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GARY M. BARRETT, CHAIRMAN
GARY F. SANTO, JR.
DEBORAH A. GREEL

SGT. MIKE BALL, SPEC. INV.

MELISSA MOJICA,
CLERK OF THE BOARD

LICENSING BOARD MEETING MINUTES – DRAFT

A meeting of the Licensing Board was held on May 8, 2023 at 6:00 p.m. In attendance were Chairman Gary Barrett and members Deborah Greel and Gary Santo, Melissa Mojica, Clerk of the Board, Special Investigator, Sgt. Mike Ball and City Solicitor, Elizabeth Rennard.

1. Application for a One Day Liquor License at Salem State University on June 10, 2023 from 6-9pm for 400 people for an Alumni Food Truck Party. Applicant: Brenna Ruchala.

Ms. Ruchala said that this is an alumni event and there will be three beer vendors there for it. Mr. Barrett asked if all of the paperwork was in order. Ms. Rennard said that it was. Mr. Santo motioned to approve. Ms. Greel seconded. Mr. Barrett said the motion carries. Roll call vote 3-0.

2. Application for One Day Liquor License at Salem State University on May 16, 2023 from 2-5pm for 200 people for Salem State Alumni Week. Applicant: Tapped Beer Truck. **Application withdrawn.**

3. Application for a One Day liquor License at Old Town Hall on June 8, 2023 from 5-8pm for 70 people for a reception. Applicant: Nicole McClain, Northshore Juneteenth Association. **No one was present for the application.**

4. Application for a One Day Liquor License at the Athenaeum, 337 Essex St. on June 3rd, 2023 from 3-8pm for the Garden Party Fundraiser. Applicant: Ferreira Foods Catering. **Application withdrawn.**

5. Application for a One Day Liquor License at the Forest River Park Function Room on June 11, 2023 from 2-6pm for 40-50 people for a Private Party. Applicant: Sarah Gaddipati. **HOLD**

6. Application for a One Day Liquor License at Forest River Park Function Room on June 10, 2023 from 12-6pm for 40-50 people for a Private Party. Applicant: William Mallette. **HOLD**

7. Application for a One Day Liquor License at Salem YMCA, Sewall St. on May 20, 2023 from 6-11pm for 200 people for a Fundraiser Gala. Applicant: North Shore Bartending.

Mr. McCabe presented the application. He said that this was for the annual gala held at the YMCA and that all the paperwork was submitted. Ms. Greel motioned to approve and waive the fee for the non-profit event. Mr. Santo seconded. Mr. Barrett said the motion carries. Roll call vote 3-0.

8. Application for renewal of Store Fortune telling license and two sub licensee Fortune telling licenses for Hermetic Arts, Essex St. Applicants: Charlotte Michaels and Jessica Langberg.

David Newman and Maria Carles, owners, presented the applications and said it would be for the Store renewal, Maria and Jessica and that Charlotte no longer works for them. Mr. Santo motioned to approve. Ms. Greel seconded. Mr. Barrett said the motion carries. Roll call vote 3-0.

9. Application for a sub licensee fortune teller at Ascend, 192 Essex St. Applicant: Elizabeth Simmons. **No one was present for the application.**

10. Applications for two new sublicensees and three sublicensees fortune telling renewals at OMEN, 184 Essex St. Applicants: New: Elizabeth Kereakoglow, Lorene DiTroia and Renewals: Sue Gleason, Robert Brill and Angela DiFazio.

Mr. Barrett asked if all of the paperwork was in order. Ms. Mojica said that it was. Ms. Greel motioned to approve. Mr. Santo seconded. Mr. Barrett said that the motion carries. Roll call vote 3-0.

11. Applications for three sublicensees fortune telling renewals at HEX, 246 Essex St. Applicants: Virginia Barnes-Duke, Kathleen Exar and Angelique Griffin.

Mr. Santo motioned to approve. Ms. Greel seconded. Mr. Barrett said that the motion carries. Roll call vote 3-0.

