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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

MEETING MINUTES – DRAFT

A meeting of the Licensing Board was held on May 23, 2022 at 6:00 p.m. In attendance were Chairman Gary Barrett and members Deborah Greel and Gary Santo, Jr., Melissa Mojica, Clerk of the Board, City Solicitor Beth Rennard, Special Investigator, Mike Ball and Chief of Police Lucas Miller.

***Ms. Rennard began by stating the Regatta application will be continued until the June meeting and tonight only the Beer Tent will be heard.

1. Application for a One Day Liquor Licenses for an Outdoor Concert on North Campus, Lafayette St. on June, 11, 2022 from 6:00-9:00pm for 450 people. Applicant: Salem State University.

Brenna Ruchala presented the application. She said this is their 7th annual alumni event. She said there will be three beverage vendors. She said this is a ticketed event and they, as in the past, use their own security. Ms. Greel motioned to approve. Mr. Santo seconded. Mr Barrett said the motion carries. Roll call vote 3-0.

2. Application for three One Day Liquor Licenses. Applicant: North Shore Bartending.

-Salem Arts Festival on June 4th from 6-9pm at Charlotte Forten Park, 289 Derby St. for 200 people

-North Shore Bartending on July 21st from 5-9pm for a Celebration of Life at Winter Island Pavilion, 50 Winter Island Rd. for 100 people.

-McHugh on July 30 from 4:30-9:30pm for a Wedding Reception at House of the Seven Gables, 115 Derby St. for 165 people.

Erin McCabe presented the applications. She said the paperwork for all of the events has been submitted and she has secured a police detail for each. Mr. Santo motioned to approve. Ms. Greel seconded. Mr. Barrett said the motion carried. Roll call vote 3-0.

3. Application for a One Day Liquor License for the Polish Picnic at St. John Paul Shrine at 34 St. Peter St. on August 28th from 12-6pm for up to 400 people. Applicant: Saint John Paul Shrine of Divine Mercy.

No one present: Add to next Agenda.

4. Application for a One Day Liquor License for a Director's Farewell at 115 Derby St. on June 28th from 5-9pm for 100 people. Applicant: House of the Seven Gables.

This event was approved at the meeting in March.

5. Application for a One Day Liquor License for a Wine & Cheese Reception following a lecture at 9 Chestnut St. on June 26th from 3-4pm for 30 people. Applicant: Hamilton Hall.

No one present. Add to next Agenda.

6. Application for a One Day Liquor License for the Church Picnic at Winter Island, 50 Winter Island Rd. on June 26th from 11am-9pm for up to 500 people. Applicant: St. Vasilios Greek Orthodox Church.

Costa Partaledis presented the application. He said this is for the Annual Church picnic. He said they will split the proceeds with the Park. Sgt. Ball asked if he has arranged a police detail. Ms. Greel asked what area they will hold the picnic. Mr. Partaledis said he has called for a detail and it will be held in the gazebo area. He said the number of people will be spread out over the hours of the event and not all at once. Ms. Greel asked who would be serving and checking ID's. Mr. Partaledis said he and one other church member will be. Mr. Barrett asked how it will be set up. Mr. Partaledis said one area will be food and the other side will be bar service and tables. Mr. Partaledis said there will be about 10-12 staff serving food and 2 bartenders. Ms. Greel asked if both bartenders were certified. Mr. Partaledis said he and the other bartender are certified. Sgt. Ball said with 500 people in and out, he would suggest two police details. Ms. Greel agreed. Mr. Partaledis said this is the same event they have held before and they only secured one detail. Sgt. Ball suggested two for the amount of people. Mr. Santo motioned to approve pending Park & Recreation Commission approval and having two detail officers. Ms. Greel seconded. Mr. Barrett said the motion carried. Roll call vote 3-0.

7. Application for a sub-licensee fortune telling license at Crow Haven Corner, Essex St. Applicant: Jenna Hall.

No one present. Add to next Agenda

8. Application for a sub licensee fortune telling license at ASCEND Get Lifted, Essex St. Applicant: Lucas Silva-Almeida.

Carmello Aresco, owner of ACSEND presented the application. He said they were just applying to add Lucas on as a reader at the store. Mr. Santo motioned to approve pending the CORI results. Ms. Greel seconded. Mr. Barrett said the motion carried. Roll call vote 3-0.

