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CLERK OF THE BOARD

MEETING MINUTES

A meeting of the Salem Licensing Board was held on Monday, October 13, 2015 at 6:45 p.m., at City Hall, 93 Washington Street in the Council Chambers. In attendance: Members Rick Lee and Paul Flores, Special Investigator Sgt. Dennis Gaudet and Clerk of the Board, Melissa Pagliaro.

1. Application for Street Performers Licenses. Applicants: Paul Beausoleil, Carolyn Brancato, Shyanne Smith Lizotte, Melissa Cote, Nick Demakes, and Donald Warner.

All of the applicants except for 3 that were not present, Michael Bastian, Gregory Lagasse and Dianne Mercier were approved. Rick Lee reviewed all of the rules and regulations and said that if they are asked to move about they must move when a city official or policer ask them to do so. Sgt. Gaudet spoke about the noise level. All applicants said they read the rules and regulations and signed them. Mr. Flores motioned to approve. Mr. Lee seconded. Motion carries.

2. Application for a Pledge of the Liquor License. Applicant: Hawthorne Hotel and Salem Hospitality (PEM) to DCU Credit Union. Present: Attorney Christina Mihos.

Attorney Mihos said they are requesting a Pledge of the two Liquor Licenses at the Banks request for collateral. Mr. Flores motioned to approve. Mr. Lee seconded. Motion carries.

3. Applications for a One Day Liquor License on 10/23/2015 at Hamilton Hall for an event from 6-11pm. Applicant: Robin Perry. Mr. Flores motioned to approve. Mr. Lee seconded. Motion carries.
4. Applications for a One Day Liquor License on 11/14 at 211 Bridge Street from 2-5pm for an opening and a ribbon cutting ceremony. Applicant: The Bridge at 211. Present: Susan Fletcher, Board of Directors. Rick Lee asked who was serving and Susan said that the people that are serving are all TIPS certified. Mr. Flores motioned to approve. Mr. Lee seconded. Motion carries.
5. Application for a One Day Liquor License on 11/7/15 at the House of the Seven Gables from 4-10pm. Present: Deb Costa.
6. Applications for an Individual Fortuneteller's License. Applicant: Desiree Olsen, 1 Cypress Street.

Desiree said she wanted the license to do Tarot readings from home. Mr. Flores motioned to approve pending CORI results. Mr. Lee seconded. Motion carries.

7. Application for 4 (four) sub licensee Fortunetelling Licenses at Aneolica's of the Angels on Essex Street. Applicants: Cassandra O'Donnell, Sharon Graham, Mary Ellen Oliver and Ellen Sirois.

Mr. Flores motioned to approve pending CORI results. Mr. Lee seconded. Motion carries.

8. Application for a Common Victuallers License. Applicant: Jimmy Johns, 135 Lafayette Street. Present: Matthew Dodd.

Mr. Flores asked what the hours would be. Matthew said that they would like to open from 11am – 10 pm 7 days a week. Mr. Flores motioned to approve. Mr. Lee seconded. Motion carries.

9. Hearing continued from In a Pig's Eye, Derby Street. Present: Jen Reardon, owner, Attorney Reed Cutting and proposed manager James Gaddis.

Atty. Cutting said he spoke with City Solicitor Rennard and said they should propose to the Board tonight that maybe they get amplification back tonight on a trial basis, maybe 3 nights a week. He said that if that could happen the management would make sure there was someone patrolling outside the establishment. Mr. Gaddis said that they have done a few things to help with noise control. He produced photos for the files. He showed insulated sound boards for the walls, he showed dual insulating curtains and he showed picture so f sound panels on the ceiling above the stage. He said he expects that to make a huge difference. Mr. Flores asked them if they had a decibel reader. Mr. Gaddis said he has an app on his phone. Mr. Flores suggested they invest in a professional meter. Sgt. Gaudet said he would also go by and measure the levels with the new meters the Police have just received. Mr. Gaddis said they do have a letter from some neighbors supporting restoring the music. Mr. Lee said that there were a lot of people here tonight for this matter and he was going to let a few of them speak.

Steve Caster, lives on Highland Ave.

