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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 Agenda

DATE OF MEETING: February 13, 2012

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

Hearings:

One Day Entertainment License: Application of Sheila Burns on behalf of Barnstable Education Foundation, P.O. Box 373, Centerville, for a One Day Entertainment License at Barnstable High School's Knight Auditorium, 744 West Main Street, for a night of music and comedy with Four Guys in Tuxes and stand-up comedy act, Glen Anderson to be held on March 16, 2012 from 7 pm to 10 pm.

One Day Entertainment License: Application of Sarah Horvath on behalf of BHS Celebration, 744 Main Street, Hyannis, for a One Day Entertainment License at The Cape Codder Resort, 1225 Iyannough Road, Hyannis, for a fundraiser comedy night with a silent auction, to be held on March 2, 2012 from 7 pm to 10 pm.

One Day Wine and Malt License: Application of Chef Ralph Bender, The Mad Platter, on behalf of Cape Cod Chamber of Commerce Business After Hours, for a One Day Wine & Malt Licensor for an event at Barnstable Municipal Airport's New Terminal on February 15, 2012 from 5:30 pm to 7:30 pm.

Transfer of Annual Wine & Malt Common Victualler License: Application of Kin On Restaurant, d/b/a Golden Fountain Restaurant, 203 West Main Street, Hyannis, Kam Ling Kuet, Manager, for Transfer of its Annual Common Victualler Wine & Malt License to Liu Ming Hua, Inc., d/b/a Golden Fountain Restaurant, Qiao Jin Zhang, Manager with no changes to the premises.

Status of All Alcohol Common Victualler License: Status of license renewed for 2012 for H&S Entertainment, LLC d/b/a Dina's, at 350 Stevens Street, Hyannis, MA, Constantinos Mitrokostas, Manager, for violation of MGL, Ch. 138 and the Town of Barnstable Code Ch. 501-6 § L for failure to notify the Licensing Authority in writing of closing of its business, and failure to request a hearing for a closing in excess of two weeks.

New Class II Auto Dealer License: Application of Said Alharthy, d/b/a Adymar's Auto and Truck Repair, 31 Thornton Drive, Bay E, Hyannis, MA for a New Annual Class II Auto Dealer License, hours of operation to be Mon – Sat 8 am to 5 pm. Maximum of 8 vehicles total on premises.

New Class II Auto Dealer License: Application Gilbert Wood, d/b/a Cape Wide Auto & Marine II, 730 Bearnse's Way, Hyannis, MA for a New Annual Class II Auto Dealer License, hours of operation to be Mon – Fri, 8 am to 4 pm. Maximum of 18 vehicles total on premises, 2 service bays.

New Seasonal All Alcohol Common Victualler License: Application of 13 Lives Corp, d/b/a Black Cat Harbor Shack, 159 Ocean Street, Hyannis, MA, Scott C. Brownlee, Manager, for a New Seasonal All Alcohol Common Victualler License. Premises located at 159 Ocean Street and a small portion of 165 Ocean Street not utilized by licensee at that address consists of a main structure in front used for food preparation, patron bathrooms and liquor storage of 120 sq. ft. on the 2nd floor only and a smaller accessory rear structure which will consist of a service bar. No seating located inside either structure. Two take out windows on front deck with seating for 37 not used for alcohol service, 46 seats at the bar and patio to the rear and a total of 83 seats. Hours of operation 11 am to 1 am.

New Annual Retail Beer & Wine Package Store License: Application of ML Fruit & Produce, Inc., d/b/a Lambert's Rainbow Fruit, 1000 West Main Street, Centerville, Matthew W. Lambert, Manager, for a new Annual Wine & Malt Retail Package Store license. Hours of alcohol sales to be Mon-Sat 8 am to 7 pm, Sun noon to 7 pm. Mr. Hoxie stated the purpose of the continuation was so that the ABCC could confirm our Barnstable quota. Continued from 1/9/12 and 1/30/12.

Show Cause Hearing: Show Cause Hearing on Route 66 Auto Sales, 355 Yarmouth Road, Bill Gasson, Manager, holding a Class II Auto Dealer License, for failure to apply for a change of ownership/management (eliminating William Gasson and adding Michael Caliri) and for a complaint from Jaime Butler for failure of licensee to correct defective vehicle oil burning issue. Consumer complaint filed with the Consumer Assistance Council. This disciplinary hearing is being called pursuant to MGL c. 140, §58(c) (1) (v) (8). **COMPLAINT ON VEHICLE WITHDRAWN BY COMPLAINANT 2/6/12 BUT CHANGE OF MANAGER CHARGE STILL NEEDS TO BE HEARD.**

Renewals:

Auto Wholesaler's of Cape Cod, 92 Rosary Lane, Hyannis – hearing to discuss tax issues, NSF check for license fee. Renew license to year end or modify, suspend or revoke.

Business Meeting:

Executive Session: Litigation Strategy on Ferreria's, 85 Old Yarmouth Road, Hyannis.

And any other new business to come before the Licensing Authority.

PERSONS INTERESTED ARE ADVISED THAT, IN THE EVENT ANY MATTER TAKEN UP AT THE MEETING REMAINS UNFINISHED AT THE CLOSE OF THE MEETING, IT MAY BE PUT OFF TO A CONTINUED SESSION OF THIS MEETING, WITHOUT FURTHER NOTICE.

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. For 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.