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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: September 19, 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: 2<sup>nd</sup> Floor Hearing Room, 367 Main Street, Hyannis, MA**

A meeting of the Barnstable Licensing Authority was held on Monday, July 18, 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; Richard Scali, Director of Regulatory Services; Elizabeth Hartsgrove, Consumer Affairs Supervisor; CAO Therese Gallant and Lt. John Murphy liaison Police Officer and Maggie Flynn, Recording Secretary.

### **Vote to accept Minutes**

1. Vote to accept minutes of the 8/22/16 meeting.

**A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the minutes of the 08/22/16 meeting.**

## **New Business:**

1. **99 Closure and Opening Celebration:** Requesting a 3 day closure to refurbish restaurant in the interior. Entertainment approved with annual live license.

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

2. **Application for a New Pedi-Cab Operator's License:** Application of Pierre Nguyen for new pedi-cab operator's license for Cape Cod Pedi Cab, 541 Main Street, Hyannis.

**Applicant did not appear. Application was subsequently withdrawn.**

3. **Application for a One Day Wine and Malt and Entertainment Licenses:** Application of Anita Bennet on behalf of the Centerville Library for a one day wine and malt and entertainment licenses for the Boots and Books; Harvest Fundraiser. Event to take place inside and outside at the Centerville Public Library, 585 Main Street, Centerville on October 8, 2016 from 6:00 PM-9:00 PM. Entertainment to include a five piece and 5 performer band.

*Anita Bennet appeared and described the event. There are several TIPS certified individuals serving the alcohol; catered by Fancy's Market and Washashore bakery.*

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

4. **Application for a One Day Wine and Malt and Entertainment Licenses:** Application of Jeff Marcotte on behalf of Cape Cod Community College for a one day wine and malt and entertainment licenses for the Music Concert to be held at the Tilden Arts Center, 2240 Iyannough Rd., Hyannis. The event is to take place on October 22, 2016 from 4:00 PM – 10:00 PM. Entertainment is to include an amplified one piece with one performer.

*Paul McCormick and Jeff Marcotte appeared; Art Garfunkel is appearing.*

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

5. **Consent Agenda:** None at this time

## **Show Cause Hearings:**

**1. Continuation of Show Cause Hearing for Brito's Auto Sales:**

The Licensing Authority held a continued show cause hearing update, on April 11, 2016, July 18, 2016 and August 22, 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.

*Officer Therese Gallant reviewed the status to date, the plan has been filed it is a site plan review. The Brito's have done what was asked of them. Once the plan makes its way through site plan they will need to come back in to amend their license. Mr. Scali asked if they are able to maintain the 8/8plan.*

**A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to place on file pending site plan review.**

**2. Continuation of Show Cause Hearing for The Car Guys:** The Barnstable Licensing Authority will hold a Continued Show Cause Hearing from July 18, 2016 for The Car Guys, Inc. d.b.a. The Car Guys, 551 Yarmouth Road, Hyannis, MA, Ryan DeVincent, Mgr., for violations of M.G.L. c.140 §58 and the Town of Barnstable's Class I&II Regulations: parking vehicles on the licensed premise not in accordance with the floor plan approved by the Building Commissioner and the Licensing Authority.

*Officer Gallant reviewed the details. The plan has been approved. There is concern at the # of Handicap/Employee spaces. The employee spaces are not adequate. The plan must be amended and the applicant must reappear at a public hearing. Place this show cause on file and amend the application through public hearing. Ms. Hartsgrove clarified that the plan has been changed by adding vehicles, the employee # of spaces needs to be adjusted but the plan is fine as it stands.*

**The Authority voted to place a letter in the file, contingent upon you continuing to work with Officer Gallant and Regulatory Services towards an approved site plan, which addresses a designated handicap parking space for the public and an additional employee space, all of which will require a public hearing before the Licensing Authority prior to any amendments to activities, operations or parking layout on premise can occur.**

**3. Show Cause Hearing for Greenhouse Restaurant:** The Barnstable Police Department and Licensing Division have requested a Show Cause Hearing be called before the Licensing Authority for Mad Hatter, LLC, d/b/a Greenhouse Restaurant, Christopher Connolly, Manager, 1127 Route 132, Hyannis for the following violation of the Town of Barnstable, MA Code:

•**501-7 Section 7I:** Alcoholic beverages sales and laws: (1 count for the sale or delivery of an alcoholic beverage to a person under 21 years of age; July 14, 2016).

