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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: February 12, 2018

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, February 12, 2108. 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; David Nunheimer, Associate Commissioner; Elizabeth Hartsgrove, Consumer Affairs Supervisor; CAO Officer Therese Gallant, Lt. John Murphy and Maggie Flynn, Recording Secretary. Richard Scali, Director of Regulatory Services was absent.

Vote to accept Minutes

1. Vote to accept minutes of the 01/08/2018 meeting.

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the minutes of the 01/08/18 meeting.

New Business:

1. Consent Agenda:

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

Public Hearings:

- 1. Application for a New Annual Common Victualler License:** Application of Ronny's Pizza Inc., d/b/a Ronny's Pizza, 11 Ridgewood Ave., Hyannis, Ronny Fraga, Manager, for a new Annual Common Victualler license. Hours of operation will be 11:00 AM to 1:00 AM daily. There will be 82 interior seats, 10 standees and 5 employees, as approved by the Building Commissioner on 11-30-17.

******Continued from 12/27/2017 Hearing******

Ronny Fraga appeared for the application. He stated he has been closed for 45 days and this has been a tremendous hardship for him and his employees; his bills are piling up. He brought letters of support per Lt. Murphy's request (see attached), these letters were reviewed by the Board during the meeting. Mr. Fraga stated that he opens his doors for individuals that need an opportunity for a job that may not be eligible somewhere else.

Lt. Murphy advised the Board that the BPD looked into any issues with Scotties Pizza in relation to public safety concerns; nothing was found to suggest that the BPD should stand against Ronny Fraga from opening. Lt. Murphy did acknowledge that historically the location itself has had issues.

Ron Semprini questioned the discrepancy in numbers of seats between the Health and Licensing Departments. Mr. Fraga stated that he has changed nothing from the previous licensee.

Mr. Semprini explained that he is responsible for doing his due diligence in making decisions for the town so bear with him and his questions. In reference to the Scottie's location, the last four businesses have come and gone, involved with drugs; specifically in the last 3-4 years. Mr. Fraga explained that he will be there all the time. Mr. Semprini asked about the lease; who are your heirs and the \$20,000 deposit. Where is the documentation for the monies?

Ms. Hartsgrove commented that the heirs would need to apply for a license and in terms of the security deposit; documentation is not required since alcohol is not involved. Additionally Scottie's did pass the last compliance check conducted by the BPD.

Mr. Hoxie asked if he intended on applying for alcohol in the future. Mr. Fraga stated he is going to try and succeed without alcohol.

Mr. Burman expressed concern that Mr. Fraga did not witness anything illegal at the premises since November, 2016. Mr. Fraga reiterated that drug deals were not conducted at Scotties.

Mr. Fraga reviewed the security camera details and agreed to have cameras installed by the bathrooms when asked by Mr. Semprini.

Lt. Murphy asked if Alex MacDonald is an employee. Mr. Fraga stated that he does not want to see his picture. Lt. Murphy commented that a vacant building on the corner is not benefit, a viable well run business would be a benefit.

Public Comment: Dennis Kelly stated he has no problem with him opening the restaurant but he may want to remove the bush on the corner that may be hazardous to traffic. Mr. Fraga said he will notify the owner.

Mr. Hoxie stated that the applicant deserves the opportunity to open.

A motion was duly made by Mr. Semprini, seconded by Mr. Hoxie and a 2-1 vote taken to accept the application as presented.

Licensing Division Updates:

- 1. Licensing Department updates:** Ms. Hartsgrove updated the Board that Seasonal Renewals are in the process of being mailed.
- 2. Police Department updates:** Lt. Murphy updated the Board that he and Officer Gallant met with the Mall and Ten Pin Eatery regarding security concerns. They are on target for a spring opening.

- **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

The meeting was adjourned at 10:07 AM

Respectfully submitted,

**Margaret D. Flynn, Recorder
Town of Barnstable Licensing Authority
Authority**

**Ron Semprini, Clerk
Town of Barnstable Licensing**

Town of Barnstable

Consumer Affairs

Elizabeth G. Hartsgrove, Supervisor

Licensing Authority

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BARNSTABLE LICENSING AUTHORITY

CONSENT AGENDA

February 12, 2018

Renewals:

1. **Application for (21) One Day Entertainment Licenses:** Application of Jenn Dashnaw on behalf of the Cape Symphony for 21 One Day Entertainment licenses (schedule attached) for the 2018 Symphony Schedule. All concerts will be held at the Barnstable Performing Arts Center, 744 West Main St., Hyannis.
2. **Application for a One Day All Alcohol and Entertainment Licenses:** Application of Bill Sykes on behalf of Best Buddies International for a One Day All Alcohol and Entertainment licenses for the Annual Best Buddies Challenge. The event is to take place at 110 Craigville Beach Rd, Centerville on June 2, 2018 from 3-6 PM. Previous license conditions are attached. Entertainment is including amplified music and dancing by patrons.
3. **Application for a One Day Entertainment License:** Application of Thalia Haseotes on behalf of the Cold Noses Foundation for a One Day Entertainment License for the annual Paws at the Beach Pet festival. The event is to take place on September 22, 2018 from 10:00 AM-4:00 PM at 997 Craigville Beach Rd, Centerville (Craigville Beach). Entertainment will include an amplified DJ.
4. **Application for two One Day Entertainment Licenses:** Application of Cecelia Carey on behalf of the Hyannis Rotary Club for two One Day Entertainment Licenses for the Annual Hyannis Rotary Home and Garden Show. The event will take place on March 17th and 18th from 9:00 AM to 5:00 PM at the Barnstable High School, 744 West Main St., Hyannis. Entertainment is to include a 3 piece live band with 2 performers.

Lodging House License:

1. Hostelling International, 111 Ocean St., Hyannis
2. Friends of Prisoners, 84 Bears's Way, Hyannis
3. Bursley Manor, 651 Main St., West Barnstable

Mini Golf License:

1. Steve & Sue's Par Tee Freeze, 455 W Main St., Hyannis

Fortune Telling License:

- 1 Helen Eli, 23 West Bay Commons, Osterville