



KIMBERLEY DRISCOLL  
MAYOR

CITY OF SALEM, MASSACHUSETTS  
**LICENSING BOARD**  
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ROBERT M. ST. PIERRE, CHAIRMAN  
PAUL FLORES  
RICHARD C. LEE

MELISSA PAGLIARO,  
CLERK OF THE BOARD

## MEETING MINUTES

A meeting of the Salem Licensing Board was held on Monday, September 28, 2015 at 6:45 p.m., at City Hall, 120 Washington Street in the third floor conference room. In attendance: Chairman Robert St. Pierre and members Rick Lee and Paul Flores, Special Investigator Det. Sgt. Dennis Gaudet and Clerk of the Board, Melissa Pagliaro.

1. Application for Street Performers Licenses. Applicants: Amber Newberry, Jon Waterman, Andrew Paulin, David Bowdre, Benjamin Hanson, Michael Hastings, John Febonio, Michael Humes, Jordyn Poole, Eli Brandt and David Kowalski.

All of the applicants except for 3 that were not present, John Febonio, Michal Humes and Andrew Paulin were approved. Claude Balls spoke with Sgt. Gaudet and at the end of the meeting his application was rescinded by the Board. Rick Lee reviewed all of the rules and regulations and 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 blanket license for Haunted Happening 2015 for various events. Applicant: Ellen Talkowsky, Special Events Coordinator, City of Salem.

Ellen said that she is requesting the same blanket license she has in the years past for several Haunted Happening 2015 events including, a cappella groups, The Gathering Fountain Stage, Fiesta food, games and carnival, children's events on the common, movies nights on the common Halloween night entertainment stages, etc. Mr. Flores motioned to approve. Mr. Lee seconded. Motion carries.

3. Applications for an Individual Fortuneteller's License. Applicant: Marcus Jackson, 100 Washington Street.
4. Mr. Flores motioned to approve pending CORI results. Mr. Lee seconded. Motion carries.
5. Applications for an Individual Fortuneteller's License. Applicant: Shana Ross, 21 Pickman Street #3
6. Mr. Flores motioned to approve pending CORI results. Mr. Lee seconded. Motion carries.
7. Applications for an Individual Fortuneteller's License. Applicant: Bradley Benedetti, 63 Federal Street #3L
8. Mr. Flores motioned to approve pending CORI results. Mr. Lee seconded. Motion carries.
9. Applications for an Individual Fortuneteller's License. Applicant: Mark Vann, 63 Federal Street #3L
10. Mr. Flores motioned to approve pending CORI results. Mr. Lee seconded. Motion carries.
11. Application for a Renewal of a Store Fortunetelling License at 2 Museum Place Mall. Applicant: A Sacred Place Wellness Center.
12. Mr. Flores motioned to approve. Mr. Lee seconded. Motion carries.

13. Application for a Common Victuallers License and Entertainment License. Applicant: Saint Moses, Inc. d/b/a Rizzo's Roast Beef & Pizza, 7 Paradise Road.

NO SHOW – Clerk has not heard from Applicant.

14. Discussion with Leslies Retreat regarding the transfer of their Liquor License.

Claire Chalifour, owner introduced Jackie Fields owner of Amazing Pizza to the Board. She said Jackie and her partner John Swenbeck will be buying the restaurant and leasing the property from her.

Chairman St. Pierre asked if things would stay the same. Jackie said that the bar and seating will stay the same and they just plan on painting it and cleaning it up. John said the menu may change a bit and brunch will be on the weekends. HE said the hours will be similar and they will be closed on Mondays. Chairman St. Pierre asked about Entertainment and Jackie said they would keep it the same and Claire added they have a lottery license as well and have a license for 1piece live and a television. Ms. Pagliaro asked about a Pledge of the License. Claire said there would be a Pledge. Mr. Lee asked Claire to keep Melissa posted through a monthly email on the progress of the transfer.

15. Discussion with Brisas del Caribe regarding the Status of their Liquor License.

Rosa Hernandez, owner and Adrian Arias were present. Ms. Pagliaro explained to the Board she has been in constant contact with their attorney and that she has an email explaining that OKEA at 293 Jefferson Ave is in the process of doing the Transfer paperwork for the annual wine & malt license and that they have a purchase and sale and should have that application with before the Board for the last meeting in October.

