



# **Town of Barnstable**

## **Regulatory Services**

Thomas F. Geiler, Director

### **Licensing Authority**

200 Main Street

Hyannis, MA 02601

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### **BARNSTABLE LICENSING AUTHORITY**

#### **LICENSING HEARING MINUTES**

**Town Hall Building, 367 Main Street, 2<sup>nd</sup> Floor Hearing Room, Hyannis, MA – 9:30 a.m.  
December 4, 2006**

A regular meeting of the Barnstable Licensing Authority was held on Monday, December 4, 2006. Chairman Martin Hoxie called the meeting to order at 9:30 A.M. He introduced Gene Burman, Vice Chairman, Paul Sullivan, Clerk, Thomas Geiler, Director of Regulatory Services, and Christine Ade, Recording Secretary. Sgt. Sean Sweeney, Liaison from the Barnstable Police Department was absent, as was Associate Commissioner Richard Boy.

#### **Requests:**

**One Day Entertainment License:** Application of Vanessa Rogers on behalf of Friends of Barnstable Athletics Boosters Club, 1675 Main Street, Hyannis, MA for a One Day Entertainment License for a basketball game between the Harlem Rockets and the Barnstable Dream Team on January 7, 2007 from 3 pm to 7 pm. at Barnstable High School, West Main Street, Hyannis.

Treasurer Leila Woods appeared for this fundraiser – which will go to a scholarship and general equipment fund. Mr. Hoxie asked what admission will be – she did not know but thought \$5-10.

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the request of Vanessa Rogers on behalf of Friends of Barnstable Athletics Boosters Club, 1675 Main Street, Hyannis, MA for a One Day Entertainment License for a basketball game between the Harlem Rockets and the Barnstable Dream Team on January 7, 2007 from 3 pm to 7 pm. from 7 pm to 10 pm at Barnstable High School, West Main Street, Hyannis.

#### **Hearings:**

**Transfer of it's Annual All Alcohol Common Victualler License, Daily Live Entertainment and Sunday Entertainment Licenses & Change of Manager:** Application of Fernando M. Falcon d/b/a Brazilian Grill, 676-678 Main Street, Fernando M. Falcon, Manager for **Transfer of it's Annual All Alcohol Common Victualler License, Daily Live Entertainment and Sunday Entertainment Licenses** to Brazilian

Grill, Inc., d/b/a **Brazilian Grill, Change of Manager to Kelly A. DePaula and Alteration of Premises** as follows: Wood frame building with one entrance on Main Street, two exits to rear of building. Kitchen area of 74' x 16'; dining area of 50' x 32' with seating for 69 and a bar area with seating for 14; a second dining area of 54' x 26' with seating for 48; patio seating for 16.

Attorney Richard Largay appeared for Brazilian Grill. Kelly DePaula appeared with him. Mr. Falcon could not be here as he was just released from the hospital. With apologies Attorney Largay reported that the alteration of premises took place last winter – but stated all requirements with Building and Health were met; there is no increase in size and seating remains exactly as it was. The alterations were reconfiguration of bar and bathrooms. In addition, the grill has been open for 6 years; they have a spotless record with the licensing authority. Kelly and her husband joined Mr. Falcon when the business started; became more and more involved in the business financially as well as working. There has been full “sweat equity” and Mr. Falcon is getting no monetary consideration for the business. The DePaula’s bought the property 3 years ago and leased it back to the Brazilian Grill.

Mr. Sullivan stated the capacity on the license is 147; the application for changes is only 138. Attorney Largay will look at those numbers and check them with the Building Commissioner.

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the request of Fernando M. Falcon d/b/a Brazilian Grill, 676-678 Main Street, Fernando M. Falcon, Manager for **Transfer of it's Annual All Alcohol Common Victualler License, Daily Live Entertainment and Sunday Entertainment Licenses** to Brazilian Grill, Inc., d/b/a **Brazilian Grill, Change of Manager to Kelly A. DePaula and Alteration of Premises** as follows: Wood frame building with one entrance on Main Street, two exits to rear of building. Kitchen area of 74' x 16'; dining area of 50' x 32' with seating for 69 and a bar area with seating for 14; a second dining area of 54' x 26' with seating for 48; patio seating for 16. and with numbers to stay at 147.

