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### **MEETING MINUTES**

A meeting of the Salem Licensing Board was held on Monday, March 25, 2019 at 6:00 p.m., at City Hall Annex, 98 Washington Street in the first-floor meeting room. Present were: Chairman Bob St. Pierre member Paul Flores, Clerk of the Board, Melissa Pagliaro, Special Investigator, Sgt. Doyle. Absent was member Deb Greel.

**1. Application for two Street Performers Licenses. Applicants: Will Pasquina and Paul Beausoleil.**

Mr. Beausoleil was present. Mr. Pasquina was not. Mr. Beausoleil said he would like a license to play guitar with a small amplifier that will be no louder than 65 decibels. Sgt. Doyle said although allowed in certain areas there is always a concern with amplifiers. Mr. St. Pierre said the Board will allow and address complaints if there are any. Mr. Flores said if there are complaints he will have to come back before the Board. Mr. Beausoleil said he plays mellow and tranquil music. Mr. Flores motioned to approve. Mr. St. Pierre seconded. Motion carries.

**2. Application for a One Day Liquor License at The Salem Common on July 11, 2019 for 500 people for the Witches Cup Bike Race from 5:30-10:00 p.m. Applicant: Salem Cycle, Inc.**

Dan Shuman presented the application. Mr. St. Pierre asked why there was no race last year. Mr. Shuman said that there were a couple of issues with traffic and timing and road construction. Dan said this will be the 11<sup>th</sup> year and everything but the date will remain the same. Mr. St. Pierre asked about the police details. Dan said there will be two for the beer tent and there are normally about 15 other officers for the race. He said for the beer tent they will use TIPS certified servers and a bracelet and ticket system. Mr. Flores motioned to approve. Mr. St. Pierre seconded. Motion carries.

**3. Application for a One Day Liquor License at Old Town Hall, Derby Sq. on May 3, 2019 for 100 people for the Annual Meeting from 5:30-7:30. Applicant: Historic Salem, Inc.**

Jessica Hebert presented the application. She said this is for their Annual Meeting. Ms. Pagliaro said all of the paperwork is in order. Mr. Flores motioned to approve. Mr. St. Pierre seconded. Motion carries.

**4. Application for (4) four One Day Liquor Licenses. Applicant: NS Bartending, George McCabe.**

March 28 – Salem Partnership Annual Meeting for 70 people from 5-9pm at ROOT North Shore, Shetland Park, Congress St.

March 29 – Salem Film Fest Opening Reception for 75 people from 5-9pm at 211 Bridge St.

May 5 – Salem Park & Rec. Com. for the Annual Kentucky Derby for 75 people from 4-8pm at Salem Willows Park Gazebo (rain venue is Winter Island Function Hall).

May 9 – Salem Education Foundation Spelling Bee for 150 people from 6-10pm at Ames Hall, Salem YMCA, Sewall St.

Goeroge McCabe presented the application as listed above. Ms. Pagliaro said that all the paperwork is in order. Mr. Flores motioned to approve. Mr. St. Pierre seconded. Motion carries.

