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GARY M. BARRETT, CHAIRMAN
GARY F. SANTO, JR.
DEBORAH A. GREEL

SGT. MIKE BALL. SPEC. INV.

MELISSA MOJICA,
CLERK OF THE BOARD

MEETING MINUTES – DRAFT

A meeting of the Licensing Board was held on January 22, 2024 at 6:00 p.m. In attendance were Chairman Gary Barrett and members Gary Santo and Deborah Greel, Clerk of the Board, Melissa Mojica and Special Investigator to the Board, Sgt. Mike Ball and City Solicitor Beth Rennard.

1. Application for a One Day Liquor License for Wine & Malt on March 23, 2024 at Old Town Hall for 250 people from 7-11pm for a Fundraiser for the Joe Zippo Kelley Memorial Scholarship. Applicant: Stuart Ginsburg.

Stuart Ginsberg presented the application. He said this is a fundraiser for the Kelly Scholarship that sends the selected student to Salem State. He said it's a musical event that features three bands and Beer & Wine will be served. Mr. Barrett asked who would be serving. Mr. Ginsberg said they have a server from Settler Restaurant. Ms. Greel asked if they are a non profit. Mr. Ginsberg said they are not because they are too small to be. Mr. Santo asked if they had arranged for a police detail. Ms. Ginsberg said he had a call into the Police Dept. Mr. Barrett said to make sure the details are actual police officers scheduled through PD. Mr. Santo motioned to approve. Ms. Greel seconded. Roll call vote: 3-0.

2. Application for a One Day Liquor License for All Alcohol on June 29, 2024 at The House of the Seven Gables for 80 people from 4-10pm for a Wedding. Applicant: Rebecca Wangaman.

Ms. Wangaman presented the application and said this was for a Wedding. She said she has already contacted Salem Police for a detail, and she has TIPS certified bartenders. Ms. Greel motioned to approve with the condition that Ms. Wangaman provides who the servers are to Ms. Mojica. Mr. Santo seconded. Mr. Barrett said motion carries. Roll call vote: 3-0.

3. Application for a One Day Liquor License for Wine & Malt on February 9, 2024 at The PEM Connect, 135 Essex St. for 250 people from 4:30-8:30pm for the Kickoff Event for the 22nd Annual Salem's So Sweet Festival. Applicant: Salem Chamber of Commerce.

Rinus Oosthoek presented the application. He said Gourmet Catering is doing the ticketed event at the PEM Connect space and that each person will get a ticket for one glass of wine to have before they are off to other places. He said there will be about 35-40 downtown retailers downtown that will be open and participating. The event will bring about 25,000 people during the week. He said he has contacted Salem Police for a detail. Mr. Santo motioned to approve. Ms. Greel seconded. Mr. Barrett said the motion carries. Roll call vote: 3-0.

4. Application for a One Day Liquor License for All Alcohol on February 3, 2024 at 34 St. Peter St. – School Cafeteria for 80 people from 9pm-1am for a Valentine's Dinner Dance. Applicant: Saint John Paul II Shrine of Divine Mercy.

Marilyn Costa presented the application. She said the dance is being held in the cafeteria of the school building and said she contacted Officer White regarding the detail already. Ms. Greel motioned to approve. Mr. Santo seconded. Mr. Barrett said the motion carries. Roll call vote: 3-0.

5. Application for a One Day Liquor License for Wine & Malt on February 24, 2024 at 184 Essex St. for 50 people from 7-9pm for a Grand Sabbat/Soiree. Applicant: Omen.

Meg Lecru presented the application. She said it will be no more than 50 people and that she is TIPS certified. She said they will be having wine & snacks and that the event is 21+. Ms. Mojica said she is just

waiting for the Certificate of Liquor Liability. Mr. Santo motioned to approve. Ms. Greel seconded. Mr. Barrett said the motion carries. Roll call vote: 3-0.

6. Application for a One Day Liquor License for All Alcohol on March 21, 2024 at Old Town Hall, 32 Derby St. for 125 people from 5-7pm for the Salem Film Fest 2024 Opening Night Reception. Applicant: Salem Community arts Center.

Mr. Ferrari presented the application and said the event is run by all volunteers and that they have a TIPS certified service, a crowd manager and a police detail and a caterer with food. Mr. Barrett asked who was catering. Mr. Ferrari said Bambolina was. Mr. Santo motioned to approve. Ms. Greel seconded. Mr. Barrett said the motion carries. Roll call vote: 3-0.