9. Application for a One Day Liquor License for an Employee Meeting at 35 Congress St. on June 23rd from 5-7pm for 50 people. Applicant: ROOT, Sam Hunt.

Sam Hunt presented the application. He said this is a non-profit event for an organization that would like to hold a staff meeting at Root. He said it will be about two hours for about fifty people. Ms. Greel motioned to approve. Mr. Santo seconded. Mr Barrett said the motion carries. Roll call vote 3-0.

10. Review Proposals submitted for an All-Alcohol Package Store License allowed by state due to census count. Applicants: New Market, Bridge St, Friendly Mini Market, Lafayette St and Salem Shell, North St.

Ms. Rennard said this item was held over from the May 9 meeting. She said these were three submissions in response to the RFP due to the extra license the City has due to the census review.

She said the Board usually looks for demand as well as other licenses in proximity. She said after reviewing, she would recommend that Friendly Mini Mart on Lafayette St. get the approval to apply for the license. With respect to the other two proposals, she said that there is Cosgrove's Liquor on Bridge St. and another directly across from the other business who sent in a response on North St. Mr. Patel, the applicant from the Bridge St. business said that he feels there is a high demand on his end of Bridge St. and feels that how the public can be served should be taken into consideration. Ms. Rennard said this can be held for further determination if the Board is so inclined. Mr. Patel said that the size of the store on Bridge St. is also the larger store. He said that Friendly Mini Mart is still in his family but they feel the license would be better served at the

Bridge St. location. Ms. Rennard pointed out that Friendly Mini Mart and New Market on Bridge St. are both Mr. Patel's family's stores. Mr. Patel said he does not have an interest in Friendly Mini Mart but his father does. He said he will discuss with family and talk to the Solicitor further. Mr. Barrett said to hold this over for the next meeting on June 13.

11. Review of trial entertainment period at Salem Waterfront Hotel (tent) and review of and approval of extended outdoor dining and entertainment at Regatta Bar.

Only the Waterfront tent will be discussed at this meeting.

Ms. Rennard read some letters into the record from Mr. Egan and some abutters. (In file) Mr. Egan submitted letter from Mr. Mattera, business and condo owner in Pickering Wharf and from Mr. George Carey, business owner in Pickering Wharf and Ms. Rennard shared an email of objection from Mr. Kiesel, condo owner. Ms. Rennard asked Ms. Mojica to read her report (in file) from the testing she went out to do on Friday May 20. After discussing locations and decibel readings that evening, she said that at that time with the bank that was playing the reading were only read high at certain time but not consistently. Mr. Egan thanked Ms. Mojica and the Board. He asked to extend the license for the season as it is impossible to book entertainment ahead on a temporary license. He said that they have done and will continue to do sound testing every night and they have strictly enforced the live music but they need the live to make this work. He said the police have appeared occasionally for the last two weeks to check in and there haven't been any issues. He said if there are any issues the Board can call them back immediately. He said they have done good and have worked hard to rejuvenate the Wharf. Mr. Barrett asked if Mr. Egan has tried to speak to Mr. Kiesel. Mr. Egan said he had attempted to Friday night after some words with Mr. Kiesel and tried to knock at the door but he wouldn't answer. He said they are under constant scrutiny from Mr. Kiesel. Mr. Barrett recalled working with him last year. Ms. Greel said he believes Sgt. Ball worked with him last year and then the Board adjusted the times. Mr. Barrett said it seems that the singer may be the loudest. Ms. Greel suggested limiting to 4 pieces. Mr. Egan said it's been 5. Ms. Greel said 5 pieces until 10pm sounds reasonable on Thursdays, Friday and Saturdays with having acoustic from 3-7pm on those days. Ms. Rennard said there is a letter in support (in file) of from Mr. Ed Morneau. He said they have taken some recommendations and it is better that it was. There is also a letter from unit and business owner in Pickering Wharf, Mr. Mattera (in file) in support and another letter from a unit owner, Tim Shea (letter in file) in support of. Mr. Kiesel said he appreciates Tim supporting the tent but the music is extremely loud in his unit. He said as for Mr. Egan saying he tried to communicate, there has been no communication at all. He said he was in the window on Saturday and welcomed him up and did not get acknowledged. He said his unit extends over the tent and the speakers were not within sound baffles. He said he has sent in recording and welcomes anyone from the City or the Board or the Police or the Rockett team to come into his unit and listen. He said they have never responded to him at all. Sgt. Ball said measurements with sound meter should be taken this year. Ms. Greel said she is not inclined to propose anything permanent for the rest of the season yet if the Rockett's are using Mr. Morneau as professional advice and acknowledging that Mr. Morneau may have vast experience but the Rockett's may need to hire a professional sound engineer to get this right. Mr. Miller said that the first weekend they added the sound baffles and speakers were opposite from Mr. Kiesel. Ms. Rennard said that Mr. Egan informed her that even more baffles are on order and that in the recordings she was sent the singer really is the loudest. Mr. Miller said he worked with sound engineer to place baffles in the correct places. He said the speakers kept a bit out so it won't elevate the sound. He said the speakers have to be in front of the band. Ms. Greel asked who the sound engineer was. Mr. Miller said it was not Mr. Morneau it was one of the band members. Mr. Barrett said it still sounds as though another test period is needed. Mr. Santos agreed and said both parties need to work on making testing happen.