12. Application for three blanket licenses: 1st for Salem Arts Festival from June 2-4, 2023 Friday 5-9:30pm, Saturday and Sunday 8am-8pm in Derby Sq, Artist Row Front St and Front St. lot and Essex to Washington St and Hawthorne Blvd. for vendors and entertainment. 2nd for Spring Shopping Spree on May 13, 2023 (rain date May 14) Out front of shops sidewalk sale on Central, Liberty, Church, Front St and Essex between North and Union St. and Washington St., Front St. and Church St. and 3rd for Annual Salem Farmer's Market in Derby Square from noon-8pm from June 8 through October 12, 2023 and a One Day Liquor License with East Regiment Beer Co and Rumson's for the Opening Night at Old Town Hall, Derby Square on June 2nd from 5-9pm for people. Applicant: Salem Arts Festival with Salem Main Streets.

Ms. Sullivan said the Farmer's Market will be run as it has been the past several years and has been very successful. She said they may or may not need the One Day License for Old Town Hall but wanted to have the approval in case they move forward with the alcohol piece of it. She said she will contact the police for details once this Board approves the event. She said that Far From the Tree and 1634 Meadery will submit their separate applications for the Farmers Market. She said finally that all the stores will follow the regulations that have already been set by this Board as far as space and will comply with all ADA regulations.

Ms. Greel motioned to approve all three events and the application for a One Day Liquor License. Mr. Santo seconded. Mr. Barrett said that the motion carries. Roll call vote 3-0.

13. Application for a One Day Liquor License for the duration of the Farmer's Market. Applicants 1634 Meadery/Dan Clapp and Far From the Tree.

Mr. Santo motioned to approve from June through October 2023. Ms. Greel seconded. Mr. Barrett said that the motion carries. Roll call vote 3-0.

14. Application for a new All Alcohol License at 57 Loring Ave. Applicant: Jaho Loring d/b/a Jaho Coffee Roasters & Wine Bar.

Ms. Rennard said at the last meeting Jaho was granted one of the licenses the city puts out an RFP for. Attorney Miller and owner Anil presented the application. Attorney Miller said this is a European style coffee shop like the others. He said this location has been open since January. He said Mr. Mezini has not had any issues or violations at any of his other shops and that he is an experienced owner. Ms. Greel said she recently stopped by and it is a beautiful space.

Ms. Greel motioned to approve. Mr. Santo seconded. Mr. Barrett said that the motion carries. Roll call vote 3-0.

15. Application for Change of Officers and Directors. Applicant: 99 Restaurant 15 Bridge St.

Ms. Mojica said that ABCC approves these corporate changes as a mass application each year and that the Local Boards just need to approve it and send it in. Libby Pisano was present for the application and said it is exactly as Ms. Mojica stated.

Mr. Santo motioned to approve. Ms. Greel seconded. Mr. Barrett said the motion carries. Roll call vote 3-0.

16. Hearing with La Delicia, 75 Congress St. regarding their entertainment and discussion regarding seasonal liquor license.

Miliciades Pichardo, owner was present and Glenn Foster who works for him, Interpreter (Isabella), and Officer Nguyen. Ms. Rennard said this is a Hearing relative to a complaint by Salem Police which occurred on October 31, 2022. Ms. Rennard swore in Mr. Picardo and Officer Nguyen. Ms. Rennard asked how long the officer has been in the Department. Officer Nguyen said for four years. Ms. Rennard asked if he was working the night of this report. Officer Nguyen said he was on the 12am-8am shift. Ms. Rennard asked if there was a reason to go to La Delicia on Congress St. and what happened. Officer Nguyen said that it was closer to 1am and he and his partner were driving toward the establishment and could hear very loud music from that distance and once in front the facility was full of patrons. Ms. Rennard asked if he was able to speak to a manager. Officer Nguyen said his partner, which is familiar with the establishment, spoke to someone, but he did not. Ms. Rennard asked if he was able to see the actual entertainment license. Officer Nguyen said he did not.

Ms. Rennard read the police report into the record (on file) which she said had been given to the owner. She noted the license is only for television and radio and that the report says there were very large speakers attached to the TV. She confirmed that with the officer. Officer Nguyen said there was some back and forth with the person at the restaurant and his partner about the loud music and speakers being attached to the TV and playing music from some music streaming channel. He said the establishment finally shut off the music and because of the time agreed to start clearing the patrons out. Ms. Rennard asked Mr. Barrett if there were any questions for the Officer. Mr. Barrett asked him the address. Officer Nguyen said he believes it is 73 Congress St. Ms. Rennard asked though the interpreter if Mr. Pichardo had any questions or comments or reactions to the testimony so far. Through the interpreter, Mr. Pichardo said that he thinks the Officer is mistaken and that they did have the entertainment license and they did not have live music or instruments and that they were using the TV. Ms. Rennard said the report says speakers were attached to the TV. Through the interpreter, Mr. Pichardo said maybe he remembers at some point seeing one speaker at the establishment but he wasn't there that night.

