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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: September 9, 2013

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: Vote to accept minutes of the 8/19/13 Meeting.

Hearings:

One Day Wine & Malt License: Application of Marilyn Fuller on behalf of Barnstable Historical Society, 3087 Main Street, Barnstable, for a One Day Wine & Malt license for its annual Autumnfest to be held on September 14, 2013 from 5 pm to 8 pm in a tent in the backyard of the premises. This is a fundraiser held in conjunction with Sturgis Library.

One Day Wine & Malt License: Application of Ellen Merlesena on behalf of Osterville Village Library, 1130 Falmouth Road, 43 Wianno Avenue, Osterville, for a One Day Wine & Malt License for a mini golf fundraiser with beer & wine on September 21, 2013 from 7 pm to 10 pm at the library.

New Class I Auto Dealer License: Application of 25 Rte 28 Inc., d/b/a Audi Cape Cod, 270, 278 & 258 North Street, Hyannis, Christopher Laham, Manager, for a new Class I Auto Dealer license with a maximum of 68 customer & employee vehicles, 116 vehicles for storage/display, hours of operation to be 8-8 Mon-Th, 8-5 Sat, 11-4 Sun.

New Class II Auto Dealer: Application of Ubirajara V. Ferreira, d/b/a Price-Less Auto Sales, 417A&B and 431B Yarmouth Road, Hyannis, Ubirajara V. Ferreira, Manager, for a new Class II Auto Dealer license with a maximum of 19 total vehicles not to exceed 12 vehicles parked outside. No washing of vehicles or repair of vehicles on site. Hours 8 am – 5 pm.

New Class II Auto Dealer License: Application of Montero's Motor Sales, LLC d/b/a Montero's Motor Sales, 455 Yarmouth Road, Hyannis, Fabian Campoverde, Manager, for a new Class II Auto Dealer license with a maximum of 20 total vehicles, 11 display, 6 customer, 2 employee, 1 handicap, and 5 garaged spots.

New Annual Non-Live Entertainment License and Video Games License: Application of Ryan Family Amusements, LLC, Cape Cod Mall, W14, 151A &B, Hyannis, Robert P. Nichols, Manager, for an annual non-live entertainment license (Mon – Sat 10 am -9pm; Sun 11 am-6pm) and video games license for 35 games.

Show Cause Hearing: Show Cause Hearing at the request of the Barnstable Police Department, for Davester, LLC, d/b/a Embargo, 453 Main Street, Hyannis for the purpose of determining if its Annual All Alcohol Common Victualler License should be modified, suspended, or revoked or conditions imposed due to Incident Report #13-1657-OF as follows: Violation of the Town Code Rules and Regulations of the Licensing Authority Chapter 501-8A, "It shall be the responsibility of licensees to ensure that a high degree of supervision is exercised over the conduct of the licensed establishment at all times. Each licensee will be held accountable for all violations that are related to the licensed premises to determine whether or not the licensee acted properly in the given circumstances."

Business Meeting:

Release of Executive Session Minutes, if any (0).

Discussion on the current number of Class II Auto Dealers (used cars) and whether there are sufficient licenses and businesses currently operating.

Discussion on CV Pouring Licenses permitted in Town.

Discussion on Memo with regard to The Quarterdeck Non-Live Entertainment License, adding T.V.'s to that license.

Discussion on the suspension of The Car Guys, 741B Yarmouth Road, Hyannis, Casey DeVincent, Manager, for August 27th, 28th and 29th, 2013 to either re-vote on the one

original charge or remark for hearing for the additional charge not advertised, which suspension has been postponed until a decision is made by the Board.

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, WITH PROPER POSTING.

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.