**Change of Manager:** Application of New England Clambake, Inc., d/b/a Wimpy's, 752 Main Street, Osterville, Karen Siscoe, Manager, holding an Annual All Alcohol Common Victualler License, for a **Change of Manager** to Danielle Siscoe. Also requested is to close the restaurant from January 15, 2007 to February 7, 2007 for general maintenance.

Karen and Danielle Siscoe appeared. Karen is looking to appoint Danielle as Manager; she will work there part time. Danielle has been working there since 2001. Mr. Burman asked if the alcohol handling requirements have been met; they have. The maintenance is what they do every year.

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the request of New England Clambake, Inc., d/b/a

Wimpy's, 752 Main Street, Osterville, Karen Siscoe, Manager, holding an Annual All Alcohol Common Victualler License, for a **Change of Manager** to Danielle Siscoe. Also requested is to close the restaurant from January 15, 2007 to February 7, 2007 for general maintenance.

**Show Cause Hearing:** Show Cause Hearing for M&M Tavern, Inc. d/b/a **Kendrick's Casual Dining and Lounge**, 72 North Street, Hyannis, Kimberly Mooney, Manager, as a result of a report received from the Barnstable Police Department for alleged violation of the terms of its Annual All Alcohol Common Victualler License in that it did, on July 14, 2006, violate the rules and regulations of the Licensing Authority in that it did violate the Code of the Town of Barnstable, Part V. Section 501-13B by failing to call the police or an ambulance to assist patrons injured on the premises or persons injured off the premises and whose injuries have been brought to the attention of the licensee and further that on the same date it did, through an employee (one Tedaro France) refused to give information required for the proper enforcement of the General Laws, to Barnstable Police Department Sgt. Murphy relative to a fight and stabbing on the premises on July 14, 2006, in violation of the rules and regulations of the Licensing Authority. Continued from 10/02/06 and 10/30/06.

Sgt. John Murphy appeared for the Barnstable Police Department to present the case.

Attorney John Slattery and Kimberly Mooney, Manager, appeared for M&M Tavern, Inc., d/b/a Kendrick's Casual Dining and Lounge.

Sgt. Murphy stated that regarding the second allegation; that will be addressed first. Attorney James Melia's report was read into record as follows:

"On Friday, July 14, 2006 at 0053 hours, Patrolman James M. Melia was dispatched to the Emergency Room at Cape Cod Hospital regarding a subject there with a stab wound. I was advised that the subject was in Room #2. Upon arrival, I was met at Room #2 by Dr. Zarum, who stated he was evaluating a stab victim that has two stab wounds to his right back area. Dr. Zarum stated that the stab wound to the middle right back was approximately 2 ½" long and a stab wound to the lower right back was 2" long. Both these wounds took 17 staples to close the wounds. Dr. Zarum also informed me that it was his opinion that the blade would have been approximately 6" long. I then went into Room #2 and had conversation with a black male identified as MAIR, Terrell, 1987. I observed two stab wounds on MAIR's right back area. I asked MAIR what had happened and he stated he was at Kendrick's with two friends and a cousin. MAIR then observed a fight on the dance floor and saw his cousin in the middle of it. MAIR then went over to help his cousin when he was stabbed twice from behind in his back. MAIR did not see who stabbed him. After being stabbed, MAIR was taken to Cape Cod Hospital by his friend ADAMS, David. MAIR also informed me that he did not have a problem with anyone inside the club during the night. I then had conversation with ADAMS, David, 1978, who stated he was at Kendrick's with MAIR. While inside they saw a fight break out on the dance floor. MAIR went over to help someone and a short

time after came over to me and told me he was stabbed. ADAMS stated he did not see the incident and has no idea who stabbed MAIR. Once MAIR told him he was stabbed I drove him to Cape Cod Hospital. CIO Mike MAZZONE arrived at the Hospital and took photos of MAIR and his injuries. MAIR was later released from Cape Cod Hospital. Sgt. Murphy went to Kendrick's and had conversation with Security Manager FRANCE, Tadero. Sgt. Murphy informed FRANCE about the fight and stabbing and FRANCE replied he didn't know there was a problem inside the club tonight. Sgt. Murphy informed FRANCE that a report would be filed."