*Attorney John Kenney represents the licensee. Mr. Bornstein, owner, also appeared at the hearing. This was a long time employee. The bartender was suspended. Additional training was provided to all bartenders. Any future infraction will result in immediate termination. Request any suspension for November 6<sup>th</sup>.*

*Officer Gallant reviewed the details of the compliance checks.*

The following motions were voted 3-0 by the Licensing Authority:

- **FINDINGS:** To move that the Licensing Authority determine violation of Section § 501-7I of the Barnstable Licensing Authority Rules and Regulations was found;
- **VERDICT:** To move that the Licensing Authority find Greenhouse located at 1127 Route 132, Hyannis guilty in violating Section § 501-7I of the Barnstable Licensing Authority Rules and Regulations;
- **ACTION:** To move that the Licensing Authority suspend the Annual All Alcohol Innholder License for 5 days: of which you will serve a two day suspension on November 7 and 8, 2016 and have three day suspension held in abeyance for two years from date of this hearing.
- **ACTION:** To move that the Licensing Authority suspend the Annual All Alcohol Innholder License for 1 day, on November 9, 2016 in accordance with the November 16, 2015 action taken by the Licensing Authority.

4. **Show Cause Hearing for Saga Fusion:** The Barnstable Police Department and Licensing Division have requested a Show Cause Hearing be called before the Licensing Authority for Ling & K, Inc., d/b/a Saga Fusion, Hui Ling Chen, Manager, 1560 Old Post Road, Unit C, Marstons Mills for the following violation of the Town of Barnstable, MA Code:

•**Section § 501-7I:** Alcoholic Beverages Sales and Laws. (1 count – sale or delivery of an alcoholic beverage to a person under 21 years of age; July 9, 2016).

*Attorney Lawler is representing. His clients are very dismayed. The entire staff was in a meeting with Attorney Lawler. A new policy is in place to card everyone. They will be changing the manager of the restaurant.*

*Lt. Cabral reviewed the details of the compliance checks. Lt. Murphy has a concern that such a new business with violations for 2 years in a row. He suggested a 10 day suspension, 2 to serve and 8 to be held for 2 years; and the day from last year also to be served. Attorney Lawler stated that there is nothing in the Rules and Regulations in terms of length of service. He requested that the Board remain consistent with their sanctions. Mr. Scali agreed in terms of consistency. Mr. Hoxie suggested adding a year on to the previously held day.*

The following motions were voted 3-0 by the Licensing Authority:

- **FINDINGS:** To move that the Licensing Authority determine violation of Section § 501-7I of the Barnstable Licensing Authority Rules and Regulations was found (3-0);
- **VERDICT:** To move that the Licensing Authority find Saga Fusion located at 1560 Old Post Road, Unit C guilty in violating Section § 501-7I of the Barnstable Licensing Authority Rules and Regulations (3-0);
- **ACTION:** To move that the Licensing Authority suspend the Annual All Alcohol Common Victualler for 5 days: of which you will serve a two day suspension on November 7 and 8, 2016 and have three day suspension held in abeyance for two years from date of this hearing (2-1)
- **ACTION:** To move that the Licensing Authority suspend the Annual All Alcohol Common Victualler License for 1 day, on November 9, 2016 in accordance with the November 16, 2015 action taken by the Licensing Authority, and have one day suspension held in abeyance from September 19, 2018 to September 19, 2019 (3-0).