16. Hearing with In a Pig's Eye, Derby Street regarding complaints with the Entertainment License and discussion on a status of management.

Jen Reardon, owner and James Gaddis, proposed manager were present. Chairman St. Pierre said he was going to turn the meeting to Sgt. Gaudet to speak about what s been going on. He swore Sgt. Gaudet in. Sgt. Gaudet said that on 5 /26 there was a complaint regarding an unruly patron. Since then a letter of complaint about various issues was received by a neighbor. He said that the same activity has been going on such as drunken patrons outside, fights, large crowds gathering and smoking outside the door and parking issues. He said he did a call analysis from 1/26/15-9/28/15 and there were 33 calls with half of them substantiated. He said in some instances two officers are tied up going to the establishment. He said the bench is gone but that patrons are still congregating on one side of the building and that the staff does seem to move them along. Chairman asked if there were the names of any complainants. Sgt. Gaudet said some and they are attached to the reports. Chairman St. Pierre asked Jenn if she would like to speak. She said that she is in the process of trying to sell because of health issues she cannot do it anymore. She said she is trying to make sure everything is run as smooth as possible. She said it is a learning curve for Jim. She said he is trying to work with the neighborhood. She said she believes that it is one neighbor that calls and she has tried to work with him and he refuses to work with them. She said he slams the door in their face. She said they can address closing at night. She said they try to control loud patrons standing and smoking outside and that they tell them to keep it down. She said she cannot control the neighborhood parking problems though. Chairman St. Pierre said that there was remedies offered last time they were before the Board and it doesn't sound like much has happened. Jen said that is not true that they have really been trying and they will entertain any suggestions given by the Board. She said that this one person is being over zealous and they have tried to work with him. She said she realizes that the neighborhood is residential and business but that they have to meet somewhere in the middle. Jim said he cannot remember the last time police were there. He said after the last meeting he has worked really hard with one of the neighbors, Dana, to address concerns. He said that he and Dana have worked great together since May.



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Neighbor Bob White from 16 Daniels Street was sworn in by the Chairman. He said he has lived there for 20 years. He said it is so loud he cannot use his bedrooms and that he has tried to cooperate with the owners. HE said the sound just bounces off the glass and the brick and they have done nothing to soundproof. HE said people come out of there and urinate, he said there is loud, large crowds that gather and no one from inside supervises the patrons. Chairman St. Pierre said that this past May the proposed manager, James Gaddis said that he was going to make a lot of changes and nothing happened. Elizabeth Cronin lives at 26 Daniels Street and Chairman St. Pierre swore her in as well. She said that the noise is horrible. She said she supports the establishment but the noise is out of control. She said the noise is so loud that she has to sleep in the living room. She said neighbors have moved due to the noise. Chairman St. Pierre said that it seems to be the same complaints and there is no management and no supervising the patrons to move them along. Ms. Pagliaro said that the manager of record right now is still Jen Reardon and when Sgt. Gaudet went in to deliver the Hearing notice it was a different name he was given for who the manager is. Chairman St. Pierre said he thinks he is inclined to suspend the entertainment license for two weeks and speak with the City Solicitor and see what can be worked out. Mr. Lee said this is nothing new and that the Board has had complaints for years, but the problems are not being addressed. Mr. Flores said that 33 complaints since January are excessive and back in May changes were going to be made and were not. Jen Reardon said she has signed contracts with some of the bands. Jim Gaddis said he can solve these issues in 2 days' time. Chairman St. Pierre asked why he hadn't done it then. Mr. Lee said that it is a problem that sometimes two or three cruisers have to be sent to the establishment. HE said he doesn't buy the 2 day fix. Chairman said he would like to see a motion to have only acoustic music until the October 13<sup>th</sup> meeting and no drums until the Board gets a handle on this issue. Mr. Lee motioned to amend the Entertainment license to acoustic music only until October 13th and no drums can be used. Mr. Flores seconded. Motion carries.

17. Communications: NONE

18. Old/New Business: Sgt. Gaudet requested the Board call Arge's Liquor in for a Hearing regarding two incidents of serving to minors on 9/12 and 9/18. Mr. Lee motioned to call Arge's in for a Hearing in October. Mr. Flores seconded. Motion carries.

19. Approval of Meeting Minutes from September 14, 2015.

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

20. 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.