Attorney Slattery interrupted Sgt. Murphy and stated that the report is hearsay – Officer Melia, Dr. Zarum and the other witness, David Adams were not present before the Board and their evidence should not be received by the Board. Neither was the photographer referred to present for questioning.

At Mr. Hoxie's request, Sgt. Murphy continued to read the report. Sgt. Murphy stated that Tedar France stated he did not see a stabbing; but he did admit to a problem inside the club. Sgt. Murphy stated the police department was NOT called to Kendrick's for the incident. Detective Sgt. Sean Balcom also appeared to speak to the Board. Sgt. Murphy asked him if he was involved in the investigation at Kendrick's. Sgt. Balcom stated he conducted the follow-up investigation with Kimberly Mooney. He asked her if she was aware of the altercation; she said she observed it and it resulted in a large mass of people pushing. She then stated her security team moved in right away to break it up. He asked if she was aware of injuries; she said was not. She admitted she did not call the police. She stated she recognized most of the people involved in the incident. Sgt. Murphy asked if Terrell was here; Sgt. Balcom stated he was not here. Sgt. Murphy asked if it was common for a victim of a violent crime not to appear to testify; Sgt. Balcom stated it was common for them not to appear for fear of retribution. He stated he did not question Mr. France. There was no evidence that staff knew of the stabbing.

Attorney Slattery asked if at any time Sgt. Balcom was told by Kendrick's staff that they were informed that someone was stabbed? Sgt. Balcom stated no; that is accurate. Attorney Slattery asked if he saw any blood in the club; he stated he did not, as it had already been cleaned up there for business the next day.

Sgt. Murphy asked Sgt. Balcom about his conversation with Ms. Mooney; asking here if she was aware there was a stabbing? She stated she was not. Did she ask names of parties involved? Did she write the names down to issue trespass notices? Sgt. Balcom stated "no."

Paul Sullivan asked about the report and Sgt. Murphy's clearing up of the report; that Mr. France indicated he was not aware of the situation; that was not so – Mr. France just denied knowing of the stabbing.

Sgt. Murphy first went to Cape Cod Hospital – then to Kendrick’s; he met Tedaro France in the parking lot asking him if there was a problem in the club and he said no; only a shoving match earlier in the evening.

Attorney Slattery stated he sees no credible evidence that there was a stabbing in the club, or any way Kendrick’s personnel knew about the injury to do anything about it. He stated there is simply no evidence. Everything is allegations and hearsay and no evidence of blood or weapon or Kendrick’s being notified anyone was stabbed. He did note that in the report it inferred Tedaro France was hiding something. He asked that the charges be dismissed.

Sgt. Murphy stated the issue at hand was the stabbing at Kendrick’s. It is the police opinion there was an incident on the dance floor. Kim Mooney stated the two groups were separated and kicked out of the club. Sgt. Murphy stated that had the police department been called right away it could have been investigated and determined there was an injury. He also reiterated that the combatants were not identified or told not to come back to Kendrick’s. That is the main issue here; had the police department been called everybody could have been identified.

Tom Geiler asked if we could hear from the Manager with regard to their policies on disturbances.