5. **Show Cause Hearing for Lambert's Rainbow Fruit:** The Barnstable Police Department and Licensing Division have requested a Show Cause Hearing be called before the Licensing Authority for ML Fruit & Produce, Inc., d/b/a Lambert's Rainbow Fruit, Matthew Lambert, Manager, 1000 West Main Street, Centerville for the following violation of the Town of Barnstable, MA Code:
- **Section § 501-7I:** Alcoholic Beverages Sales and Laws. (1 count – sale or delivery of an alcoholic beverage to a person under 21 years of age; July 14, 2016).

*Officer Gallant reviewed the details. Matthew Lambert stated that they ID everyone.*

The following motions were voted 3-0 by the Licensing Authority:

- **FINDINGS:** To move that the Licensing Authority determine violation of Section § 501-7I of the Barnstable Licensing Authority Rules and Regulations was found;
- **VERDICT:** To move that the Licensing Authority find Lambert's Rainbow Fruit located at 1000 W. Main Street, Centerville guilty in violating Section § 501-7I of the Barnstable Licensing Authority Rules and Regulations;
- **ACTION:** To move that the Licensing Authority suspend the Annual Wine & Malt Package Store License for 2 days: of which you will serve a one day suspension on October 27, 2016 and have one day suspension held in abeyance for one year from date of this hearing.

6. **Show Cause Hearing for Puff the Magic:** The Barnstable Police Department and Licensing Division have requested a Show Cause Hearing be called before the Licensing Authority for New Sedgewick, Inc., d/b/a Puff the Magic, James Spindler, Manager, 649 Main Street, Hyannis for the following violation of the Town of Barnstable, MA Code:

•**Section § 501-7I:** Alcoholic Beverages Sales and Laws. (1 count – sale or delivery of an alcoholic beverage to a person under 21 years of age; July 9, 2016).

*Officer Gallant reviewed the details. James Spindler appeared. He stated that he was horrified that this happened. His employee had an expired TIP certification and he was subsequently suspended.*

The following motions were voted 3-0 by the Licensing Authority:

- **FINDINGS:** To move that the Licensing Authority determine violation of Section § 501-7I of the Barnstable Licensing Authority Rules and Regulations was found;
- **VERDICT:** To move that the Licensing Authority find Puff the Magic located at 649 Main Street, Hyannis guilty in violating Section § 501-7I of the Barnstable Licensing Authority Rules and Regulations;\
- **ACTION:** To move that the Licensing Authority suspend the Annual All Alcohol General On Premise License for 2 days: of which you will serve a one day suspension on October 23, 2016 and have one day suspension held in abeyance for one year from date of this hearing.

7. **Show Cause Hearing for Tiki Port:** The Barnstable Police Department and Licensing Division have requested a Show Cause Hearing be called before the Licensing Authority for Pacific Bay, Inc., d/b/a Tiki Port Restaurant, Wai Fai Mah, Manager, 720 Route 132, Hyannis for the following violation of the Town of Barnstable, MA Code:

•**Section § 501-7I:** Alcoholic Beverages Sales and Laws. (1 count – sale or delivery of an alcoholic beverage to a person under 21 years of age; July 9, 2016).

*Officer Gallant reviewed the details. Nancy Wong and Wai Fai Mah appeared. The licensee did not dispute the findings.*

The following motions were voted 3-0 by the Licensing Authority:

- **FINDINGS:** To move that the Licensing Authority determine violation of Section § 501-7I of the Barnstable Licensing Authority Rules and Regulations was found;
- **VERDICT:** To move that the Licensing Authority find Tiki Port Restaurant located at 720 Route 132, Hyannis guilty in violating Section § 501-7I of the Barnstable Licensing Authority Rules and Regulations;

- **ACTION: To move that the Licensing Authority suspend the Annual All Alcohol Common Victualler License for 2 days: of which you will serve a one day suspension on October 24, 2016 and have one day suspension held in abeyance for one year from date of this hearing.**

8. **Show Cause Hearing for Fancy’s Market:** The Barnstable Police Department and Licensing Division have requested a Show Cause Hearing be called before the Licensing Authority for Osterville Market Partners, d/b/a Fancy’s Market, Jeffrey Lindsey, Manager, 699 Main Street, Osterville for the following violation of the Town of Barnstable, MA Code:

- Section § 501-7I:** Alcoholic Beverages Sales and Laws. (1 count – sale or delivery of an alcoholic beverage to a person under 21 years of age; July 14, 2016).

