



KIMBERLEY DRISCOLL  
MAYOR

CITY OF SALEM, MASSACHUSETTS  
**LICENSING BOARD**  
93 WASHINGTON STREET 2<sup>nd</sup> FLOOR  
SALEM, MA 01970  
TEL. 978-619-5631  
FAX 978-744-1279

ROBERT M. ST. PIERRE, CHAIRMAN  
PAUL FLORES  
SARAH STANTON

MELISSA PAGLIARO,  
CLERK OF THE BOARD

## MEETING MINUTES

A meeting of the Salem Licensing Board was held on Wednesday, January 31, 2018 at 6:00 p.m., at City Hall Annex, 120 Washington Street in the third-floor meeting room. Present was: Chairman Bob St. Pierre, members Paul Flores and Sarah Stanton. Clerk of the Board, Melissa Pagliaro, Special Investigator, Sgt. Doyle and City Solicitor Elizabeth Rennard.

1. Application for a Street Performers License. Applicant: Michael Anthony Weiner.  
Michael said he wanted to perform magic in the downtown area. Mr. Flores asked if he has read all of the rules and regulations and understood them. Michael said he did. Chairman St. Pierre said he would accept a motion to approve the application. Mr. Flores said so moved. Ms. Stanton seconded. Motion carries.
2. Application for an Entertainment License. Applicant: Mr. Crepe, 83 Washington Street.  
Ms. Pagliaro presented the application and said the applicant must have misunderstood that they needed to be present. She said they are just applying for television, iPod music and a radio. Chairman St. Pierre said he would accept a motion to approve the application. Mr. Flores said so moved. Ms. Stanton seconded. Motion carries. Chairman St. Pierre said he would accept a motion to approve the application. Mr. Flores said so moved. Ms. Stanton seconded. Motion carries.
3. Application for a Common Victuallers License & an Entertainment License at 400 Highland Ave. Applicant: Julio's on Highland d/b/a Bob's Famous Fried Clams.  
Julio Garcia and Rojelio Garcia, owners, presented the application. They said they are leaving the business as it is and the name the same but are going to try breakfast and lunch as well. They said they are only requesting television and radio for entertainment. Ms. Pagliaro asked that the approval be contingent upon the completion of the paperwork. Chairman St. Pierre said he would accept a motion to approve the application once all paperwork is complete. Mr. Flores said so moved. Ms. Stanton seconded. Motion carries.
4. Application for a Blanket License for One Day for Entertainment & Vendors & One Day Liquor License on the Common on June 23, 2018 from 11am-5pm. Applicant: North Shore Pride Parade.  
Ms. Watt-Bucci said that all the details are laid out in the letter submitted to the Board and that it is the same Agenda as in previous years. She said the beer & spirits area at the Common will be roped off and there will be TIPS certified servers. She said there has not been any issues in the past. Chairman St. Pierre said he would accept a motion to approve the application. Mr. Flores said so moved. Ms. Stanton seconded. Motion carries.

5. Application for a Transfer of An All Alcohol Liquor License at 86 Wharf Street, (formerly Deckview, Inc) an Alteration of Premise and a Pledge of License. Applicant: FINZ, Inc. d/b/a Finz Seafood & Grill.

Attorney Bill Quinn & Christina Mihos were present with owner George Carey. Mr. Quinn said that the landlord purchased the equipment and fixtures and then nominated an applicant. Mr. Carey said he is very excited about the move next door. Mr. Quinn said the Transfer will come with a Pledge to Beverly Bank and an Alteration of the Premise. He said there will be a major renovation and an addition to the outdoor seating. Mr. Carey said that the bars will be moved but the bathrooms and kitchen area will stay the same. Sgt. Doyle asked about the Entertainment noting there have been issues in the past regarding noise complaints. Mr. Carey said there will be a fire pit outdoors and he will go to Fire Prevention for that and there will not be any outdoor entertainment. Ms. Mihos said they will come back in the near future for the Entertainment License approval. Chairman St. Pierre said he would accept a motion to approve the application. Mr. Flores said so moved. Ms. Stanton seconded. Motion carries.

6. Application for a Class II Auto License at 57 Grove Street. Applicant: Andrew's Auto.

Harry Andrews presented the application. He said he no longer owns the HMA property at North Street and is looking to have a small place at this address. He said the owner of the property is going to help him clean up the lot and remove the junk that is there. MR. St. Pierre asked how many employee's he would have. Mr. Andrews said there would be about 6 employees and his hours would be from 8am-5pm. Sgt. Doyle said he didn't have any questions at this time. Ms. Rennard said that he will have to submit a plot plan and have the lot striped. Chairman St. Pierre said he would accept a motion to approve the application pending completed paperwork and requirements. Mr. Flores said so moved. Ms. Stanton seconded. Motion carries.