Ms. Greel said she still does not understand why it has taken six months for this Hearing to happen and to address this issue. Through interpreter, Mr. Pichardo said it was the City issues that cancelled the meeting and he is here now to resolve. Mr. Barrett asked if there was a manager there that night and why they weren't here tonight. Through the interpreter, Mr. Pichardo said police spoke to the manager, Belkis Rivera that night. Mr. Barrett asked why she was not present tonight. Through the interpreter Mr. Pichardo said that his security guy was also there that night and is on the call. He said he spoke to the manager earlier today to remind her of the meeting and he doesn't know why she isn't on the call.

Ms. Rennard swore Mr. Foster in and asked if he was there that night and he said he was. Mr. Barrett asked if there were speakers or a speaker attached to the TV. Mr. Foster said they had two speakers attached to the TV and that someone there was controlling an amplifier, the music and volume through the speakers from a laptop. He said as PD was arriving, he was in the process of speaking to that person because he knew the music was loud and was instructing them to turn it down and then the police appeared. Ms. Mojica noted to the Board that the only licensed manager on this license is Mr. Pichardo. Ms. Rennard said that if there were no other questions at this point, the Board would hear recommendations from the Solicitor and the Police. Through the interpreter, Mr. Pichardo said he did not have any other questions and will take whatever the Board recommends and he would like to thank everyone and move forward to resolve this.

Sgt. Ball said this has not been the first issue there and they have been before the Board multiple times. He said there are multiple complaints about noise with this establishment. He said he also doesn't understand why it has taken six months to hear this matter. He said he thinks that the neighbors need to be considered here. Through the interpreter, Mr. Pichardo agreed with Sgt. Ball and said since that last incident no music at all has been played and they have barely even turned on the TV. He said he knows the meeting was not only postponed by us. Ms. Greel said it needs to be said very specifically that speakers are not allowed to be attached to the TV. She said she would like the record to reflect that the delays in this Hearing were not on the part of the City or Board. She said she believes we had to postpone one meeting because we didn't have an interpreter. She said the Entertainment license should only continue for now on a trial.

Through the interpreter, Mr. Pichardo said the speakers will be removed and perhaps the Board can reconsider in the future. Mr. Santo said it sounds like this is an amplification issue and removing the speakers resolves the issue. Mr. Barrett said that he agrees with Ms. Greel and that the issue is to be resolved with the licensee. He said this establishment has been before the Board previously for entertainment and liquor issues. He said it is fair to continue the Entertainment license only on a trial period for maybe 4-6 months and see how it goes. Ms. Greel said at least four months to go through the summer and she is sure PD will be by. Mr. Santo said his concern is that it cannot take another six months to get them back before the Board if there is a problem. Ms. Greel said they should come back before the Board for the September meeting. Through the interpreter, Mr. Pichardo said he accepts a trial period and will instruct staff to remove the speakers today and will come back in September. He said that police officers are always welcome to come into the establishment.

Ms. Greel motioned for a trial period on the Entertainment license until the end of August, to remove the speakers and only allow TV and radio with nothing additional and all entertainment to end at 10 pm Sunday through Thursday and by 11pm on Friday and Saturdays. Mr. Santo seconded. Mr. Barrett said that the motion carries. Roll call vote 3-0.

17. Approval of Meeting minutes from March 13th & 27th, 2023. Mr. Santo motioned to approve. Ms. Greel seconded. Mr. Barrett said that the motion carries. Roll call vote 3-0.

18. Old/New Business/Adjournment:

New: Sgt. Ball said he had a complaint about noise from East Regiment Beer. He said he checked the records and there have been 14 of them over the last year so he will be going out to speak with them.

Adjournment: 7:12 pm. Ms. Greel motioned to approve. Mr. Santo seconded. Mr. Barrett said that the motion carries. Roll call vote 3-0.