

(clock in stamp)

(TIMESTAMP ALL 3 COPIES IN TOWN CLERK'S OFFICE –
LEAVE ONE TO FILE FOR OUR RECORDS -ONE TO POST IN
TOWN HALL - KEEP ONE COPY FOR YOUR RECORDS).

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: June 20, 2011

Check below which one applies:

The Clerk's office has this meeting date already posted

This is a special meeting which has not been posted

TIME: 9:30 A.M.

PLACE: 367 Main St., Hyannis (Town Hall Bldg.), 2nd Floor Hearing Room

HEARINGS:

One Day All Alcohol and One Day Entertainment License: Application of Peter Davies on behalf of the Wianno Club Tennis House, 82 Warren Street, Osterville, for a One Day All Alcohol License and a One Day Entertainment License for a Social Tennis Mixer to be held on July 22, 2011 at 6:00 pm at the Tennis House, which location is not covered under the licenses held by the Club for property across the street.

One Day Wine & Malt and One Day Entertainment Licenses: Application of Marilyn Fuller for Lucy Loomis on behalf of The Sturgis Library, 3090 Main Street, Barnstable for a One Day Wine & Malt License and a One Day Entertainment License for a fundraising event on June 26, 2011 with food, soft drinks, beer and wine and a guitar player. The library has requested waiver of fees for this fundraiser.

Sunday All Alcohol and Sunday Entertainment Licenses: Application of Todd Walantis for an All Alcohol and Entertainment License for the 3rd annual Cape Cod 5000 Fishing Tournament, P.O. Box 46, Osterville, for Cape Cod Child Development, for a fundraising striped bass and bluefish tournament taking place June 25 and 26, 2011. There will be an awards party with a barbeque, all alcohol and entertainment (singer, announcer). It will be held at Oyster Harbors Marine from 3:00 pm to 8:00 pm on June 26, 2011.

Special Alcoholic License for Farmer's Market: Application of Rob Russell on behalf of Westport Rivers Vineyard and Winery, 417 Hixbridge Road, Westport, MA for One Day Permits for Wine Tastings and sale of wine products at the Osterville Farmer's Market, 155 West Bay Road, Osterville, on Fridays from June 24th to September 30, 2011 from 9:00 am to 1:00 pm.

One Day All Alcohol License: Application of Olive Chase, The Casual Gourmet. 31 Richardson Road, Centerville, on behalf of the Heritage Museum & Gardens, 315 Main Street, Osterville, outside in a tent for a One Day All Alcohol License for a fundraising gala for the museums. The event will be cocktail hour and dinner, on July 9, 2011 from 5 pm to 10 pm..

3 One Day All Alcohol, 2 Daily Entertainment and a Sunday Entertainment License: Application of Regina Bisgouris on behalf of St. George Greek Orthodox Church, 1130 Falmouth Road, Centerville, for 3 One Day All Alcohol licenses, Two Daily Entertainment Licenses (a 4-5 piece band) and a Sunday Entertainment License for July 15, 16 and 17, 2011. Times are July 15 from 4 pm to 11 pm, July 16 from 11 am to 12 midnight and July 17 from 11 am to 6 pm. This is their annual fundraising Grecian Festival.

Sunday Entertainment License: Application of Jason Boudrot for All Star Jam, 40 Rosa Lane, Marstons Mills for a Sunday Entertainment License for an All Star Jam concert to be held on the stage on the Hyannis Village Green on July 10, 2011 from 9:00 am to 8:00 pm, with live music and bands performing.

One Day Wine Only and One Day Entertainment License: Application of Stephen Hemberger on behalf of the Historical Society of Santuit & Cotuit, 1148 Main Street. Cotuit, outside in a tent for a One Day Wine Only License And a One Day Entertainment License (a jazz/rock band) for a fundraising gala for the museum. The event will run from 5:00 pm to 9:00 pm.

New Annual Common Victualler License: Application of John A. Enright, d/b/a Subway Sandwiches, Cape Cod Mall, 793 Iyannough Road, Hyannis, Geoffrey McAbee, Manager, for a New Common Victualler License, with Mall seating, the hours of operation to be Mall hours.

New Class II Auto Dealer License: Application of Tillo's Cars and Trucks, Inc. for a new Class II Auto Dealer License at 20 Bears Road, Hyannis, Zach Tillo, Manager, with a total of 11 vehicles on site.

New Annual Common Victualler License: Application of James Turi and Brian Dixon, d/b/a Subway #29525, 251 Iyannough Road, Hyannis, Paula Fee, Manager, for a New Common Victualler License, with seating for 36, the hours of operation to be 7 am to 10 pm.

New Class I Auto Dealer License: Application of Ford of Hyannis, Inc., d/b/a Balise Ford for a new Class I Auto Dealer License (new location only) at 90 High School Road, Hyannis, James E. Balise, Jr., Manager, with a total of 291 vehicles on site.

New Class I Auto Dealer License: Application of R&J Nissan, Inc., d/b/a Balise Nissan of Cape Cod for a new Class I Auto Dealer License (new location only) at 332 Falmouth Road, 45, 57, 32, 20 Corporation Street & 574 Bearses Way, Hyannis, James E. Balise, Jr., Manager, with a total of 355 vehicles on site.

Show Cause Hearing: Show Cause Hearing for Sam Diego's, 950 Iyannough Road, Robert Kershaw, Manager, as it has been reported to the Licensing Authority by the Barnstable Police Department that on May 5, 2011, Sam Diego's, 950 Iyannough Road,

Hyannis, Robert Kershaw, Manager, holding an Annual All Alcohol Common Victualler License, did violate the Code of the Town of Barnstable, Chapter 501, § 7- I, "Whoever makes a sale or delivery of any alcoholic beverages or alcohol to any person under 21 years of age, either for his own use or for the use of his parent or any other person, or whoever being a patron of an establishment licensed under §12 or 15 of General Laws Chapter 138 delivers or procures to be delivered in any public room or area of such establishment any such beverages or alcohol to or for use of a person who he knows or has reason to believe to be under 21 years of age...shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than six months or both..."

Show Cause Hearing: Show Cause Hearing for Cape Cod Precious Gems & Coins, 48 Hyannough Road, Hyannis, MA, Carl Marchetti, Manager, for revocation of its Junk Dealer License as a result of information presented to the Licensing Authority by Detective Sgt. John Murphy of the Barnstable Police Department at the December 7, 2009 Licensing Authority Hearing for failure to comply with the Town of Barnstable Rules and Regulations under Chapter 502 regarding non-reporting of items purchased for sale, that it purchased items which appear on a list of stolen property, and a determination that Mr. Marchetti is an improper person to hold a Junk Dealer License, to show cause why its Junk Dealer License should not be permanently revoked. Continued from 8/10 and 2/14/11. Along with this hearing, the renewal/non-renewal of the Junk Dealer License for 2011-2012 will be determined.

Renewals:

The following renewals have been submitted without any changes from the previous year for Licensing Authority approval.

Common Victuallers:

CBA Snack Bar, 915 Craigville Beach Road, Centerville

Business Meeting:

Release of Executive Session Minutes, if any (1). Not ready to release.

Revoke and revise sanctions for violations imposed against R&Y Enterprises, Inc., d/b/a Ying's Sushi Bar & Lounge, Tanida Suriyawong, Manager, 59 Center Street, Hyannis, at the Licensing Authority Hearing on February 14, 2011.

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.