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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: April 25, 2016

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

A meeting of the Barnstable Licensing Authority was held on Monday, April 25, 2016. Chairman Martin Hoxie called the meeting to order at 9:30 A.M. He introduced Gene Burman, Vice Chairman; Ron Semprini, Clerk; Larry Decker, Associate Commissioner; Elizabeth G. Hartsgrove, Consumer Affairs Supervisor; CAO Officer Stephen Estey, Liaison Officer from the Barnstable Police Department; and Maggie Flynn, Recording Secretary.

Vote to accept Minutes

1. Vote to accept minutes of the 4/11/16 meeting.

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the minutes of the 04/11/16 meeting.

New Business:

1. **Request for License Extension:** Request received from Tim Ferreira of Ferreira's Recycling Inc., 85 Old Yarmouth Rd., Hyannis to extend the current Junk Dealer's License to 4/30/16 from 5/9/16. A new application with the amended for plan will be heard at the 5/9/16 Licensing Authority Hearing.

Tim Ferreira appeared on behalf of the application. New plan has been approved by Tom Perry. Mr. Burman stated you assigned an agreement with the town will you comply? Yes, we have sold the real estate.

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the request as submitted.

2. **Application for a New One Day Entertainment License:** Application of Joseph Izzo on behalf of the Town of Barnstable HYCC for a one day entertainment license for a Mixed Martial Arts event. The event is to be held at the Hyannis Youth and Community Center, 141 Bassett Lane, Hyannis on May 14, 2016 beginning at 7:00 PM.

Joe Izzo appeared same promoter as last year. Capacity is just under 700 expecting 500-600 attendees.

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to approve the request as submitted.

3. **Application for a New One Day Entertainment License:** Application of Mindy Abbott on behalf of the West Parish of Barnstable Church for a one day entertainment license for a narrated Historical Trolley Tour. The event begins and ends at 1717 Meetinghouse Way and goes on Route 6A via Route 149. The date of the event is June 12, 2016 from 12:00 – 2:00 PM.

Mindy Abott appeared on behalf of the application. There will now be 2 tours, the second tour will be 2:30-4:30 PM. The charge is \$20.00 for 30 people.

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to approve the request as submitted.

4. **Application for a One Day All Alcohol and One Day Entertainment Licenses:** Application of Roland Valliere on behalf of the Cape Arts and Entertainment for a one day all alcohol and entertainment licenses for the 2016 Artini Meet me at the Speakeasy event. The event will be held at the Cape Cod Conservatory, 2235 Iyannough Rd., Hyannis on June 24, 2016 form 5:30 – 10:00PM. Entertainment to include a 6 piece band.

Debbie McCullogh appeared on behalf of the application. This has grown we need to have at the Conservatory. Music, and silent auction; ticket pickets are \$100. TIP certified servers.

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to approve the request as submitted.

5. Consent Agenda:

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to approve the Consent Agenda as submitted.

Public Hearings:

1. **Application for Change of Manager for an All Alcohol Common Victualler License:** Application of Tap City Grille LLC d/b/a Tap City Grille, 586 Main St., Hyannis on their Annual All Alcohol Common Victualler License, for a Change of Manager from Timothy White to Cristina Carreras.

Cristina Carreras appeared on behalf of the application; currently the house manager.

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

2. **Application for Four New Lodging House Licenses:** Application of United Camps Conferences and Retreats Inc., d/b/a Craigville Retreat Center, 39 Prospect Ave., Centerville, Cynthia Diggs, Manager for 4 New Lodging House Licenses as follows:
Grove House, 125 Ocean Ave., Centerville - 12 rooms
Lodge, 45 Prospect Ave., Centerville – 44 rooms
The Inn, 208 Lake Elizabeth, Centerville – 63 rooms
Manor, 19 Prospect Ave – 23 rooms

A total of 142 rooms all approved by the Building Commissioner.

******Continued from 3/21/16 Hearing******

Per the April 12, 2016 Board of Health Meeting the following number of lodgers were approved:

Grove House – 11 lodgers

Lodge – 47 lodgers

The Inn – 55 lodgers

Manor – 23 lodgers

A total of 136 lodgers approved by the Health Department.

There is a net decrease of 6 lodgers from the original advertised request.

Cynthia Diggs and Jim Lane appeared on behalf of the continued hearing. 39 Prospect Avenue has to register as a legal address. Cynthia thanked all of Consumer Affairs.

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

- 3. Application for a New Annual All Alcohol Common Victualler License and New Live and Non-Live Entertainment Licenses:** application has been filed by Aztec City LLC., Angel R Camas-Calle, mgr, d/b/a Aztec City Mexican Bistro & Tequila Bar located at 302 Main Street, Hyannis, for a new Annual All Alcohol Common Victualler, and annual Live and Non-Live Entertainment Licenses. Description of Premise: Wood frame building with 1 entrance and 1 exit, 1750 sq. feet. A basement storage area of 450 sq. ft., kitchen area of 400 sq. feet, 1 bar, tables and chairs with indoor seating totaling 49 seats, 9 employees and 20 standees all approved by the Building Commissioner. Hours of Alcohol service are 10:00 AM to 12:30 AM; daily. Live Entertainment to include: Amplified music by up to 4 performers. Non-Live Entertainment to include: 2 televisions and radio. Hours of both Live and Non-Live Entertainment: 10:00 AM – 12:30 AM.

