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TOWN OF BARNSTABLE

NOTICE OF MEETINGS OF TOWN DEPARTMENT AND ALL TOWN BOARDS
As Required by Chapter 28 of the Acts of 2009 which amends MGL Chapter 30 A

Licensing Authority Minutes

DATE OF MEETING: August 12, 2015

*******Meeting Rescheduled to August 12, 2015 from 8/10/2015*******

Check below which one applies

The Clerk's office has this meeting date already posted X

This is a special meeting which has not been posted _____

TIME: 9:30 a.m.

PLACE: 2nd Floor Hearing Room, 367 Main Street, Hyannis, MA

Vote to accept Minutes:

1. Vote to accept minutes of the 07/13/15 Meeting

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken to accept the minutes as presented.

New Business:

1. **New One Day Beer and Wine and Entertainment Licenses:** Application of Heidi Filmer-Gallagher on behalf of the Mass Audubon Long Pasture for a Summer Soiree Benefit to be held at the Long Pasture, 325 Bone Hill Road, Cummaquid, Ma. Event to be held on August 13, 2015 with 3 piece live band from 5:30 to 9:00 PM.

Monica Stacy appeared on behalf of this application. The admission is \$125; this is the first time this has been held. Please confirm who will be serving the alcohol, notify Elizabeth Hartsgrove or Maggie Flynn.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken to accept the application as presented.

- 2. New Pedicab Operator Licenses:** Applications for 3 new pedicab drivers; Brian Kilcoyne, Alexandria N. Heusser and Joseph Bowman.

This appearance is for new drivers being added to the permit. Dan Scandurra, one of the owners appeared. Joe Bowman appeared on behalf of his application; he is a cyclist and has a good driving record. Joseph stated that he intends on working Wednesday through Saturday, usually at night. Mr. Scali stated that it is in the rules that the other two applicants need to appear. Lt. Murphy stated the program has been up and running, no issues have arisen. It is probably been a success to this point. Approve Mr. Bowman and then approve the other two once Richard and Elizabeth interview in person.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken to accept the application of Joseph Bowman as presented. Brian Kilcoyne and Alexandria N Heusser must interview with either Richard Scali or Elizabeth Hartsgrove for approval.

- 3. New One Day Beer and Wine and Entertainment Licenses:** Application of Susan Griffin on behalf of the New England Society for Abandoned Animals for an Under the August Moon fundraiser. Event to be held at The Meetinghouse Farm, 330 Willow Street, West Barnstable on August 29, 2015 from 5:00 to 7:00 PM. Event will also include live entertainment of 2 performers.

Susan Griffin appeared on behalf of the application. Address correction to Meetinghouse Way. This is a fundraiser to support the New England Society for Abandoned Animals, admission is \$45. Spoon and Seed has not provided a Catering license as of yet. Mr. Scali reiterated that Spoon and Seed cannot handle the alcohol.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken to accept the application as presented.

- 4. New One Day Beer and One Day Wine License and (2) Entertainment Licenses:** Applications from Sarah Mayo on behalf of the Barnstable Land Trust for the Yellow Dog Music Festival. Event on Friday September 11, 2015 from 6 PM to 8PM will be a Jazz & Wine evening to be held at the Yellow Dog Farm , 92 Phinney's Lane, Centerville, MA. The second event on Saturday September 12, 2015 will be held at the Craigville Beach Association(CBA), Craigville Beach Road, Centerville from 12 PM to 9PM. The event will have 7 bands playing

throughout the day. Beer will be provided by Cape Cod Beer and Food served by Pain D'Avignon.

Pam Danforth appeared on behalf of the application. The event on Friday night has been canceled. In the event of rain the event will be at the Tabernacle; parking plan remains the same. Mr. Scali reiterated about the noise issue. Ms. Danforth stated that they will notify all residents about the 7 bands. Speakers will be turned the other way as to help deflect the noise.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken to accept the application as presented.

5. Consent Agenda:

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken to accept the Consent Agenda as presented.

Public Hearings:

1. Change of Manager on Annual All Alcohol Common Victualler License:

Application of GMRI, Inc. d/b/a The Olive Garden, 1095 Iyannough Rd., Hyannis on their Annual All Alcohol Common Victualler License, for a Change of Manager from Traci Kempaner to Nicole Lopes.