*Officer Gallant reviewed the police report details. Jeff Lindsey and his manager appeared. Mr. Lindsey stated that he takes this very seriously. The employee was terminated. We have been carding everyone. We have hired more mature clerks. Lt. Murphy stated that mistakes happen with all of these licensees.*

The following motions were voted 3-0 by the Licensing Authority:

- **FINDINGS: To move that the Licensing Authority determine violation of Section § 501-7I of the Barnstable Licensing Authority Rules and Regulations was found;**
- **VERDICT: To move that the Licensing Authority find Fancy’s Market located at 699 Main Street, Osterville guilty in violating Section § 501-7I of the Barnstable Licensing Authority Rules and Regulations;**
- **ACTION: To move that the Licensing Authority suspend the Annual All Alcohol Package Store License for 2 days: of which you will serve a one day suspension on October 24, 2016 and have one day suspension held in abeyance for one year from date of this hearing.**

9. **Show Cause Hearing for Old Village Store of West Barnstable:** The Barnstable Police Department and Licensing Division have requested a Show Cause Hearing be called before the Licensing Authority for Old Village Store of West Barnstable, LLC, d/b/a Old Village Store of West Barnstable, Daniel Devlin, Manager, 2455 Meetinghouse Way, W. Barnstable for the following violation of the Town of Barnstable, MA Code:

- Section § 501-7I:** Alcoholic Beverages Sales and Laws. (1 count – sale or delivery of an alcoholic beverage to a person under 21 years of age; July 14, 2016).

*Officer Gallant reviewed the police report details. Daniel Devlin appeared; owned the store for a year and half. There has been remedial training with the staff.*

The following motions were voted 3-0 by the Licensing Authority:

- **FINDINGS:** To move that the Licensing Authority determine violation of Section § 501-7I of the Barnstable Licensing Authority Rules and Regulations was found;
- **VERDICT:** To move that the Licensing Authority find Old Village Store of West Barnstable located at 2455 Meetinghouse Way, West Barnstable guilty in violating Section § 501-7I of the Barnstable Licensing Authority Rules and Regulations;
- **ACTION:** To move that the Licensing Authority suspend the Annual Wine & Malt Package Store License for 2 days: of which you will serve a one day suspension on October 24, 2016 and have one day suspension held in abeyance for one year from date of this hearing.

## **Public Hearings:**

1. **Town of Barnstable Rules and Regulations:** The Barnstable Licensing Authority will hold a public hearing in accordance with Chapter 138 and 140 of the General Laws, and Barnstable Town Code, to hear the merits of adopting proposed amendments to Part V of the Town Code: Licensing Rules and Regulations.

*Continued from August 22 hearing. Ms. Hartsgrove detailed all the changes and amendments being proposed. Ms. Hartsgrove and Tina Carey met for 2 hours. Revisions have been made to the Rules and Regulations. The public hearing has not been closed. Mr. Scali commented on all the work Ms. Hartsgrove has done on her spreadsheet. Section 502-1F, regarding TIPS certification; Managers and bartenders require TIPS and need to be re-certified every 3 years. Part –time employees only need internal training. Additionally, Package Store language has been clarified. Mr. Burman stated that employees being paid do not follow our purview. This is state law so it is required in all Rules and Regulations.*

**Public Comment: Tina Carey:** 501-1C – This should be 9 months and 15 days not 2 days; clarifies the seasonal description. 501-7- Is this an insurance liability issue? Lt. Murphy stated this is a public safety issue; the issue of “should” vs. “will” call the police. Ms. Carey stated this is common sense issue, Lt. Murphy disagreed. She thanked Ms. Hartsgrove for all of her hard work.

**Attorney David Lawler:** There is no discretion provided for the business owner in dealing with “unruly and intoxicated”. As this is written, this is very stringent and may be a recipe to cause problems.

