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CLERK OF THE BOARD

MEETING MINUTES

A meeting of the Salem Licensing Board was held on Monday, **September 12, 2016** at 6:45 p.m., at City Hall Annex, 93 Washington Street in the third floor meeting room. In attendance: Chairman Bob St. Pierre, Member Paul Flores, Clerk of the Board, Melissa Pagliaro and Special Investigator, Det. Sgt. Gaudet. Absent was: Member Rick Lee.

1. Application for various Street Performers Licenses. Applicants: Priscilla Davis, Brian Sims, Stella Rowley, Lili Mitchell, Gwendolyn McCormick, Daniel Turner, Mark Ferris, Derrick Silva, Alexis Mears, Mark Lind, Brandy Lilly, Wendy Leahy and Katelyn Beaudoin.

Not present were: Stella Rowley, Mark Ferris, Alexis Mears, Mark Lind, Brandy Lilly and Katelyn Beaudoin.

All other applicants said they had read and signed the rules & regulations. Mr. Flores said if they were asked to move by a member of the Board or the Police that they must comply. Mr. Flores motioned to approve. Chairman St. Pierre seconded. The motion carries.

2. Application for several One Day Liquor Licenses for various events. Salem Theater Co., before the show, during intermission and after the show on: 9/22, 10/8, 10/21, 10/22, 10/23, 11/7, 12/9 and 12/10/2016, Salem Cinema on 9/15 from 7-10 p.m. and House of Seven Gables on 9/25 from 1-4 p.m. Applicant: George McCabe, North Shore Bartending.

George McCabe was present and said that all the paperwork is in order with insurance certificates. HE said the only event that is a bit different that will require a detail officer is the event on 10/28. He said Salem Theater Co is a nonprofit and asked the fees for their events to be waived. Mr. Flores motioned to approve all of the applications and motioned to waive the fees for Salem Theatre because they are a Salem nonprofit. Chairman St. Pierre seconded. The motion carries.

3. Application for several One Day Liquor Licenses on October 15, November 5, November 12, November 13, November 19 and December 10, 2016. Applicant: Hamilton Hall, Chestnut Street, Robin Perry.

Robin presented the application. She said that all the paperwork with payment and insurance is in order for the events listed. Mr. Flores motioned to approve. Chairman St. Pierre seconded. The motion carries.

4. Application for One Day Liquor License on September 30, 2016 from 6-8 p.m. Applicant: Lynch Van Otterloo YMCA, Leggs Hill Rd.

No one was present for the application.

5. Application for a Blanket Vendors License for December 2nd from 5:30-8:30 p.m., 3rd from 10:30 a.m. - 4:30 p.m. and 4th from 11:30 a.m. - 4:30 pm, 2016 at the Salem Common for Christmas in Salem. Applicant: Historic Salem, Inc.

Simene Brown presented the application. She said that this is part of Historic Salem Christmas Home Tours. She said this piece of the event is something new to add a little something to it. She said they would like to set eight vendors up on the common area for the weekend. She said they will be meeting with the Common Neighborhood Association and the Park Commission. Chairman St. Pierre asked if that happened yet. She said it will be soon. Chairman St. Pierre said she should meet with those two groups first and once she has spoken to the Common Association and the Park and Rec has approved the use of the Common for this then she can come back to the LB. He said she should really have that approval first.

6. Application to amend an Entertainment License to add various entertainment. Applicant: Brother's Taverna, Derby Street.

Maz Mouhidin, owner, presented the application. He said that he spoke with Sgt. Gaudet last week after having a DJ and not realizing that was not part of his live entertainment. He said he wanted to amend his license to cover everything so there is no problem in the future. He said in addition to the TV and Radio and 3-piece band currently on there, he would like to add another piece to make it a 4-piece live band, a DJ, trivia, karaoke, a free table dominoes game and open mic, 7 nights a week. Chairman St. Pierre asked Sgt. Gaudet if there were any concerns. Sgt. Gaudet said there was some word that an 18+ night was being held and said that can get problematic. HE said there was some rumors that 17-year old's could get in. He said that it is hard to do an 18+ night and be 100% sure that no one under 21 is drinking. HE went over the six valid forms of ID he can take. He said if he takes an out of state ID and something happens there is no recourse for him. Chairman St. Pierre said we are a college town so licensees need to be careful. Sgt. Gaudet said that Cops in Shops stings have already started happening and there have been lots of fake ID's out of Maine. Mr. Flores motioned to approve. Chairman St. Pierre seconded. The motion carries.

7. Application for a Blanket Vendor's License for the Annual Black Picnic at Salem Willows on July 15, 2017. Applicant: Salem United, Inc., Doreen Wade.

Doreen said that she wanted to come in early for approvals. Chairman St. Pierre asked if she has organized with the Police Dept. yet and has approval from the Park and Rec Commission yet. She said she has some documentation but not with her tonight. She said she will be going for the Park and Rec approval soon. She said she was trying to get things in order for next July's event and that it has been confusing. Ms. Pagliaro said that because this is a newly organized event there are approvals that have to be obtained. Chairman St. Pierre said that is correct and that in all his years of being an officer it was never an organized event so that now requires different approval from different departments. He said that she should come back to the LB when she has the approval from the Park & Rec commission and with the letter she has from the PD.