Attorney Egan said he understands Mr. Kiesel's concerns, but that he refuses to cooperate. He said that the live music is needed. Mr. Miller asked if it has ever been thought that maybe it's a construction issue with the windows. Sgt. Ball stated that it was louder when the windows were closed oddly enough. Mr. Santo said he's not sure if a 5 piece band is needed and that the opportunity to measure inside from Mr. Kiesel's was lost but this issue still has to be solved. Ms.

Greel said they are carefully trying to figure out a balance. Mr. Kiesel said that he would like to see a professional sound engineer independent from the Rockett's or the City. Mr. Barrett said he would like to see a timetable set up and asked when the unit would be available. Mr. Egan said he has been informed by owner that the tent will be closed for now and they want to withdraw the request. He said if they are asked they will inform people they have been shut down by the City. He said that they are withdrawing the request for entertainment in the form of live music and DJ's. Ms. Greel said that she is going on record to say that the Board did not shut them down and the Board was trying to figure things out. Mr. Santo said a withdrawal is fine if that is what they wish. Mr. Egan said that they would rescind the withdrawal and take the four week extension trial period and do what they need to do. Ms. Rennard suggested that Sgt. Ball be the contact for the parties. Mr. Santo motioned to approve the trial period for our more weeks pending scheduled testing in Mr. Kiesel's unit. Thursday, Friday and Saturday 3-7 acoustic and amplified from 7-10 and Sundays acoustic from 2-6pm. Ms. Greel seconded. Mr. Barrett said motion carries. Roll call vote 3-0.

12. Discussion and recommendation on downtown noise ordinance and time, place and manner restrictions for outdoor downtown entertainment.

Ms. Rennard read an email from Street Performer Brian Sims supporting busking. Michael LoPresti, Street Performer said he was shocked to learn that no one had to fill anything out anymore and anyone could just go out and do what they wanted. He said there are a few things concerning about that such as predatory performers. He said with no licensing in place the streets will just be flooded with no need to pay attention to rules or regulations. Ms. Rennard said maybe there can be an application and process for people who wish to apply and then have certain spots for those that do, but there are 1st Amendment rights to free speech ay issue here. She also said one of the concerns mentioned was amplification, but if there is none on the pedestrian mall that affects places like the Hotel Salem and other businesses. Ms. Rennard said performers like the drummers create an annoyance. She said people work and live in the downtown and we need to explore all options. Chief Miller said he does not see a way to separate bucket drummers from others. Ms. Rennard said we could look further into the ordinance regarding sounds that penetrate walls and explore performance areas. Ms. Greel said there is also sometimes an issues with walkways being blocked. Ms. Rennard recommended looking at a few things and coming back to this in a few weeks and explore further. This item will be kept open for further discussion in coming months.

13. Approval of Meeting minutes from April 11 & April 25, 2022. Mr. Santo said they look fine. Ms. Greel seconded. Mr. Barrett said motion carries. Roll call vote 3-0.

14. Old/New Business:

Mr. Patel said he had some more thoughts regarding the RFP for the package store. Mr. Barrett said he should contact Ms. Rennard during business hours tomorrow.

15. Adjournment: 8:00pm. Mr. Santo motioned to approve. Ms. Greel seconded. Mr Barrett said motion carries. Roll call vote 3-0.