**Attorney Steven Pizzuti:** Thanked Elizabeth Hartsgrove for paying attention to the Community. The procedure of having all boards/departments approves or signoff on an application prior to the Licensing Authority is too stringent. 509-4-B The requirement to pave/line if an amending a license should be for new licenses only. There is a possibility of a compromise for 50%.

Further discussion about the “call the police” issue was discussed. Attorney Pizzuti would like to see language added about the “reasonable discretion of the



manager if that person poses a risk to himself or others". Ms. Hartsgrove and Mr. Scali both reiterated that all licensees must comply with other boards prior to appearing before the Authority. Attorneys Pizzuti and Lawler both stated that this should be able to be done on a "contingent" basis.

The Board continued the hearing to October 17<sup>th</sup>.

2. **Application to Amend Annual Live Entertainment license and to Include Live Music on Upstairs Deck:** Application of Lobster Girl Lobster Boy, Inc. , d/b/a Raw Bar on Ocean Street, Elizabeth Westwater, Manager, 230 Ocean Street, Hyannis. Amend request is to include live music on the upstairs deck. Request is for 1 performer with 1piece. Hours of live music are Thursday-Sunday 5:00 PM to 8:00 PM.

*Attorney Gildea represented the licensee; they have been in business for 9 years. Original application had entertainment downstairs and inside. They would like 1 performer outside. There is a surrounding residential area and the applicant is aware; and would be willing to engage a sound engineer to help with sound concerns. An acoustical guitar with one speaker and a singer with a microphone is what are being requested. Mr. Semprini proposed another seating of the entertainer to help mitigate sound. Mr. Semprini offered a motion to approve with no amplification, sides enclosed, direct music towards the boats. Motion was withdrawn.*

**Public Comment:** Felicia Penn resides at 15 Daisy Bluff reviewed numerous details of complaints over the years and calls to the Police Department. She is opposed.

*Patricia Marshall, 45 Channel Point Road is adamantly opposed.*

*Martin Reilly represents the owners of the building; Hi-Line cruises. He stated that operating from 5:00-8:00 pm is not that onerous. Also, that the applicant is willing to work with the neighbors.*

*Mr. Hoxie asked why there were individuals playing this year and last year outside on the deck in violation of their license and the Police Department responded. Lt. Murphy suggested moving this application to a later date to gather all police reports.*

**\*\*\*\*Continued until November 14, 2016\*\*\*\***

3. **Amendment of an Annual Wine and Malt License to include Cordials and Liquors:** Application has been filed by Ocean Street Café and Deli Inc., Fredy Chavez manager, d/b/a Ocean Street Café and Deli located at 10 Ocean Street, Hyannis, for an amendment to the existing Annual Wine and Malt Common Victualler license to include Cordials and Liquors.

*Fredy Chavez appeared for this application which is to correct a previous omission.*

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

4. **Application for Change of Manager for an All Alcohol Common Victualler License:** Application of The Harbour Club Inc. d/b/a/ Trader Ed's, 11 Willow Street, Hyannis on their Seasonal All Alcohol Common Victualler License, for a Change of Manager from Wayne Kurker to Paul R. Gayewski.

*Attorney Pizzuti and Paul Gayewski appeared. Paul has worked at the location for 18 years.*

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

5. **Application to Transfer an Annual Wine and Malt Common Victualler and A New Non Live Entertainment Licenses:** Application has been filed to transfer the Annual Wine and Malt Common Victualler License and a New Non-Live Entertainment License from NXBP LLC d/b/a Pizza Wave, Nestor J Xhupi, mgr, 3864 Falmouth Rd., Cotuit to Cape Cod Pizza Wave Inc. d/b/a Pizza Wave, Stella Mesialides, mgr, 3864 Falmouth Rd., Cotuit.

Description of Premise: Part of a one story strip mall and consists of approximately 1500 sq. ft. with dining area seating of 42 and employees ranging from 7-9 all approved by the Building Commissioner on 8-16-16. Kitchen, prep area and 2 restrooms entrance/exit at front and rear of premises.

Hours of alcohol sales: 11am – 11 pm Daily.