7. Application for a One Day Liquor License for All Alcohol on June 22, 2024 at the Salem Common for 30,000 people from 11am-4:30pm for the Annual North Shore Pride Parade. Applicant: North Shore Pride, Inc.

Hope Watt Bucci presented the application. She said they are applying for the liquor license and have a plan for a double fenced off area. She said she is working with Dan Tucker for the police details. Ms. Rennard asked about food and vendors. Ms. Watt Bucci said she has applied to Park & Rec and the Health Dept. Ms. Renard asked the number of vendors and food vendors. Ms. Watt Bucci said they have not opened the applications up yet so she's not sure. She said there are typically never more than 90 vendors in total. Councilor Choen said he just wanted to voice his support and that it says a lot that they choose to have the parade here in Salem. Ms. Greel motioned to approve. Mr. Santo seconded. Mr. Barrett said the motion carries. Roll call vote: 3-0.

8. Application for a Psychic Fair License for up to five readers at Old Town Hall on April 20, 2024 from 11am-5pm. Applicant: Ana Campos, Circle of Stitches.

Ms. Campos said the event is for the Salem Fiber Witch Festival and they are looking to do tarot reading the day of the event from 11am-5pm. Ms. Greel motioned to approve. Mr. Santo seconded pending CORI's of applicants. Mr. Barrett said the motion carries. Roll call vote: 3-0.

9. Application for a renewal of an Individual Fortune telling License at 11 Cypress St. 2nd floor. Applicant: Desiree Dudoment-Olsen.

Ms. Dudoment-Olsen said she has read in the City before and at Spells Coffee and wants to do reading at home and has good feed back from the customers at Spells. Mr. Santo motioned to approve. Ms. Greel seconded. Mr. Barrett said the motion carries. Roll call vote: 3-0.

10. Application for an Individual fortune telling license at 12 Brown St. #1. Applicant; Jennifer Williams.

Ms. Williams said she is a lifelong Salem resident and has done reading since she was a teen. She said she is also licensed at Magic Parlor but would like an Individual License. Ms. Greel motioned to approve. Mr. Santo seconded. Mr. Barrett said the motion carries. Roll call vote: 3-0.

11. Application for a sub licensee fortune telling license at a Sacred Place Wellness Center, Witch City Mall. Applicant: Jessica Gard.

Ms. Gard presented the application and said she would like to work as a reader for A Sacred Place. She said she has been doing readings since she was a teen. Mr. Santo motioned to approve. Ms. Greel seconded. Mr. Barrett said the motion carries. Roll call vote: 3-0.

12. Application for a Store Fortunetelling License and a sublicensee fortune telling license at 6 Hawthorne Blvd. Applicant: Fatimas Psychic Studio, Fatima Mitchell and Christian Mitchell and sub licensee, Debbie Mitchell and an application for an Individual Fortune telling license. Applicant: Fatima Mitchell.

Attorney Delaney presented the application. He said the applications were for the Store and two sub licensees. He said the applicants have been at the current location at 6 Hawthorne Blvd. for 18 years but 35 years in business. He said the husband who took care of the business end passed away in 2017 and Mrs. Mitchell didn't know the license expired and the daughter didn't understand how to renew it. He said that Fatima runs the business and her daughter Debbie and son Christian assist in that. Ms. Rennard said that the ordinance asks the Board to look at past complaints when issuing a license. There were a few from 2013 and then again just this past October. She said she would like to ask the attorney for a waiver on the approval time of any action on the application of the Board to have time to review issues. Atty. Delaney said he agrees to whatever waiver necessary. Sgt. Ball said that he received a complaint via email on October 15th regarding a reading at Fatima's that he paid \$70 for. He said the complainant was then asked for \$700 in cash so the reader could perform energy work on him. He said he foolishly paid. He said she