**5. Application to amend an Entertainment License by changing of hours. Applicant: Hotel Salem, Essex St.**

Present from the Hotel were Ellen Blood, Mike Millea and Attorney Joe Correnti. Ms. Blood said that somewhere along the line communication failed. She said that initially they were here with Rich Cooper and came back after that to expand on license. She said they have called 24 Restaurants in the surrounding area to see about their entertainment. She said they came back to the Board with a very detailed description of what they were seeking. She said she thought the concern was originally about live entertainment on the roof top. She said right now they are allowed a radio from 7-9 pm and live acoustic entertainment on Saturdays. She said they are opening on June 19 and wants to clear all of this up before then. She said they really want to be a good neighbor but that their business needs to survive too. She said it will be difficult to do with only being allowed radio from 7-9pm. She said that last year they spent over \$100,000 on security. Mr. St. Pierre asked if there was anyone in the public who would like to speak on this matter. Jeremy Jones from 4 Central St said that he has lived there for almost 14 years. He said that the rooftop is about 30-40 feet from his home's windows. He said he works three jobs during the week and his daughter has to get up for school. He said it is very difficult to sleep with the music. He said he has called police several times. He said he cannot go through another season with the noise associated with this rooftop business. He said that their entertainment license says the speakers should face into the space. He said not a single one of them do. He said they all face out. Mr. St. Pierre and Mr. Flores said that needs to be remedied and that could be a problem. Mr. Jones said he is not trying to ruin their business but he has lived there for 14 years and this is impacting his quality of life. He said weekends are one thing but he can't do it all week long. Mr. St. Pierre said hopefully it will be a better start this season. Sgt. Doyle said he has a folder with calls and issues starting right after the roof top opened last June 13. He said there were call regarding music, some after 10:30 pm. He did say that at that time there was a different manager at the Hotel by the name of Jessica. Sgt. Doyle said at the time she did acknowledged the music should have been off at 9pm. Ms. Blood said she has her security staff set alarms for ten minutes of 9 so they would know to go up and have music turned off. Sgt. Doyle said he believes that security called roof top to let them know the police were present. Ms. Blood said that was never intended. Mr. Jones said it was at those points that the music would stop. He said there is still an issue with the large amount of people up there drinking and talking and glasses and dishes clanking. Sgt. Doyle said there was an issue at another establishment regarding that and they had to reschedule their cleaning times to help remediate the problem. Mr. St. Pierre said hopefully we can all work together. Mr. Jones said that the speakers that were to be turned in have been facing his windows and nothing been done. Attorney Correnti said that he would contest that decibel levels used for street level performers were meant for establishments with entertainment. Mr. St. Pierre said the first thing they need to do is get the speakers facing the way they are supposed to be. Mr. Jones said he has the minutes from the initial application when the Hotel came before the Board. He said initially they were only using the roof top for pre-functions and then people would be moved inside downstairs. Attorney Correnti said they built the rooftop with a full kitchen to serve as any other restaurant does. Mr. Jones said they also said their number one business was a hotel and didn't want anything to disrupt their own guests. He said if this continues, he or his

daughter will never be able to get any sleep. Attorney Correnti said that they are not trying to be a nuisance but they cannot shut down in the middle of the summer. Mr. Jones said he will challenge it in court if there is no resolution. He said that it is not fair that he should need to move. He said his work and his daughters' grades are suffering. Ms. Blood said she would speak to sound people about moving the speakers in and lower. Ms. Blood asked about certain holidays that fall on a Monday when most people would be off of work or school. Mr. Flores motioned to approve piped in radio from Sunday to Thursday from 10am-10pm, Friday and Saturday from 10am-12am with all speakers to be facing into rooftop deck, on Saturdays only: acoustic only, live music up to 2 (two) pieces from 7-9pm.

**6. Application for a Change of Manager. Applicant: Lafayette Club, Broadway.**

Robert Scribner presented the application as the new proposed manager of the Club. Ms. Pagliaro said that all of the paperwork is in order. Mr. Flores motioned to approve. Mr. St. Pierre seconded. Motion carries.

**7. Application for a Change of Officers /Directors for a Common Victualler License. Applicant: Boston Hot Dog Co., Washington St.**

Ms. Pagliaro presented the application and said this was just an administrative change in the President of the company and that everything else is staying the same. Ms. Pagliaro said that all of the required paperwork has been submitted. Mr. Flores motioned to approve. Mr. St. Pierre seconded. Motion carries.

8. Old/New Business: NONE

9. Approval of Meeting Minutes from March 11, 2019. Mr. Flores motioned to approve. Mr. St. Pierre seconded. Motion carries.

10. Adjournment: Mr. Flores motioned to approve. Mr. St. Pierre seconded. Motion carries.

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**