:** Jim Toman  
**Sent:** Wednesday, March 3, 2021 2:07 PM  
**To:** Alisha Ballard  
**Subject:** RE: Attachment for EL Oso

PD is fine with issuance

**From:** Alisha Ballard <ABallard@gardinermaine.com>  
**Sent:** Wednesday, March 3, 2021 11:45 AM  
**To:** Anne Davis <ADavis@gardinermaine.com>; Jerry Douglass <JDouglass@gardinermaine.com>; Jim Toman <JToman@gardinermaine.com>; Kristopher McNeill <kmcneill@gardinermaine.com>; Rick Sieberg <rick.sieberg@gardinermaine.com>; Tracey Desjardins <TDesjardins@gardinermaine.com>  
**Subject:** Attachment for EL Oso

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## Alisha Ballard

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P: 207-582-4200

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