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MAYOR

CITY OF SALEM, MASSACHUSETTS
LICENSING BOARD
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GARY M. BARRETT, CHAIRMAN
GARY F. SANTO, JR.
DEBORAH A. GREEL

SGT. MIKE BALL. SPEC. INV.

MELISSA PAGLIARO,
CLERK OF THE BOARD

LICENSING BOARD MEETING MINUTES

A meeting of the Licensing Board was held on January 24, 2022 at 6 p.m. In attendance were: Chairman Gary Barrett and member Deb Greel, City Solicitor Elizabeth Rennard, Assistant Solicitor, Sharyn Lubas, Special Investigator, Mike Ball and Clerk of the Board Melissa Pagliaro. Absent was member Gary Santo, Jr.

1. Application for a Transfer of an Annual Wine & Malt Liquor License at 71 Lafayette Street. Applicant: d/b/a Engine House Pizza.

Applicant requested a continuance until the February 16th meeting. Ms. Greel motioned to approve. Mr. Barrett seconded. Motion carries. Roll call vote 2-0.

2. Application for a Class II Auto Dealers License at 51R Canal Street, continued from January 10, 2022 meeting.

Applicant requested a continuance until the February 16th meeting to allow for more time to get a plot plan completed. Ms. Greel motioned to approve. Mr. Barrett seconded. Motion carries. Roll call vote 2-0.

3. Application for a Change of Manager and a Change of DBA. Applicant: Antique Table, Congress Street. Luis Perez presented the application. Ms. Pagliaro said that all the paperwork was in order and ready to be submitted to the State. Ms. Greel motioned to approve both. Mr. Barrett seconded. Motion carries. Roll call vote 2-0.

4. Hearing with La Delicia, 75 Congress Street, continued from December 2021 meeting.

Miliciades Pichardo, owner was present for the Hearing. Ms. Rennard said this was continued lastly from December. Mr. Barrett asked the owner to identify himself for the record. Mr. Pichardo said he is owner of La Delicia, Miliciades Pichardo of 16 Hershey Street, Salem. Ms. Rennard said she will be asking the questions. Mr. Barrett asked if Mr. Pichardo needed a translator for this Hearing. Mr. Pichardo said no he did not. Ms. Rennard swore in Mr. Pichardo and Officer Moran of the Salem Police Department. Ms. Rennard asked the Officers name and position. Officer Moran identified himself and said he was a patrol officer for Salem PD. Ms. Rennard asked how long and what was his normal beat was. Officer Moran said five years and that it is #22 and usually includes Congress St. Ms. Rennard asked if he had a partner that night. Officer Moran said he was with Officer Dan Musto. Ms. Rennard asked if the police were called there. Officer Moran said they were for a fight but no one was outside when they arrived but they noticed people in the establishment and the lights on. Ms. Rennard asked if they went inside. Officer Moran said they did. Ms. Rennard asked if the door was locked. Officer Moran said it was not. Ms. Rennard asked what happened when they went inside. Officer Moran said that there were three patrons inside and two people behind the bar. He said that one patron had a glass with a pink substance in it and there was a bucket with three beers in it in front of the other patrons. Ms. Rennard asked if he spoke to anyone. Officer Moran said he spoke to Kathrine Castillo behind the bar and she identified herself as an employee. He said the other employee behind the bar was a bartender as well but left. Ms. Rennard asked if the Officer spoke to her about the call for a fight. Officer Moran said he did but

that Ms. Castillo didn't know anything about it. Officer Moran informed her it was well past last call and everyone needed to be out. Ms. Castillo said she lost track of time. Ms. Rennard asked if she was aware of closing time procedure. Officer Moran said she did not seem to be. Ms. Rennard asked if there was a complaint filed. Officer Moran said that there was by Officer Musto. Ms. Rennard asked the report was accurate as to the events. Officer Moran said it was. Ms. Rennard said that the Board was given a copy of the report. Ms. Rennard said the report will be entered as Exhibit #1. Mr. Barrett asked what time this happened. Officer Moran said it was 1:57 am. Ms. Greel said there is a mention of overserving in the report. Officer Moran said that Officer Musto saw an unstable man outside of the establishment when they came out. The man was placed into protective custody. Ms. Rennard said that back in May of 2021 the establishment was given a three-day suspension to be held in abeyance for the same violation. She said if the Board has no more questions than the Owner or his attorney may speak. Ms. Greel asked if they have been open since this occurrence happened four months ago. Officer Moran said the times he has been by it appears so. Mr. Pichardo said that he is sorry for this situation again. He said after the last hearing he met with all of the managers and staff and reviewed the rules and regulations. He said the Officers did their job and his staff did not. He said he is sad to be in this situation again. He said he will continue to make changes and will take whatever the Board decides tonight. Ms. Rennard reminded the Board this is a Seasonal License and they have to stop serving from January 15 through April 1. Mr. Barrett asked if they were one of the establishments in line to convert to an Annual License. Ms. Rennard said they are but has not seen the paperwork as of yet. She said she would recommend any action happen once they go back into their seasonal license or when they are approved for an annual, whichever happens first. Ms. Greel said they should serve the three days held in abeyance then add an additional seven days to that. Mr. Barrett said that he would agree they should serve the whole ten days. He said that it is troubling that it had to wait months and months to be able to hold this Hearing. Ms. Rennard said that the Board is proposing the three days that were held in abeyance from 2021 to be served with an additional seven days for the recent violation to be served when they reopen for alcohol service. Mr. Barrett said he motions to approve. Ms. Greel said so moved.

5. Adjournment: 6:36 P.M.