Ms. Mooney testified that they separate the groups and let one leave and the other later. She stated they put a security person outside as well. They then let the other people go so nothing happens on the property. She stated the altercation started with girls fighting and then their boyfriends jumped in. She stated it lasted less than a minute. She did not see anyone stabbed; did not see blood. She stated there were about 40 people there that night. She cleaned up the next day. She was opening at 5:30 when Sgt. Balcom came in. Sgt. Murphy asked how long she has been Manager – she stated 2-1/2 years. He asked if she had in the past had occasion to call the police? She said no, she has not. Sgt. Murphy then asked if she has ever trespassed people involved in altercations. Ms. Mooney said she had not done so. She said if it was a yelling match the people were “banned” for a couple weeks. Sgt. Murphy asked if the people involved were banned from the club? She said they were all banned. Sgt. Murphy asked their names. She did not have any names. He asked if her staff had the names; she said they do not. Sgt. Murphy asked what the policy was for calling the police – she basically stated that if it was an “all out brawl” she would call the police. Sgt. Murphy asked if it would not be better to have a policeman there than her security person to watch the lot after the disturbance. Mr. Burman asked how the people were detained; Ms. Mooney stated after the first group left they just asked the second group to stay there for a while. Mr. Sullivan stated he is convinced there was a stabbing, but not convinced the establishment knew of it. He also stated that he is very disappointed that this establishment did not see fit to call the police. Mr. Burman stated that it seems to him that “where there is smoke there is fire.” He stated that he sees this place as the hottest spot in town for alleged violations. He stated it bothers him that we cannot pinpoint the charges. Mr. Hoxie stated that this place clearly needs protocols and

security training. He hopes that Attorney Slattery stresses to the Manager that more stringent policies be put in place for her staff. Attorney Slattery stated they will revisit the manual she provided to include professional security staff. Mr. Sullivan also stated that from community comment that the community at large is very upset with this place. He thinks that the Authority really should cut back their hours. He told the Board he had gone by Kendrick's on several occasions at 10:30, 11:00 at night and there was no activity there at all on 2-3 occasions in the summer and stated that maybe the people go there late at night rather than early. Attorney Slattery stated it IS a late club; most people arriving after 10 pm. He also stated they would love to have an officer on detail rather than just security staff but was told the town cannot afford to put a permanent detain there. He thinks it would go a long way towards preventing the problems. Mr. Sullivan stated they should be working more closely with the police when there is ANY disturbance on the premises. Then the issues could be cleared up immediately. Mr. Sullivan also stated he hopes this is the last time we have to hear about this establishment. Mr. Burman also stated that nearby condo owners have brought in sheaves of papers with complaints and nothing has been done about it. Attorney Slattery stated that Ms. Mooney shuts her entertainment off when required but does admit it is nearby to residences; and that they would be willing to work with the Board to accommodate the neighbors.

Mr. Hoxie thanked the police department for bringing this to their attention so that a public hearing could be held.

Mr. Burman asked if the establishment is open now. Ms. Mooney stated they are not open now – still renovating from the fire. He then asked if she serves food. She answered "yes."

Mr. Hoxie stated that if the establishment opens he hopes it is run in a manner that will not bring it before us again. He reiterated that as Mr. Sullivan stated, we would then look at a rollback of hours hearing because of the problems. Attorney Slattery stated that the vast majority of the business and revenue is generated after 10 pm. Mr. Geiler made the point that they hold a restaurant license.

Mr. Hoxie recommended that the matters before the Authority for the Show Cause Hearing be placed on file. Mr. Burman made a motion that the matters be placed on file; it was seconded by Mr. Sullivan.

A unanimous vote was taken to place the matters on file with no action taken.

Mr. Hoxie called Attorney Slattery to the podium and handed him a notice of hearing for the 18<sup>th</sup> of December.

#### **RENEWALS:**

**The following renewals have been submitted without any changes from the previous year for Licensing Authority approval.**

### **Common Victualler**

Burger King #644  
Burger King #4486  
Mitie's Sushi House  
La Petite France  
Willow Pizza  
Casual Gourmet Express – CC Hospital  
Casual Gourmet – 31 Richardson Road  
Gold's Cape Cod Deli  
Willow Tree Market  
Bangkok Kitchen  
Sunnyside Restaurant  
Borders  
Papa Gino's Bell Tower Mall

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for renewal of their Annual Common Victualler Licenses.