Nicole Lopes appeared on behalf of this application. Worked for 9 years at the Olive Garden and am making the move to the Hyannis location.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken to accept the application as presented.

2. New Annual Common Victualler License:

Application of Gracie Fitness Hyannis LLC., d/b/a Gracie Fitness, 92 Barnstable Road, Hyannis, Juliano Coutinho, Manager, for a New Annual Common Victualler License, to be operated 9:00 am to 10:00 pm, daily. Interior seating of 12 patrons at juice bar and tables as approved by the Building Commissioner.

Juliano Coutinho appeared as the owner. Mr. Coutinho would like to sell protein shakes and smoothies for the members of the school.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken to accept the application as presented.

3. Amendment of Annual Common Victualler License:

Application of Little Sandwich Shop Inc, d/b/a Little Sandwich Shop, 223 Stevens St., Hyannis, Dean Walton, Manager, for an amendment to an existing Annual Common Victualler License to a different location. The new location address is: 428 Main Street,

Hyannis. Seating in the new location will be 50 interior with 6 employees all approved by the Building Commissioner on 7/6/2015. Hours of operation are 8:00 AM to 8:00 PM; Daily.

Dean Walton appeared on behalf of the application. The new location was formerly Sullivan's religious store. The current shop has been located at Steven's Street for 7 years. If he wants outdoor seating in the future Mr. Scali said that Mr. Walton should apply to Regulatory Services and Growth Management.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken to accept the application as presented.

4. **Change of Manager on Annual All Alcohol Package Store License and Pledge of License:** Application of Osterville Market Partners, Inc d/b/a Fancy's Market, 699 Main Street, Osterville, on their Annual All Alcohol Package Store License, for a Change of Manager from Frank J. Falcone to Jeffrey R. Lindsey. Application for a pledge of license to Bank of Cape Cod.

Jeffrey Lindsey appeared on behalf of the application. He stated he has been at the store since March 27th since h purchased the location. Mr. Scali asked about the status of Mr. Falcone; not an owner, he did manage and it was time to remove him. Mr. Scali asked if he had read the rules and knows to attend the meetings in May. Mr. Lindsey responded that he did not know about the meetings. The liquor license was to be pledged in March, the Bank did defer until this time. There has been no change, no new financing.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken to accept the application as presented.

5. **Change of Corporate Name and DBA for an Annual Wine and Malt Retail Package Store:** Application of Hess Mart Of Massachusetts, LLC, d/b/a Hess #21243, 50 Ocean Street, Hyannis, MA, Mark Barbi, Manager, for a Change of Corporate Name and DBA from Hess Mart of Massachusetts, LLC d/b/a Hess #21243 to Speedway of Massachusetts, LLC d/b/a Speedway.

Mark Barbi appeared on behalf of this application. Mr. Scali stated that this is the only Hess that is changing. There have been some issues with Weights and Measures, the signs need to be updated. There have been some complaints about displays outside; Mr. Barbi stated we do not have any outside displays. Mr. Scali asked to please remind Mr. Upton regarding the other locations.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken to accept the application as presented.

- 6. Change of Manger on Annual All Alcohol General on Premise License:** Application of New Sedgewick, Inc. d/b/a Puff the Magic, 649 Main St., Hyannis on their Annual All Alcohol General on Premise License, for a Change of Manager from David M. Wood to James Spindler.

Attorney Mark Boudreau and Jim Spindler appeared on behalf of the application. Mr. Spindler has been one of the managers for a year.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken to accept the application as presented.

- 7. Amendment of Annual Common Victualler License:** Application of Cape Cod Enterprises LLC, d/b/a Dunkin' Donuts, 3823 Falmouth Rd. Marstons Mills, Donna Snarsky, Manager, for an amendment to an existing Annual Common Victualler License to a different location; purchased building located at the same address. The new location address is the same: 3823 Falmouth Rd., Marstons Mills. Seating in the new location will be 15 interior inclusive of 1 handicap with 15 employees all approved by the Building Commissioner on 7/16/2015. No exterior seating. Hours of operation are 5:00 AM to Midnight; Daily.

John O'Connor appeared on behalf of this application. Now there will be a drive through at the location. Mr. Scali is the drive through in place, has it been through site plan? All permits are in place. Three different organizations have Dunkin Donuts on Cape Cod.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken to accept the application as presented.