then asked him and continued to call him for another \$9500 in cash for a protective shield. Sgt. Ball said he confirmed with Ms. Mojica that they have not renewed a license since expiring in 2019. He said that he and Ms. Mojica did go to Fatima's to speak to the owner and no one answered. He left his card there and no one reached out. He said there is a detailed report from Det. Page back in 2013 and meeting minutes from a Hearing that occurred as well. Sgt. Ball said that later police patrol did order a cease and desist for them operating without a license. He said this has been the same pattern of behavior for years. Ms. Greel said she would not be inclined to grant this license. Attorney Delaney said there have only been a couple of complaints over a 20 year business and one of the complaints that is noted, Fatimas gave the customer a refund. He said all customers have to do is ask if they are unhappy. Ms. Greel said she is concerned about the number of people who don't report because of embarrassment. She said the attorney s speaking as though these people are therapists. Mr. Santo inquired about exactly what the charge of \$9500 was for. Attorney Delaney said his clients offer a protective shield for people who may have been through a traumatic experience. He said if there was an issue all the person had to do was ask for a refund. Sgt. Ball said there is documentation of a past incident where someone paid \$16,800 for a "protective shield". Mr. Santo said he agrees this application should be continued. He said there is a clear pattern of exploitation. Ms. Rennard said the matter should be continued to have time to review everything in the file from Sgt. Ball. Attorney Delaney said prior owner always ran the business and no one knew the licenses were expired. Ms. Rennard asked Attorney Delaney to waive the 30 day time line for the Board to respond to an application. Mr. Delaney agreed. Ms. Greel asked to continue this until February 26th and in the meantime they should not be conducting any business. Mr. Santo motioned to continue until February 26. Ms. Greel seconded. Mr. Barrett said the motion carries. Roll call vote: 3-0.

13. Application for a Seasonal All Alcohol Liquor License and Entertainment License at 197 Fort Ave. Applicant: M&M Restaurants LLC d/b/a Willows Tavern. (Heard second on the Agenda)

Ms. Rennard reported that the applicant has requested a continuance so that he can speak to the Ward Councilor and the abutters. He is requesting a continuance until the February 26th meeting. Counselor Cynthia Jerzylo asked if the 2/26 meet could be held in person because there is a lot of concern. Mr. Barrett asked Ms. Rennard where the Board is at with meeting, Ms. Rennard said the Board voted back a while ago to keep holding the meetings via ZOOM until 2025. Ms. Jerzylo asked about this business and the zoning. Ms. Rennard said that some people believed the property is on public property, but they are actually on private property and said they are zoned for a business with liquor. Ms. Greel asked if anyone does or has served alcohol in the willows area. Ms. Rennard said not right now. Ms. Rennard said at the 2/12 meeting the Board can discuss an in person meeting for this. Ms. Greel said she would not be present for the 2/12 meeting. Ms. Rennard asked Ms. Mojica to put it on the Agenda for a discussion. Ms. Greel motioned to approve a continuance. Mr. Santo Seconded. Mr. Barret said motion carries. Roll call vote: 3-0.

14. Application for a new Annual All Alcohol Liquor License and a Pledge of License to Cambridge Savings Bank at 65 Washington St. Applicant: Chambers Restaurant Group, LLC d/b/a Bernadette.

15. Application for a Change of Manager to Sean Donald Powers at 87 Washington Street. Applicant: Nolo Opus d/b/a Dire Wolf Tavern. (Heard first on Agenda)

Attorney Jill Mann presented the application. She said they are applying for Sean Powers to be the new manager. She said Sean has been working in the restaurant field for ten years. She said he is present on the call. Mr. Barrett asked Mr. Powers for his background. Mr. Powers said he started as a bar back, then worked as a bartender and a bar manager and has been with this establishment for 5 plus years. Mr. Santo motioned to approve. Ms. Greel seconded. Mr Barrett said motion carries. Roll call vote: 3-0.

16. Continued discussion and approval of an Application for a Common Victuallers License and an Entertainment license at 7 Paradise Road. Applicant: Rizzo's Roast Beef.

Mr. Sahil, owner, was present. He said he met with the neighbors and the City Councilor and worked hard to fix everything, He said they talked about cars out back, deliveries and trash and they are on track. Councilor Andy Varela said that he and the owners met with a few of the abutters and he believes they have satisfied the issues the best they can including the grease trap. He said he doesn't think it is just a problem with Rizzo's but the management company as well. He said B1 is allowed for businesses. He said that Rizzo's and others have to be more mindful of noise. He said he is confident that Mr. Shail has done all