### **Common Victualler All Alcohol**

Bellieputter's  
The Island Merchant  
British Beer Company  
The Olive Garden  
Bumbalini's & The Beechtree Bar  
Shanghai Chinese Restaurant  
Bobby Byrne's Pub  
TGI Friday's  
Kendrick's Casual Dining & Lounge – hold to 12/18/06  
Mallory Dock  
Kettle Ho  
Schooner's  
Barbyann's  
UNO Chicago Grill  
La Paz Surf Cantina  
Samba Grill of Brazil  
DJ's Wings  
Roadhouse Café  
Il Maestro  
Wianno Grille  
Five Bays Bistro  
Harry's  
The Dolphin

The 19<sup>th</sup> Hole  
Bud's Place  
Brazilian Grill  
Up the Creek Again  
Outback Steakhouse  
Dragonlite Restaurant  
Grille 16 at the Asa Bearse  
Ristorante Barolo  
Roobar  
Naked Oyster

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for renewal of their Annual All Alcohol Common Victualler Licenses, except Kendrick's Casual Dining & Lounge.

### **Common Victualler Wine & Malt**

Pinocchio Pizza  
Café at the Airport  
New England Pizza House #1  
Scottie's Famous Pizza  
The Daily Paper  
Collucci Bros. Diner  
Mike's Pizza  
Thai House  
Perry's Main Street Deli  
B2 Burrito Bistro  
Golden Fountain

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for renewal of their Annual Wine & Malt Common Victualler Licenses.

### **Club All Alcohol**

Hyannisport Club  
Oyster Harbors Club  
Hyannis Anglers Club  
King's Grant Racquet Club  
Cape Cod Lodge OSIA #2404 Trust – Sons of Italy  
Hyannis Yacht Club  
Osterville Veterans Assn.

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for renewal of their All Alcohol Club Licenses.



### **General on Premises All Alcohol**

Quarterdeck  
Pufferbellies

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for renewal of their Annual General on Premise Licenses.

### **Innholder All Alcohol**

Heritage House Hotel  
International Inn  
Radisson Bistro  
Courtyard by Marriott  
Greenhouse Restaurant  
Four Points by Sheraton Hyannis

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for renewal of their Annual General on Premise Licenses.

### **Package Store All Alcohol**

Craigville Package Store  
7 G's Liquor Shoppe  
Cotuit Liquors  
Capeside Wine & Spirits  
Cape Cod Package Store  
Hyannis Package Store  
Barnstable Bottle Shoppe  
Barnstable News Store  
Fancy's Farm Market  
Willow Package Store  
Airport Liquors  
Cotuit Grocery

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for renewal of their Annual General on Premise Licenses.

### **Package Store Wine & Malt**

The Wine List  
Cotuit Pantry

Willow Tree Market  
Sea Street Market

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for renewal of their Annual Wine & Malt Retail package Store Licenses.

### **Class I Auto**

Cape Cod Chrysler Dodge  
Cape Cod KIA  
Premier Hyundai

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for renewal of their Annual Class I Auto Dealer Licenses.

### **Class II Auto**

Action Auto Sales  
Robert's Auto Wholesale  
Hyannis Auto Center  
European Car Service

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for renewal of their Annual Class II Auto Dealer Licenses.

### **Lodging House**

The Maple Street Inn  
Flaherty's Two  
High Pointe Inn  
Josiah Sampson House  
Boston Culinary Group  
Memories by the Sea  
Edmund J. Flynn  
Craigville Conference Center – Innholder – 208 Lake Elizabeth Dr.  
Craigville Conference Center – lodging – 1 Bluff Ave.  
Craigville Conference Center – lodging – 39 Prospect Ave.  
Craigville Conference Center – lodging – 125 Ocean  
Craigville Conference Center – lodging – 19 Vine Ave.  
Long Dell Inn  
Captain David Kelley House  
Park Square Trust III -156 Main St.  
Park Square Trust III – 164 Main Street

Rosebud Trust – 18 Quaker Road  
West Wind Trust – 80 Yarmouth Road  
Park Square Trust III – 34 Yarmouth Road

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for renewal of their Annual Lodging House Licenses.