- 8. New Annual Common Victualler License:** Application of GCMB Enterprises Inc., d/b/a Tropical Smoothie Cafe, 489 Bearses Way, Hyannis, Ana and Gil DeSousa, Managers, for a New Annual Common Victualler License, to be operated 7:00 am to 10:00 pm, daily. Total seating of 71. Interior seating of 55 patrons at smoothie bar, common table, dining area and wifi rooms. Outside seating of 16 with 8 employees as approved by the Building Commissioner on July 23, 2015.

Ana and Gil DeSousa appeared on behalf of the application.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken to accept the application as presented.

Show Cause Hearings :

- 1. Show Cause Hearing for the Nor'Easter Restaurant:** The Barnstable Police Department has requested a Show Cause Hearing before the Licensing Authority

to consider suspension, modification or revocation of the Annual All Alcohol Common Victualler and Entertainment licenses for G.E.L.S., LLC d/b/a The Nor'easter, 20 Scudder Avenue, Hyannis, Andrew J. Glassman, Mgr., due to the following violation of the Town of Barnstable, MA Code: **501-8A. Environs of licensed premise** - Licensee failed to appear to mandatory alcohol licensing meeting on June 25, 2015 offered by the Barnstable Police Department.

Officer Maher held a meeting on June 25, 2015 and they failed to attend. Andrew Glassman appeared on behalf. A mistake was made, misplaced the letter. Officer Maher recommended a two day suspension held in abeyance for one year.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken for FINDINGS: To move that the Licensing Authority determine violation of Section § 501-8A of the Barnstable Licensing Authority Rules and Regulations was found;

A second motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken for VERDICT: To move that the Licensing Authority find The Nor'Easter at 20 Scudder Ave, Hyannis guilty in violating Section § 501-8A of the Barnstable Licensing Authority Rules and Regulations;

A third motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken for ACTION: To move that the Licensing Authority suspend the Annual All Alcohol Common Victualler, Common Victualler and Entertainment licenses for 2 days but held in abeyance for one year.

2. **Show Cause Hearing for the Eclectic Cafe:** The Barnstable Police Department and the Licensing Division have requested a Show Cause Hearing before the Licensing Authority to consider suspension, modification or revocation of the Annual All Alcohol Common Victualer and Entertainment licenses be called for Robin's Nest Grill Inc., d/b/a Eclectic Cafe, Edward Rosario, Manager, 606 Main Street, Hyannis for the following violations of the Town of Barnstable, MA Code: **501-8A. Environs of licensed premise** - Licensee failed to appear to mandatory alcohol licensing meeting on April 29 and June 25, 2015 offered by the Barnstable Police Department. (Same violation occurred in 2014 resulting action taken through Show Cause) **501-14A1. Other causes for revocation, suspension, and modification.** Violation by the licensee of any provision of the relevant General Laws of the Commonwealth or the relevant Ordinances of the Town of Barnstable; failure to submit MA Department of Revenue Certificate of Good Standing for new officers/directors application approved by the Licensing Authority on September 29, 2014.

Attorney David Lawler and Edward Rosario appeared. Officer Maher held a meeting on 4/29; Mr. Rosario did not attend that meeting. Follow-up on the 25th of June, he did not appear. Change of Director/Officers application is being held up at the ABCC for a year.

Attorney Lawler stated that there are not any violations at the restaurant. Mr. Rosario is involved in another business. He is not disrespecting the board or Licensing Division. Fine dining, clean well run establishment. He is working diligently to obtain the certificate of good standing. Mr. Rosario has an accountant. A meeting is scheduled on the 18th of August. The time frame has been a year. Mr. Scali stated that we have had a number of conversations about meetings.

Officer Maher stated that there was violation last year, exactly what we are here for today. Mr. Burman inquired about the previous suspension.

501-8a Officer Maher in two separate years Mr. Rosario was too busy to attend meetings, especially having 2 days held in abeyance along with missing this April's meeting, strikes as a complete irresponsibility. Officer Maher recommends a five day suspension, 2 days to be served forthwith and 3 days to be held in abeyance. Have the two days in abeyance be served after the 14th of September for 501-14A1.

Attorney Lawler stated the punishment is Draconian. These recommendations are over the top.

