

MEMBERS PRESENT: Chairman Elizabeth Steele, Paul Christo, Munro Moore, Dolores deSousa. Also Town Manager Jim Jeffers.

MEMBERS ABSENT: Mary-Jo Avellar

Convened: 7:28 p.m.
Adjourned: 11:30 p.m.

TOPIC Curb Cut, 104 Commercial, cont. from July 28 Motion No. 7500

Kenneth Stone, property owner, said that he had satisfied his abutters in presenting his revised plan. The amended plan calls for an oval drive with two cuts of 9 feet and 11 feet which will allow for only 1 car to be parked. No one spoke in opposition. Fire Chief Meads said that he was glad to see off-street parking.
Motion: deSousa to grant second: Christo
Stone said in a prepared statement that he was not happy with the location of the parking spot which would only allow for parking of one car. He was surprised that his neighbor had brought an attorney to the previous hearing.

Avellar abs
deSousa yes
Moore no
Steele yes
Christo yes
Passed x
Failed

TOPIC Public Hearing, Spiritus Pizza Motion No. xxxxx

A public hearing to discuss the serious congestion problems created by motor vehicles and pedestrians in the vicinity of Spiritus Enterprises, Inc 190 Commercial St--in addition to discuss the reduction in the number of hours that Spiritus Enterprises can operate. John Bennett, attorney for Spiritus was present. Police Chief Meads presented photos taken on Fri and Sat (Aug 8 & 9) to show congestion in the area. Meads said that he did not have the police available to patrol the area adequately. Fire Chief Meads said that his vehicles would not be able to get through in case of emergency. Mary Silvia, abutter, complained about the noise. She said that people sit on her steps and eat pizza. Silvia said that

Avellar
DeSousa
Moore
Steele
Christo
Passed
Failed

TOPIC cont. Motion No.

if Spiritus closed at 1 a.m. the problem would not exist. She suggested that Spiritus patrol the area. Mrs. Rego, also a neighbor, said that people throw paper and pizza boxes. She said that about 25% of the people go there to eat pizza. She said that the hours should be cut back. Fire Chief Meads said that the crowds hinder the rescue squad vehicles. Mary Silvia said she had reported service after 2a.m. She said it was on the log at the police station. Chief Meads said the doors are to close at 2 a.m. with those inside allowed to eat pizza. Meads recommended that the Board cut back the hours of Spiritus. Bennett said that the matter was on-going. Spiritus had retained two

Avellar
DeSousa
Moore
Steele
Christo
Passed
Failed

note: absent--abs.
abstain--abstr.

EN

T: Chairman Elizabeth Steele, Paul Christo, Munro Moore, Dolores deSousa. Also Town Manager Jim Jeffers.

CTMEN

SENT: Mary-Jo Avellar

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TOPIC Spiritus, cont. Motion No.

off-duty policemen in the past. The problem time is from 1 a.m. to 2 a.m., however the policemen, according to union contract, must work a minimum of four hours. Bennett suggested addressing this issue at licensing time. Bennett said that a crowd was going to gather somewhere. Mr Yingling, owner of Spiritus, said that the problem was one of 5 bars in the area which all let out at the same time. Yingling said that a number of people used his bathrooms. Chief Meads suggested requiring that only sit down customers be served after 1 a.m. Christo asked what the occupancy of the restaurant was. Yingling said 54, although he does not have that much seating. Bennett said that although Meads suggestion had merit, the crowds would still gather. He said that the restaurant was happy to pay for the additional officers for the period of time they were needed. Chief Meads said that the union contract calls for a 4 hour minimum at \$14.50 an hour. Meads said that Spiritus did not want to pay the 4 hour min. this year. Meads said it was incumbent upon Spiritus to solve the problem. Harold McGinn said that the pizza business was suffering from the alcohol business.

TOPIC cont. Motion No.

Bennett said that Spiritus was willing to re-establish the four hr. shift this season. Paul Schneider asked if there had been any arrests in the area. Meads said that there had been some. DeSousa said that the problem had been ongoing since 1981. She said that something must be done to alleviate the crowds that gather. Yingling said that loitering used to be illegal. Yingling said that he was doing less business because of the other restaurants in the area. Schneider said that Labor Day evening Spiritus was closed and the crowds still gathered. Meads said he could move the crowd but that it would cost the town a lot of money. Ed Brady said that the bars could announce at closing that crowds should not congregate at Spiritus. DeSousa said that notices could be sent to the guest houses. Bennett said that the owners were willing to hire 2 additional policemen for the four hour min. on Fri. and Sat. nights. Moore said that Spiritus is in business in a Commercial district and that to restrict the license would be difficult as Spiritus has not broken one single regulation. Moore said that the Board would lose out in court if it singled out one place and penalized it. Christo said he agreed with Moore. Christo said he might be in favor of confining the pizza eaters to the building. Jeffers said that the time to address the problem was at licensing time. Steele said she would like to see some solution to alleviate the problem until the end

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SELECTMEN PRESENT: Mary-Jo Avellar

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TOPIC Spiritus, cont. Motion No.7501

of the season. DeSousa moved that Spiritus Pizza hire four off duty police officers in order to preserve the tranquility of the neighborhood for 7 days a week from midnight to 3 a.m. Moore seconded for discussion. After discussion, deSousa withdrew her motion and moved that Spiritus hire 2 additional policemen from 11p.m. to 3 a.m. through-out the week with an additional two on Fri and Sat until Sept 15th. Moore seconded. Bennett said that Spiritus was willing to sit down with the Chief and work something out but that his clients would not go along with deSousa's motion.

Avellar abs
DeSousa yes
Moore yes
Steele yes
Christo yes
Passed x
Failed

Motion: Moore to accept Spiritus's offer to meet with Police

TOPIC cont. Motion No.

Chief Meads tomorrow and work out any arrangement that the Chief may want, which will include two additional off duty policemen to patrol the area
second: Christo

Avellar
DeSousa
Moore
Steele
Christo
Passed
Failed

TOPIC Public Hearing, taxi companies Motion No. XXXXX

A public hearing to discuss the availability of taxi service to the public from 1 a.m. to 6 a.m. on a daily basis. Police Chief Meads said that the taxi companies were providing a public service. Meads said that he had heard a person cannot get a cab after 10 p.m. He suggested that the 6 cab companies should rotate the shift. Richard Macara of Mercedes cab company said he was willing to accept calls up to 2:30 a.m. Meads said that the Selectmen can mandate that service be covered. Moore said that the time to deal with the problem was prior to licensing. Mr. Martin said that he operated year round and covered the town until midnight last year. Meads said that if the cab companies would give the police their number they would call them at night. Christo said that the overhead may not justify a 24 hr service. Also the cab companies have to be careful of late night customers not paying.

Avellar
DeSousa
Moore
Steele
Christo
Passed
Failed

note: absent--abs.
abstain--abstn.