

Saugus Board of Selectmen

March 3, 2009

The Saugus Board of Selectmen met on March 3, 2009 at 7:00 PM in the Town Hall Auditorium, 298 Central Street. Present were: Selectmen Stephen Castinetti, Stephen Horlick, Michael Kelleher, Peter Rossetti Jr. and the Chairman Donald Wong. Special Counsel Ira Zaleznik was also present. Mr. Kelleher arrived at 7:03 PM.

The Chairman excused himself from the table and Vice Chairman Castinetti took the Chair.

Continued hearings: Tabu – show cause hearing

Show Cause Hearing being held under MGL c.138 Section 12 & MGL c. 140 Section 183A and the Town of Saugus Liquor Rules & Regulations and the Town of Saugus Entertainment Rules & Regulations, for the purpose of the possible suspension, modification, revocation and / or cancellation of the of the Entertainment License and the All Alcoholic Beverages License of JLMT Enterprises, Inc. d/b/a Tabu Ultra Lounge and Nightclub, Carl Amato, manager, 168 Broadway and / or any such other action the Board deems necessary or appropriate. Said action is based on police reports submitted to the Saugus Board of Selectmen alleging violation of MGL c. 138 section 64 and violation of Sections 1.12(a)(1), (2), (3) & (5) and Section 1.04(a) of the Town of Saugus Liquor Rules & Regulations and Sections 1.12(a)(2) & (4) and Section 1.04(a) of the Town of Saugus Entertainment Rules & Regulations. Full reports are on file in the Board of Selectmen's Office. The Board will also hear evidence pursuant to the provisions of MGL c. 138, Section 12, sixth paragraph, as to the public need for the licensed premises to remain open until 2:00 AM.

Including Supplemental Notice voted 1/20/09.

Mr. Kelleher arrived at 7:03 PM.

Special Counsel explained he has held discussions with Attorney for Tabu Frank Russell since last hearing and would like to update the Board and requested an executive session to discuss existing litigation.

Mr. Rossetti moved the Board vote to go into executive session for the purpose of discussing existing litigation, in the 1<sup>st</sup> floor conference room, and to reconvene in open session. Those to be present: Selectmen Stephen Castinetti, Stephen Horlick, Michael Kelleher and Peter Rossetti; Special Counsel Ira Zaleznik; the Police Chief Dominic DiMella, and their clerk Wendy Reed. Vice Chair seconds.

Roll call vote: Mr. Castinetti, yes; Mr. Horlick, yes; Mr. Kelleher, yes; Mr. Rossetti, yes; Vote: 4-0.

The Board entered into executive session at 7:04 PM.

The Board returned to open session at 8:38 PM.

The Vice Chair called the meeting back to order.

Mr. Kelleher noted for the public that he will make a motion to continue the hearing to allow counsel to continue to talk and said that significant progress has been made.

Mr. Kelleher moved to continue the hearing to Tuesday, March 10, 2009 at 7:00 PM. Vice Chair seconds. Vote: 4-0.

Mr. Rossetti moved to adjourn. Vice Chair seconds. Vote: 4-0.

Meeting adjourned at 8:39 PM.

Respectfully submitted,

Wendy Reed, Clerk