Lt. Murphy advised that he needs definition of Draconian. These meetings are not Draconian. This business was given a 2 day suspension held for 1 year but he is now in front of us for the same violation. Over 150 people attended these meetings and have the same responsibilities as Mr. Rosario. This was not done out of a sense of arrogance, they have built a foundation and partnership between the Police department and the businesses. Attorney Lawler stated that the punishment is too harsh. The penalty needs to fit the violation. When your client received the 2 days in abeyance, was there any comment that this was too harsh. He was not represented by me at this time.

Officer Maher stated in 2014 the licensee was given 3 notifications. Conversations were held. The 2 days have to be served since he has been found guilty. The meetings are held every year and do have new information provided. Officer Maher requested as a concession be served in August.

Mr. Hoxie stated to serve 2 days in September and 2 days to be held for 1 year. Attorney Lawler stated this will not be appealed. Lt Murphy stated that the Police Department tries to build some good.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken for FINDINGS: To move that the Licensing Authority determine violation of Section § 501-8A and § 501-14A1 of the Barnstable Licensing Authority Rules and Regulations was found;

A second motion was duly made by Mr. Burman, seconded by Mr.

Nunheimer and a unanimous vote taken for VERDICT: To move that the Licensing Authority find The Eclectic Café at 606 Main Street, Hyannis guilty in violating Section § 501-8A and § 501-14A1 of the Barnstable Licensing Authority Rules and Regulations;

A third motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken for ACTION: To move that the Licensing Authority suspend the Seasonal All Alcohol Common Victualler License; serve a 2 day suspension on September 14 and 15, 2015, have 2 days held in abeyance for one year and require applicant to re-file an application to change the corporate officers and ownership.

- 3. Show Cause Hearing for the International Inn:** The Barnstable Licensing Authority will hold a Show Cause Hearing for the International Inn Bar & Grill d.b.a. International Inn, 662 Main Street, Hyannis, MA, Ravi Ahuja, Mgr., for violation of Code of the Town of Barnstable, Massachusetts, §501-14A1, Other causes for revocation, suspension and modification due to various Health Code violations found during an on-site inspection conducted on July 16, 2015 resulting in the closure of the operation.

Attorney David Lawler was just hired the past weekend to represent the International Inn.

Elizabeth Hartsgrove stated this is in line with Regulatory Services if there are violations we will call the Licensees in through Show Cause hearing. The Inn was closed on July 16th, two weeks later, still closed; a letter was sent that the Innholders license needs to be active with a food service permit. Today's violations can be taken into consideration if they are similar.

Donna Moirandi, Barnstable Health Inspector closed the Inn July 16th due to critical violations. Five violations, reopened on August 5th with a condition of 1 serve safe person on site. Today they had 8 critical violations; are closed. Mr. Scali asked about the pool, they can reopen but they have no lifeguard. The pool is very dark green, needs to be pumped down. The indoor pool is not open or licensed; Fire department ordered them to empty. The pool will be drained and winterized this week. Serve safe, rodent issues, no temp log, no dishwasher on site, insects, no wiping cloths, refrigeration temps at 50 plus degrees need to be 41 or below. Pool is closed, no food and no alcohol service.

Ahmed Mahmood spoke in favor of the Inn. He does have a serve safe certificate and was there at the time. The chef quit today. Mr. Mahmood owns Top Notch Metals and has been hired by the International Inn. Last night the refrigerator was 43 degrees. Mr. Scali asked if Mr. Mahmood is the new manager, no. Mr. Nunheimer asked Mr. Mahmood if he spends time in the kitchen. We have an oral contract. Mr. Scali reiterated that he is hired to fix everything, not in the kitchen every day overseeing food. Mr. Scali asked how many managers have you gone through Mr. Banta; 3. Mr. Banta was going on vacation; Jon quit 15 minutes

before I was set to leave. Savi has been here since. Mr. Scali has stated there has been a lot of turnover.

This is an All Alcohol Innholder license. Mr. Burman states that this is a key property on Main Street. These complaints are embarrassing. Attorney Nunheimer suggests continuing this hearing until after the Board of Health Meeting.

On March 10 the BOH did find critical issues, unannounced inspections were required, one of these inspections was conducted on July 16th.

