

HOPKINTON TOWN COUNCIL MEETING WITH TOWN COUNCIL SITTING AS A
LICENSING BOARD - **September 30, 2019**

BUSINESS AGENDA

Town Hall, 1 Town House Road, Hopkinton, RI 02833

6:30 P.M. Call to Order – Moment of silent meditation and a salute to the Flag.

MOTION TO SIT AS A LICENSING BOARD

SHOW CAUSE HEARING - ABK, LLC d/b/a Boneyard BBQ and Saloon

Introductory remarks by Town Solicitor regarding the nature of the proceeding being brought before the Town Council sitting as a Licensing Board, and the quasi-adjudicative role of the Licensing Board presiding over the show cause evidentiary hearing that has been initiated at the request of the Hopkinton Police Department (HPD).

At the conclusion of these remarks, the Licensing Board will open a show cause evidentiary hearing regarding the possible suspension and/or revocation for cause of the following Class BV Liquor License pursuant to RIGL sections 3-5-21(a) and 3-5-23(b):

ABK , LLC, d/b/a Boneyard BBQ and Saloon, 15 Frontier Road, Ashaway, RI 02804 (hereinafter referred to as “Licensee”), and/or will take up and address any other related issues that may be brought by the parties or their attorneys.

The Licensee was notified in writing of the date, time and place of this hearing, as well as the nature of the hearing and of its rights to attend, participate and to present evidence. The evidentiary hearing is expected to address numerous HPD contacts, responses, and/or investigations involving this Licensee and its operation of its business for the period between April 18, 2018 through August 23, 2019, including but not limited to events surrounding the fatal accident that occurred on the Licensee’s premises on or about August 16, 2019. Witnesses are expected to be called to testify under oath and will be subject to cross-examination, and other evidence is expected to be offered into evidence.

N.B. Due to the quasi-judicial nature of this proceeding, there will be no opportunity for members of the public to comment or otherwise participate in this proceeding.

Respondent and/or representative should be present and the hearing will commence before the Town Council sitting as a Licensing Board and thereafter hear evidence from HPD and the Licensee and legal argument from the parties or their respective attorneys regarding disposition of the matter, including but not limited to any recommendation(s) for disposition made on behalf of HPD.

Following completion of the presentation and argument by the parties, or at any other time it may deem appropriate, the Town Council

sitting as a Licensing Board may, at its option through a motion duly made, seconded, and approved, retire into Executive Session for deliberations as allowed by RIGL secs. 42-46-5(a)(2) and (4).

Thereafter, the Town Council sitting as a Licensing Board will begin deliberations, and as applicable thereafter resume the hearing in public session after considering motion and vote to seal the minutes of the Executive Session deliberations.

Decision: Discuss and consider voting whether or not there has been sufficient evidence shown at the hearing to establish probable cause to find that the Licensee has violated the terms and conditions of its Class BV Liquor License under RIGL sec. 3-5-21(a)(1)-(5) and 3-5-23(b) during the time frame specified. Should such good cause be found by the Hopkinton Town Council sitting as a Licensing Board supporting such violation(s) based upon the evidence adduced at the hearing, then it will make its decision by motion and vote and as applicable, possibly discuss and consider voting to impose sanctions, including but not limited to a possible suspension and/or revocation of the Class BV Liquor License held by the Licensee.

**MOTION TO ADJOURN AS LICENSING BOARD AND
RECONVENE AS COUNCIL**

ADJOURN

If communication assistance (readers/interpreters/captions) is needed or any other accommodation to ensure equal participation by any person, please contact the Town Clerk's Office at 377-7777 (V) or 377-7773 (TDD) at least two (2) business days prior to the meeting.

Posting Details: Town Hall, Police Station, Hopkinton Website, Secretary of State Website. Posting date: September 26, 2019