Non-Live Entertainment to include: 2 televisions. Hours of entertainment 11:00 am -11:00 pm, daily.

*Attorney Pizzuti and Stella Mesialides appeared; same menu with a new owner.*

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

6. **Application for a New Annual All Alcohol Common Victualler License:** Application has been filed for a new All Alcohol Common Victualler License for Akira Sushi, Inc., d/b/a Akira Sushi, Emily M Clarindo-Faria, mgr., 575 Main Street, Hyannis.

Description of Premise: Single story restaurant consisting of two 24 +/- square foot restrooms. 56 +/- square foot cleaning room, 237 +/- square foot kitchen, 20+/- square foot storage room, approximately 1000 square feet restaurant and bar area with 48 interior and 16 exterior seats all approved by the Building Commissioner on 8-18-16.

Hours of alcohol sales: 11: 30 am – 10:30 pm Daily.

*Attorney Lawler and Emily Clarindo-Faria appeared on behalf of the application. This is strictly for dinner closing at 10:30 PM. She does have experience at the 99 serving alcohol. There is no bar. Alcohol will be served outside. Lt. Murphy asked if entertainment licenses will be applied for; no. At this time there is no separation for outdoor seating from the next door restaurant.*

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

7. **Application of an Alteration of Premises for an Annual All Alcohol Innholder License and Amended Auto Amusement Licenses:** Application of Hearth 'n Kettle of Hyannis Inc., d/b/a Cape Codder Resort, 1225 Iyannough Rd., Hyannis, William Catania, Manager, for an Alteration of Premises description to change the existing premises description to:

**Current Description:** Concrete block with Brick and Wood veneer building with one entrance/exit on Route 132& (3) entrances/exits on Bears's Way. 261 unit hotel containing 9 meeting rooms, one lounge, one restaurant. Basement has 5 meeting rooms; seating capacity totaling 718 as well as assorted office space. 1st floor has two restaurants (seating 125 & 215) 1 Lounge, seating 121 and 4 meeting rooms with a seating capacity totaling 1020.

**New Description:** Concrete block with Brick and Wood veneer building with one entrance/exit on Route 132 and one entrance on Bears's Way. 261 unit hotel containing 9 meeting rooms, lobby, one lounge, two restaurants, deck, outdoor pool, courtyard, indoor pool and waterpark with café, spa, fitness center and arcade. Basement has 5 meeting rooms, seating capacity totaling 634 as well as assorted office space. First floor has seating capacity totaling 1046; 2 restaurants (seating 82&279), one lounge seating 94, lobby, 5 meeting rooms with seating for 591. Outdoor pool seating 80, waterpark and café seating 258, courtyard, fitness center, guest rooms and arcade.

All changes have been approved by the Building Commissioner on 8/25/16.

Auto Amusement license amendments include an increase of 2 video games to 8 and the addition of 24 coin-op machines.

*Lou Massi appeared on behalf of this application. Mr. Catania appeared on behalf of the application. This hearing is to address the description and add the current water park. Mr. Scali asked about the water park and how you will monitor alcohol service. All alcohol is served at the café and not allowed outside the café. No beverages and food are allowed near the water. Seven days a week. Still working on the hours of operation. Locals can use the hotel.*

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

**Licensing Division Updates:**

1. **Licensing Department updates:** Plastic bag ordinance goes in effect October 3<sup>rd</sup>. Renewals are coming!
2. **Police Department updates:** None at this time

**Executive Session:** Litigation Strategy and updates for ABCC Appeals:

1. New England Clambake Inc., d/b/a Wimpy's, 752 Main Street, Osterville, MA. 02655
2. Venditti Enterprises Inc., d/b/a Mattakeese Wharf, 271 Millway, Barnstable, MA. 02360
3. Tap City Grille LLC, d/b/a Tap City Grille, 586 Main Street, Hyannis, Ma 02601

Release of Executive Session Minutes, if any (0). And any other new business to come before the Licensing Authority.

**The meeting was adjourned at 12:30**

**Respectfully submitted,**

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

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

- **Matters not reasonably anticipated by the Chair**

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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