Mr. Banta requested that a tour be done of the property for all the improvements that are being done. Mr. Scali stated that you have been working on this for 2 years. The Commissioners need to act as a public safety matter. What are you offering, this is an immediate action. If you choose to revoke; Mr. Banta will need to relocate all individuals. These individuals have no food, drink or pool. If we revoke they cannot reapply for another year. Mr. Hoxie stated that we need to take some action.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken for FINDINGS: To move that the Licensing Authority determine violation of Section § 501-14A1 of the Barnstable Licensing Authority Rules and Regulations was found;

A second motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken for VERDICT: To move that the Licensing Authority find The International Inn at 662 Main Street, Hyannis guilty in violating Section § 501-14A1 of the Barnstable Licensing Authority Rules and Regulations;

A third motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken for ACTION: To move that the Licensing Authority suspend the Annual All Alcohol Innholder and Entertainment Licenses, until September 21, 2015 at which time the Licensing Authority will re-evaluate the management of the establishment.

- 4. Show Cause Hearing for Scotties Famous Pizza:** The Barnstable Licensing Authority will hold a Show Cause Hearing for MacFraga, Inc., d.b.a. Scottie's Famous Pizza, 11 Ridgewood Avenue, Hyannis, MA, Alex MacDonald, Mgr., for violations of the Code of the Town of Barnstable, Massachusetts **§501-14A1** Other causes for revocation, suspension and modification due to a number of Health violations, as cited in the Public Health Division Food Establishment Inspection Report dated July 9, 2015, and violations of Chapter 240 – 61H Prohibited Signs; A-Frame sign, portable sign, occurring on July 10 and July 13, 2015 as reported warnings and citations issued by the Barnstable Zoning Enforcement Officer.

Elizabeth Hartsgrove and Donna Morandi are presenting a combination of different violations for both Health and Zoning. Robin Anderson, the zoning enforcement officer is not here, a warning on an A frame sign was given, then 2 violations for the same sign. The Health department found violations on July 9. A routine inspection on July 8 not corrected on July 9 but was corrected on July 10th.

Attorney Lawler stated that his client has been issued 2 tickets which they will pay. Why are these violations coming before this Board? This is a very disturbing trend. These issues have been dealt with by a prior board. This is a very slippery slope. Mr. Hoxie stated that this points out the awesome responsibility of the licensee. We are the only Board that can take issue with a license. The health violations were not brought before the Board of Health. This is to demonstrate a pattern of management. Mr. Scali stated that he and Elizabeth Hartsgrove did meet with the licensees; it was a good meeting; they are headed in the right direction.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken for FINDINGS: To move that the Licensing Authority determine violation of Section § 501-14A1 of the Barnstable Licensing Authority Rules and Regulations was found;

A second motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken for VERDICT: To move that the Licensing Authority find Scottie's Famous Pizza at 11 Ridgewood Ave., Hyannis guilty in violating Section § 501-14A1 of the Barnstable Licensing Authority Rules and Regulations;

A third motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken for ACTION: To move that the Licensing Authority place a letter in the file regarding violations to section § 501-14A1.

- 5. Show Cause Hearing for Beechtree Cantina:** The Barnstable Licensing Authority will hold a Show Cause Hearing for Beech Tree Cantina, LLC., d.b.a. Beech Tree Cantina, 599 Main Street, Hyannis, MA, Jared Pane, Mgr., for violations of the Code of the Town of Barnstable, Massachusetts:
Section § 501-4A. Hours of Operation. (1 count - allowing non-employees on property after the 30-min limit upon closing);
Section § 501-4B. Hours of Operation. (1 count – on premise after hours while not actively engaged in cleaning, making emergency repairs or providing security to premise);
Section § 501-5B. Physical Premises. (1 count – additional walk-in Cooler installed in rear without approval from Licensing Authority);
Section § 501-7R. Alcoholic Beverages Sales and Laws. (1 count – allowing glasses and bottles to remain on bar after the 15 min. requirement to remove

them);

Section § 501-7T. Alcoholic Beverages Sales and Laws. (1 count – employees must be off premise 60 minutes after closing except as allowed by law);

Section § 501-8A. Environs of licenses premises. (1 count – failing to follow the rules and regulations of the town as described);

Section § 501-9C. Hours of Operation. (1 count – not having a current employee list available);

Section § 501-10D. Entertainment at premise which serves food or beverage to be consumed on the premises. (1 count – allowing a television to be utilized after the time allowed on the establishment's entertainment license);

501-14A1. Other causes for revocation, suspension, and modification. (cited Public Health Division critical and non-critical violations and recurrence of violations at establishment on December 16, 2014, May 27, June 4, 10, 2015)

Officer Maher stated that on July 4, 2015 at 2:15 AM Sgt. John York drove down the Alley at Beech Tree. Officer Maher reviewed the police report. There was no work being done at that time. Mr. Pane was not able to provide the names of his employees.