Steve said that he is a patron there and that living on Highland Ave he expects to hear traffic and ambulances and school buses. He said he is confused as to how neighbors complain when they know they live next to a restaurant. He said he does not personally know Mr. White but in 15 years of being a patron, he has seen Mr. White go after tourist and chase them away from the business. He said Mr. White's neighbors that live above him don't complain, that Mr. White id the complainer.

Ben Winthrop, lives at 3 Essex Street.

Ben said that the Pig's Eye is not just a bar that it is an institution.

He said he recommend that the City of Salem buy the soundproofing for the establishment.

James Lastic, lives at 32 Barr Street.

He said that he is a patron and that he has been assisting them in organizing visual art shows. HE said he would ask the Board to consider the importance of creative arts in Salem including music. He said the residents need a place like this.

Micha Casey, lives at 8 Northend Ave.

He said he is new to Salem and the Pig was the first place to really make him feel welcome and accepted. He said he loves the place.

Gardner Trask, He said he is a Danvers Ma Selectman for the last 10 years and a patron of the Pig. He said he has had to make the decisions this Board makes. He said this is a great place for new musicians. He said there is usually nothing more than a couple of small speakers in this establishment. He said if you live near and airport you are going to hear planes. He also asked the Board to consider if the complaints are reasonable.

Mr. White resides next to the establishment at 16 Daniels Street Apt#2. He said that since the Board restricted the license that they have played after the allowed time. He said they have not followed any of the instructions given by this Board to restrict their entertainment license. He said no one is considering that this is near a historic building, the maritime and that all that happens outside the bar is public urination, smoking, yelling sex and drugs. He said the manager is out there begging patrons to go back in side and that he can't control his own crowd. He said the band don't pack and leave until 1:30 or 2 a.m. He said these are the same complaints back from 1988 when their license was restricted. He said this establishment refuses to follow any order from this Board.

Steve Pallato, owner of 16 Daniels Street.

Steve said that he cannot keep a long term tenant in the house because of the noise. He said he has owned the property for 30 years. He said this establishment has no consideration for its neighbors. He said their building is not designed to handle the music they are putting in there. He said the neighborhood needs some consideration. He said it is not just Mr. White complaining. He said he has had many tenants move out. He said the Pig's attitude is to go on doing what they want and beg for forgiveness later.

Liz Cronin, lives at 26 Daniels Street.

Liz said that she has lived there 10 years and the last 6 months has been the worse. She said from what Mr. Gaddis says it sound like he is making an effort. She said they have a right to do business but neighbors have a right to peace and enjoyment too.

Councilor Legault said that these issues at this establishment have been going on for a long time. He said the Board has dealt with many establishments with similar issues. He said that the businesses and neighbors have to find a way to work together. He said of course music helps a business's profit, especially smaller venues. He said they have got to work with the neighborhood. He said he encourages them to do so.

Mr. Lee said the public discussion is closed and he would like to take a five minute break.

Mr. Lee asked Sgt. Gaudet since the last meeting when the Entertainment License was restricted how many complaints the police have received. Sgt. Gaudet said since the last meeting there have been zero police calls. Mr. Lee referenced the similar problem at Murphy's and suggested Jen Reardon reach out to Peter Kelly about closing time procedures an staff. Rick Lee said that although they have done some last minute things he is still not happy with management. He said that he would accept motion to allow back the jazz on Fridays from 4-7 and amplified entertainment until midnight, and amplified music on Saturdays until midnight and see how some of the sound proofing works. He said on behalf of the residents he understands that they cannot tolerate theses disturbances. He said the Pig's Eye needs guidance on how to better resolving these issues. He said that is the establishment's responsibility. Paul Flores made Rick Lee's suggestions in the form of a motion until the November 9th meeting and said the Board will reevaluate the situation then. Paul Flores asked who would be managing the establishment from 5pm until closing. Jim Gaddis said he would be. Rick lee told him that he better be there. Mr. Flores motioned to approve. Mr. Lee seconded. Motion carries.

10. Approval of Meeting Minutes from September 28, 2015.

Mr. Flores motioned to approve. Mr. Lee seconded. Motion carries.

11. Adjournment.

Melissa Pagliaro
Clerk of the Board

Know your rights under the Open Meeting Law M.G.L. c. 30A and City Ordinance Sections 2-2028 and through 2-2033.