### **Annual Live Entertainment**

Bellieputter's  
Hyannisport Club  
The Island Merchant  
British Beer Company  
Bumbalini's – hold to 12/18/06  
Oyster Harbors Club  
Hyannis Angler's Club  
Heritage House Hotel  
Kendrick's Casual Dining & Lounge – hold to 12/18/06  
La Paz Surf Cantina  
Radisson Bistro  
Courtyard by Marriott  
Samba Grill of Brazil  
Roadhouse Café  
Cape Cod Lodge OSIA #2404 Trust – Sons of Italy  
Wianno Grille  
Harry's  
Bud's Place  
Brazilian Grill  
Hyannis Yacht Club  
Up the Creek Again  
Pufferbellies  
Grille 16 at the Asa Bearse – hold to 12/18/06  
Ristorante Barolo  
Borders  
Four Points by Sheraton Hyannis  
Roobar

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications except those noted for renewal of their Annual Daily Live Entertainment Licenses.

### **Annual Non-Live Entertainment**

Hyannisport Club  
Quarterdeck

British Beer Company  
Bobby Byrne's Pub  
TGI Friday's  
Kendrick's Casual Dining & Lounge – hold to 12/18/06  
New England Pizza House #1  
Mallory Dock  
Kettle Ho  
La Paz Surf Cantina  
19<sup>th</sup> Hole  
Bud's Place  
Up the Creek Again  
Osterville Veterans Assn.  
Pufferbellies  
Four Points by Sheraton Hyannis  
Papa Gino's Bell Tower Mall

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications except those noted for renewal of their Annual Daily Non-Live Entertainment Licenses.

### **Pool Table**

Quarterdeck  
Samba Grill of Brazil  
19<sup>th</sup> Hole  
Osterville Veterans Assn.  
Pufferbellies  
Four Points by Sheraton Hyannis

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for renewal of their Annual Pool Table Licenses.

### **Video Games**

Quarterdeck  
Bobby Byrne's Pub  
New England Pizza House #1  
19<sup>th</sup> Hole  
Bud's Place  
Up the Creek Again  
Osterville Veterans Assn.  
Pufferbellies  
Four Points by Sheraton Hyannis

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for renewal of their Annual Video Games Licenses.

### **Sunday Entertainment**

Bellieputter's  
Hyannisport Club  
Quarterdeck  
The Island Merchant  
British Beer Company  
Bumbalini's - skip  
Oyster Harbors Club  
Hyannis Angler's Club  
Heritage House Hotel  
TGI Friday's  
Kendrick's Casual Dining & Lounge - skip  
Mallory Dock  
Radisson Bistro  
Courtyard by Marriott  
Roadhouse Cafe  
Cape Cod Lodge OSIA #2404 Trust – Sons of Italy  
Wianno Grille  
Harry's  
19<sup>th</sup> Hole  
Bud's Place  
Brazilian Grill  
Hyannis Yacht Club  
Up the Creek Again  
Osterville Veterans Assn.  
Pufferbellies  
Grille 16 at the Asa Bearse - skip  
Ristorante Barolo  
Borders  
Four Points by Sheraton Hyannis  
Papa Gino's Bell Tower Mall  
Roobar

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for renewal of their Annual Sunday Entertainment Licenses except Bumbalini's, Grille 16 and Kendrick's.

### **Other Business:**

Discussion ensued regarding Bumbalini's, Grille 16 and Kendrick's renewals – alcohol licenses as well as entertainment. Tom Geiler suggested that the Authority put the

entertainment licenses of Bumbalini's and Grille 16 on hold until 12/18/06. He also stated that Grille 16 is closed pending transfer and that he has been advised it will be family dining with no intention of late music, etc.

A motion was duly made by Mr. Burman, seconded by Mr. Sullivan and a unanimous vote taken to approve the Common Victualler All Alcohol Licenses of Bumbalini's and Grille 16 at the Asa Bearse.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to hold off on the approval of the entertainment licenses for Bumbalini's and Grille 216 at the Asa Bearse until the next meeting on December 28, 2006. Mr. Geiler stated that we served M&M Tavern, Inc., d/b/a Kendrick's today with notice of a hearing on December 18, 2006 to show why their Annual All Alcohol License and entertainment licenses should be renewed for 2007.

Discussion re: gambling accusation on licensed premises.

Adjourned at 11:05.

Respectfully submitted,

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Christine P. Ade, Recorder  
Town of Barnstable Licensing Authority

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Paul Sullivan, Clerk  
Town of Barnstable Licensing Authority