Mr. Jared Pane stated this was on the first night of summer, busiest night as of yet for the season. This has never occurred before; it was the cooks and chef. It was later than usual. Mr. Pane stated he was locked inside doing the drawer. They were waiting for me to close the bar.

Health violations on July 7th, they were given a 2 year probation period. A one day closure was given for the last inspection. On August 6th everything was good. The Health Department is mandated by law to check 2 times per year. Mr. Scali asked are the bathrooms reopened, refrigeration issues resolved; yes. There is a Restaurant Consultant doing training.

Officer Maher's Recommendation is 4 day suspension with one day to be served on September 14, 2015 and 3 days to be held for 1 year. Section § 501-5B is to be redacted from Show Cause consideration.

A motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken for FINDINGS: To move that the Licensing Authority determine violation of Section § 501-4A, § 501-4B, Section § 501-7R, Section § 501-7T Section, Section § 501-8A, Section § 501-9C, Section § 501-10D and § 501-14A1 of the Barnstable Licensing Authority Rules and Regulations was found;

A second motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken for VERDICT: To move that the Licensing Authority determine violation of Section § 501-4A, § 501-4B,

Section § 501-7R, Section § 501-7T Section, Section § 501-8A, Section § 501-9C, Section § 501-10D and § 501-14A1 of the Barnstable Licensing Authority Rules and Regulations was found;

A third motion was duly made by Mr. Burman, seconded by Mr. Nunheimer and a unanimous vote taken for ACTION: To move that the Licensing Authority suspend the Annual All Alcohol Common Victualler License, the Common Victualler and the Entertainment Licenses for four days: of which you will serve a one day suspension on September 14, 2015 and have a three day suspension held in abeyance for one year.

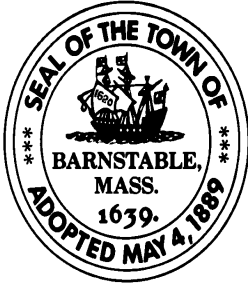
Licensing Division Updates:

- 1. Licensing Department updates** – Renewal process is starting.
- 2. Police Department updates** – Consumer Affairs Officer is moving forward. Thank you to Steve Maher or all his dedicated service.

Release of Executive Session Minutes, if any (0).And any other new business to come before the Licensing Authority.

▪ **Matters not reasonably anticipated by the Chair**

The list of matters, are those reasonably anticipated by the president/chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the sub-committee may go into executive session. For your information the section of the M.G.L. that pertains to postings of meetings is as follows: Except in an emergency, in addition to any notice otherwise required by law, a public body shall post notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays. In an emergency, a public body shall post notice as soon as reasonably possible prior to such meeting. Notice shall be printed in a legible, easily understandable format and shall contain: the date, time and place of such meeting and a listing of topics that the chair reasonably anticipates will be discussed at the meeting. Meetings of a local public body, notice shall be filed with the municipal clerk, and posted in a manner conspicuously visible to the public at all hours in or on the municipal building in which the clerk's office is located.



Town of Barnstable

Consumer Affairs

Elizabeth G. Hartsgrove, Supervisor

Licensing Authority

200 Main Street

Hyannis, MA 02601

www.town.barnstable.ma.us

Telephone: (508) 862-4674

Fax: (508) 778-2412

BARNSTABLE LICENSING AUTHORITY

CONSENT AGENDA

August 10, 2015

- 1. Application for (2) One Day Entertainment and (2) One Day Beer and Wine Licenses:** Application of Amanda Converse on behalf of Love Yoga LLC for the Annual Love Yoga Fest 2015 at the Cape Cod Maritime Museum and Aselton Park, Hyannis, MA. The Yoga Fest event will be held from 8/14/2015-8/16/2015. Live entertainment to include 4 performers. Recorded music and dancing by patrons will also be allowed. Beer and Wine will be served at the Welcome Party on 8/14/2015 from 6:00 to 9:00 PM and the Wrap-Up Party on 8/16/2015 from 5:30 PM to 6:30 PM: complete event details are available at the following website: www.loveyogafest.com.