7. Review and discuss MA Alcoholic Beverage Control Commission's Decision relative to JMRS Tavern in the Square) Appeal of Licensing Board suspension of its liquor license and Remand of matter back to the Licensing Board; discussion and vote relative to ABCC recommended sanctions; discussion and vote relative to amending the Board's decision and imposing sanctions.

Attorney Pat Kelly and Steven De Souza, CEO for Tavern I the Square were present. Ms. Rennard said that their appeal was returned to the Local Board. A suspension was upheld but not for the what the Local Board initially approved. The State recommended that the local impose a 7-day suspension rather than the 30-day suspension that was originally given by the Board. Ms. Stanton asked Ms. Rennard what happens if the Local does not agree with that. Ms. Rennard said than the entire process starts over again with the Local Board. Mr. St. Pierre asked what other issues there have been. Ms. Rennard noted an issue a couple of years ago with a door staff person that resulted in a patron being injured. Mr. St. Pierre asked if there was anything on record for an incident just in November regarding the ABCC doing a sting and catching underage drinkers in the restaurant. Sgt. Doyle said he had spoken to an ABCC investigator who relayed that to him. Mr. St. Pierre said he is looking for any information on that event. Attorney Kelly said that the Tavern's position on what happened is that it was a tragedy. He said they feel a tremendous amount of sympathy. He said they never felt as though no discipline was warranted and no one is minimizing the account of what happened. He said they are just asking for the proper measure of discipline. He said Ms. Wiley is still in jail and the bulk of the blame is Ms. Wiley's. Ms. Stanton asked how many other locations are open. Mr. De Souza said there are 9. Ms. Stanton asked if there have been similar issues. Mr. DeSouza said there wasn't. Ms. Rennard said if they agree with the state on the 7 days they restaurant will begin its suspension on Monday February 5, for one week. Mr. St. Pierre said that the Board does not want to relitigate this all over and that he will accept a motion to accept the States recommendation of a 7-day suspension. Mr. Flores said so moved. Ms. Stanton seconded. Motion carries.

8. Discussion with Village Tavern regarding the establishments Security Staff.

Andrew & Alex Ingemi, Charles Loayza ad Nathan Newman were present for the discussion. Andrew said that he knows the discussion was about an assumption that his doorman was too aggressive during an issue with a patron. He said that both doormen are present with hi, and Alex was also there. He said that a female patron told the staff that she believed that this patron was putting something in her drink. Andrew said the accused patron wanted the police to be called but then once they were wanted to leave so the door staff tried to keep him there. Mr. St. Pierre said he is going to let Sgt. Doyle speak to this. Sgt. Doyle said that by doing that they decide to take the law into their own hands and it was not up to them to restrain a patron. Nathan said that the patron had several friends with him. He said that a female officer took the female patrons statement then things escalated. Charles said that when the accused patron tried to leave he did try and leave a business card for police to contact him but the staff didn't think that was good enough and they formed a circle around the male patron. Sgt. Doyle said that is a problem. He said the establishment has no right to detain a patron or anyone for that matter. He said they could have taken the female patron aside and called police without letting male patron know that's what they were doing. Charles said they didn't want to leave him in a room full of other women and drinks. Mr. Flores pointed out that they did not have any proof he was outing anything ion anyone's drinks. Sgt. Doyle asked if they thought the male patron was going to go around and out something in every drink. Andrew asked if they could get something in writing from someone on proper handling of these situations. Sgt. Doyle said it is up to them as the business owner to get themselves and their staff properly trained. Mr. St. Pierre said they cannot deprive someone of their rights. Ms. Rennard suggest they use someone like a trainer through the ABCC to train the staff. Andrew said that would be a good idea. Sgt. Doyle said he would speak to Alex and Andrew later, unofficially as there were some other mentions of similar incidents but nothing that was reported officially. Mr. St. Pierre said there is no further discussion at this time and that Sgt. Doyle will be speaking with them.

9. A vote to establish Home Rule Petition Liquor License fees.

Hold until the March meeting.

10. Old/New Business: Discussion of March meeting dates.

11. Approval of Meeting Minutes from January 10, 2018.

12. 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**