he can and he is in favor of granting the license. Mr. Barrett asked about the two issues of trucks and the dumpsters in front of the house and both blocking access. Councilor Varela said Mr. Shail is aware of the few early deliveries they had and they are working to keep deliveries to times as promised. Arthur Sergeant from Maple Ave and owner of 11 Paradise said he does not feel there should be nay vehicles on that street moving forward. He said of the two dumpsters out there one was moved by management company but there is still a red one out there in a fenced area. He said the issue is that it is not on wheels and the dumpster company won't put it back in the fenced in area. He said that is directly in front of the bedroom at 11 Paradise. Mr. Barrett asked if there were rules on dumpsters. He said of the two one was moved and Mr. Sahil has made a good faith effort to remedy. Mr. Sergeant said when that dumpster that is right outside of the window is emptied at 6am the noise jolts you right out of bed. He said it should be where the other one is and that they should only have one dumpster. Mr. Barrett said unless there is a rule about the number of dumpsters then it sounds like an issue to talk to the management company about. He said it sounds like Mr. Sahil has tried to work it out. He said maybe he is not batting 100% but lets see how this works. Mr. Sergeant said that at the meeting the management company said to move the dumpster to the end of the street. He said he's not sure if the red one belongs to them but they do put their trash in it. Ms. Rennard said that the Building and Health Dept. can assist in the dumpster placement. Mr. Sergeant said it might be helpful if the Board would permanently add a couple of more conditions that Dunkin Donuts has to follow. Mr Barrett said that a good effort has been made and that he encourages Mr. Sergeant to keep speaking with the owner because it sounds like Mr. Sahil wants to be a good neighbor. Mr. Sergeant said a couple of smaller things would also to be to tighten up the rear door use and grant an entertainment license for TV only. Mr. Sahil said that he is not asking for any kind of live entertainment. Mr. Sergeant said a radio inside is ok too. He said delivery trucks should only be allowed on their side of the building not the Paradise side and 100 feet away from the Paradise side. Mr. Barrett said that he and Mr. Sahil should discuss that. Mr. Sahil said he will talk to his vendors and solve that. Mr. Barrett asked again about the operating hours. Mr. Sahil said from 10am-11pm, 7 days a week. Mr. Santo motioned to approve the Common Victuallers License with the above hours and the nine conditions set forth on the temporary license given in December. Ms. Greel seconded. Mr. Barret said motion carries. Roll call vote: 3-0. Mr. Santo motioned to approve 3 televisions and piped in radio music. Ms. Greel seconded. Mr. Barret said motion carries. Roll call vote: 3-0.

17. Continued public hearing on proposed regulation to prohibit the sale, for consumption off premise, of alcohol in containers smaller than 100 ml. (Heard third on the Agenda)

Ms. Rennard said there have been lots of emails forwarded to the Licensing Board.

Councilor Alice Merkl resident of 28A Federal St. & Ward Councilor said that nips are a public health concern. She said the ban benefits beyond litter. She said Chelsea has seen a lot of positive changes since they put a ban into effect, including restaurants thriving, cleaner streets and fewer incidents on protective custody. She said that the driver of the car that hit the pedestrian in October had several nip bottles in the car.

Steve Kapantis of 23 Wisteria St. said this ban will financially impact the small store owners. He said if this is a problem the store owners would like an opportunity to be a part of the solution. He said the last City that tried to do this is now in court. He said that is where Salem will end up and the City will be paying for it. He said that at the last meeting the Board approved an event on Forten Park which served drinks out of single use cups. He said the effect on stores and owners should be discussed to see what solutions they can come up with before a ban is out in effect.

Councilor Jeff Cohen resident of 12 Hancock St. and City Councilor said it would be easier if the State passed a bottle law ban on nips. He said they are bad for the environment. He supports the Board acting on this and he agrees with Alice. He said that if Salem starts the process that other communities will follow. He said he does not want businesses to suffer. He said people need to look at the big picture and environmental impacts.

Ana Campos from 170 Orleans Ave. said she is a resident and business owner and she very much supports this bam and agrees with Alice as well. She said she agrees with Councilor Varela and said that running a business in Salem is a privilege. Ms. Rennard said she does not see anyone else to speak.

Mr. Barrett asked Ms. Rennard about timetables here. Ms. Rennard said she spoke to New Bedford and said their policy begins in August and she is waiting for some other call back from other communities. She said maybe the Board needs some feedback from the Health Dept, Police Dept, Building Dept. and Recycling and DPS. Mr. Santos said he is still a bit confused about the data given by package store owners at the last meeting. He said it would be helpful to ask some package store owners for some data. Ms. Rennard

suggested continuing until the February 26th meeting. Ms. Greel motioned to approve. Mr. Santo seconded. Mr. Barrett said motion carries. Roll call vote: 3-0.

18. Adjournment 7:48 PM. Ms. Greel motioned to adjourn. Mr. Santo seconded. Mr. Barret said motion carries. Roll call vote: 3-0.