Attorney David Lawler and Jorge Siguencia Fernandes appeared on behalf of the application. This location is the old Island Merchant. Entertainment will be for a more ethnic style type of Mexican Band. The Tumi restaurant is delicious; great reputation. The new manager has extensive experience in the restaurant business. The location needs a new floor and a little more construction; cosmetic work.

Lt Murphy, will there be dancing? Initially thinking of background music. Mr. Semprini has a concern of going from 2-4 entertainers. There are no residences in the immediate area. It is really going to be a restaurant with music on the side.

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

Old Business:

- 1. Continuation of Show Cause Hearing:** The Licensing Authority held a continued show cause hearing update, on April 11, 2016, from December 14, 2015 for violating Code of the Town of Barnstable, Massachusetts, §228-1, Town of Barnstable's Class I & II Regulations and M.G.L. c.140 §59 as cited in letter dated October 20, 2015, at the Brito's Auto Sales located at 657 Yarmouth Road, Hyannis and on Town property located at 629 Yarmouth Road.

Jeremy and Manny Brito and Elizabeth Hartsgrove appeared on behalf of the application.

Ms. Hartsgrove, the floor plan has not been submitted for both businesses and there are still vehicles on the town property. The Town is not in the position to move the vehicles; needs to be stored. Jeremy stated that they cannot get in touch with the owners.

Lt Murphy stated if abandoned not insured. They will be towed and the individual will be towed. Lt Murphy asked for the phone number and the address. We need a current floor plan on file to be specific.

Barnstable Motors is next door, we own the property. Mr. Decker asked if you are in relationship with them.

******Continue to May 23, 2016******

Licensing Division Updates:

1. **Licensing Department updates:** Updated from Elizabeth Hartsgrove and a request for attendance at Municipal Licensing Agenda. Ms. Hartsgrove updated the Authority on the Alcohol meetings. 100% attendance to the package store meeting. We are having meetings on May 11 for Class I and II meetings in addition to Private Parking lots.
2. **Police Department updates:** Compliance meetings were successful and well run. Please reach out to the new licensees regarding the stings. Mr. Decker asked about Paul Logan and our responsibility to signage for disability. We have responsibility for only our licensed businesses. Officer Estey has been working with Robin Anderson, zoning enforcement.

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

Town of Barnstable

Consumer Affairs

Elizabeth G. Hartsgrove, Supervisor

Licensing Authority

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BARNSTABLE LICENSING AUTHORITY

CONSENT AGENDA

April 25, 2016

Renewals:

1. **Application for a One Day Wine and Malt and Entertainment Licenses:** Application of Anita Bennett on behalf of the Centerville Public Library for a One Day Wine and Malt and Entertainment licenses for the Centerville Public Library Auction. The event is to be held at the Centerville Library, 585 Main Street, Centerville on June 11th from 5:00 to 8:00 PM. Music will be non-amplified
2. **Application for One Day All Alcohol and Entertainment Licenses:** Application of Scott Swaylik on behalf of the Joe Cronin Memorial Jimmy Fund Fishing Tournament fundraiser. The event will be held at Nauticus Marina, 1339 West Bay Rd., Osterville on 8/4 and 8/5/16 from 4:00 – 10:00 PM. Entertainment to include silent and live auctions and recorded music.
3. **Application for One Day All Alcohol and Entertainment Licenses;** Application of Paul J Covell on behalf of the Barnstable County Sherriff's Association for the Sherriff's rib roast and raffle. The event will be held at the St George Greek Church Hall, 1130 Falmouth Rd. Centerville on 5/6/16 from 6:00 pm to midnight. Music will be amplified recorded. Entertainment to include dancing by patrons.
4. **Application for Two Carnival Licenses:** Application of Harold Fera on behalf of Rockwell Amusements & Promotions Inc., PO Box 338, North Scituate, RI for two carnival licenses consisting of 17 rides, food concessions and 7 games. Carnivals are to be held the rear parking lot

Cape Cod Mall, 793 Iyannough Rd., Hyannis. First carnival dates are as follows: **June 6-12, 2016. Monday and Tuesday closed for set-up. Wednesday – Friday, 6:00 PM-10:00 PM, Saturday 3:00 PM - 11:00 PM and Sunday 1:00 PM-9:00 PM.**

Second carnival dates are as follows: **July 10-16, 2016. Sunday and Monday closed for set-up. Tuesday – Friday 6:00 PM-10:00 PM and Saturday 2:00 PM -11:00 PM.**

Junk Dealer:

1. Atomic Dimestore, 187 West Main St., Hyannis
2. Best Buy, Cape Cod Mall, Hyannis
3. Best Buy 2700, Cape Cod Mall, Hyannis
4. Silva Jewelers, 1112 Main St., Osterville
5. Cotuit Mercantile, 45 Main Street, Cotuit

Common Victualler:

1. The Barnacle, 988 Craigville Beach Rd., Centerville

Auctioneer:

1. Luiz Gonzaga, 16 School St., Hyannis

The meeting was adjourned at 10:25

Respectfully submitted,

Margaret D. Flynn, Recorder
Town of Barnstable Licensing Authority

Ron Semprini, Clerk
Town of Barnstable Licensing Authority