8. Application for an Individual Fortunetelling License. Applicant: Linda Weinbaum, Hancock Street.

Linda said she is one of the oldest licenses Psychics in the City and is just seeking to renew her Individual License. Mr. Flores motioned to approve. Chairman St. Pierre seconded. The motion carries.

9. Individual Fortunetelling License. Applicant: Brenda Canady, Glover Street.

Brenda said she is a Tour Guide and would also like to obtain her Individual Readers License for her home. Mr. Flores motioned to approve. Chairman St. Pierre seconded.

10. Application for a sub-licensee Fortunetelling License at Hermetic Arts Center, Bridge Street. Applicant: Paul R. Burns, Sr.

Paul said he would like to be approved for a sub- licensee reader at the shop. Mr. Flores motioned to approve. Chairman St. Pierre seconded. The motion carries.

11. Application for 2016 Psychic Fair for Omen, Essex Street and Festival of the Dead, Museum Place Mall for the month of October.

Manager Tim Regan said he is applying for the annual Psychic Fairs for 2016. He said this is the 6th year at OMEN and the 16th year for Festival of the Dead. He said the Fair at OMEN will have an additional 10 readers as allowed for Saturdays and Sundays in October. Mr. Flores motioned to approve. Chairman St. Pierre seconded. The motion carries.

12. Communications: Update from Sgt. Det. Gaudet regarding on-going investigations at the Witch's Brew, Tavern in the Square and Bistro 118 and scheduling of discussions or hearing relative to the same.

Sgt. Gaudet said there was a few items to update the Board.

*He said the first incident was in regards to a report that was taken relative to an issue with patrons in the Witch's Brew after hours. He said he went and spoke to the owner and had a good discussion with him and about closing policy and procedures. He reported that there was a new bartender and that the owner would speak with her. He also told the owner that he will be keeping an eye out and said the owner was extremely cooperative. He also noted that this establishment has never had any previous violations of any kind.

*He said the second issue is regarding Tavern in the Square. He said he has written a complaint based on a police report from August 8, 2016 and asking the LB to hold a Hearing at its next meeting. He said that an incident took place where a minor was served in the establishment using a fake ID and where the same person was overserved which led to an altercation with another patron and resulted in a police officer being seriously hurt. Mr. Flores motioned to accept the complaint and motioned to have the Tavern in the Square in for a Hearing at the next Board meeting on September 26, 2016. Chairman St. Pierre seconded. The motion carries.

*He said the third issue was a report that was filed on September 2, 2016 after a Cops in Shops sting was held at Village Tavern He said that resulted in a minor who was a month shy of his 21st birthday being served. The minor said that his friend ordered a beer and was not carded so he did the same and was served without being asked for an ID. Mr. Flores

motioned to accept the complaint and motioned to have the Village Tavern in for a Hearing at the next Board meeting on September 26, 2016. Chairman St. Pierre seconded. The motion carries.

*He said the fourth issue has been ongoing regarding Bistro 118 on Washington Street. He said that some months ago a call came in from a male party at the restaurant next door, Naumkeag Ordinary, saying that a male patron wanted the police called because of an incident that just happened at Bistro. He said that Officer Riley arrived and there was no victim or witnesses to speak to. He said there was really no report because of this just the report of the call. He said some weeks later he asked Officer Riley to investigate a little further and got the name of the alleged victim from that night. He said that after many, many attempts to reach a Mr. Alaine, the alleged victim, it was reported that he came into the last Licensing Board meeting to leave his contact info and place of employment for Sgt. Gaudet to contact him. Sgt. Gaudet said he has once again called and called the alleged victim to try and see exactly what happened that night but to no avail. He said Mr. Alaine has not called him back or does not seem to want to pursue this. Chairman St. Pierre said with that information there is no cooperation about any event that may have taken place and therefore no violation. He said that Sgt. Gaudet did everything he could to get information on whatever the incident was and he feels there is no further he can do.

*Lastly, Sgt. Gaudet said that he met with the owner of the Murphy's, Peter Kelly, and the residents of Derby Lofts, 51 Derby Street last week. He said they had a lot of complaints and said during that conversation they pulled back on some of them realizing maybe all the complaints could not be tied to Murphy's. He said that Mr. Kelly is very attentive to any issues and that the only real issue he could find was the trash company picking up from the dumpster very early in the morning. Mr. Kelly said he would speak to that Vendor and Sgt. Gaudet said he would as well. He said some of the other cars were car radios and people driving drunk up the one-way street which he said neither can be contributed to Murphy's necessarily, noting it is a major street and a heavy traffic area. Sgt. Gaudet said he would continue to work with the parties and that the owner is good about addressing any issues as they arise.

13. Old/New Business: None

14. Approval of Meeting Minutes from July 28, 2016 and August 22, 2016.

Mr. Flores motioned to approve. Chairman St. Pierre seconded. The motion carries.

15. Adjournment

Mr. Flores motioned to approve. Chairman St. Pierre seconded. The 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**