

CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR NICOLE MURATI FERRER

POLICE COMMISSIONER ROBERT HAAS

FIRE CHIEF GERALD REARDON

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

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AT: Michael J. Lombardi Building  
Basement Conference Room  
831 Massachusetts Avenue  
Cambridge, Massachusetts 02139

DATE: Tuesday, February 23, 2016

TIME: 5:30 p.m. to 7:46 p.m.

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P R O C E E D I N G S

February 23, 2016

ONE-DAY LICENSES TO BE VOTED UPON BY THE BOARD

EXECUTIVE DIRECTOR ELIZABETH LINT: This is the Cambridge Licensing Commission administrative agenda for one-day applications to be voted upon -- please turn cell phones off -- to be voted upon by the Board.

Do you have the -- this meeting is being audiotaped and videotaped as well.

And do you have the -- these first or do you have the other?

CHAIR NICOLE MURATI FERRER: I have no idea. I'm sorry.

For the record, today is February 23rd, 2016, 5:40 p.m. I think we were originally going to start with wine and malt licenses, but

apparently they have been taken out of order, so I'll read them because I have the file in front of me and you can check them off the agenda and go like that.

The first is a request for a wine and malt license on February 26 through March 1st from Harvard Law School Drama Society at 1585 Massachusetts Avenue, Tracey-Ann Daley, hours of operation, 5:30 p.m. to 10:00 p.m., expected number of people 400. And it will be at the Milstein East, Harvard Law School.

Granted.

Second one is from Jennifer Novotney from MIT Museum. It's a nonprofit. Seeking a malt and wine license on April 23rd from 7:00 to 9:30 p.m., 200 people at the MIT Museum.

Granted.

Next one is Melissa Robinson seeking an all alcohol license from 6:30 to 9:00 p.m. on

March 10, 2016 for an event for the Harvard Law School Executive Education. It's a banquet at Harvard Law School.

Granted.

Next is an application for a one-day entertainment license from the Taiwanese Cultural Society. It will be at the Quincy Dining Hall, 58 Plympton Street, Saturday, February 27th from 8:30 p.m. to 10:00 p.m. Expected number of people 225.

Granted.

We also have a one-day application entertainment license Mary Cocavin (phonetic) from the Bach Society Orchestra.

EXECUTIVE DIRECTOR ELIZABETH LINT: Eric Corcoran.

CHAIR NICOLE MURATI FERRER: Oh, Eric. I'm sorry. It will be at -- is it Prairie Hall? The Music Building.

EXECUTIVE DIRECTOR ELIZABETH LINT: John Knowles Paine Concert Hall on Kirkland Street, 200 people.

CHAIR NICOLE MURATI FERRER: From 4:30 p.m. to 10:30 p.m. on March 4, 2016.

Granted.

Then we have a request from Renee Goslin at 101 Congress Street for a beer -- all alcoholic beverage license at 58 Memorial Drive and MIT building. And MIT approved the use of the building. And the event is March 3, 2016 from 6:00 p.m. to 10:30 p.m. for 25 guests.

Granted.

The next is one from Nicole Phillips seeking for a private function, a malt and wine license on March 3 -- March 3, 2016 from 6:30 p.m. to 8:30 p.m. Microsoft is having this event.

Granted.

Next is a beer and wine license, Renee Goslin at MIT on March 1, 2016 from 7:00 p.m. to 9:30 p.m. for 30 guests at MIT.

Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: It looks they're in reverse order.

CHAIR NICOLE MURATI FERRER: It's crazy. The next one, again, Renee Goslin for an event on February 29 from 5:00 p.m. to 10:00 p.m. for 85 guests at MIT.

Granted.

We have a charity wine license application Newtowne School at 11 Garden Street, charity wine pouring license with the date of the event is March 5, 2016.

We have a certification they're a nonpublic as well as the Secretary of State certificate, so granted.

And we have an application from Arlyn

Depagter from MIT for a wine license on March 1, 2016 from 6:00 p.m. to 9:00 p.m. at 77 Mass Ave.

Granted.

Arlyn Depagter also requesting a wine license on March 4, from 8:00 a.m. to 3:00 p.m.

What day of the week is March 4?

FIRE CHIEF GERALD REARDON: It is a Thursday.

EXECUTIVE DIRECTOR ELIZABETH LINT: Friday.

CHAIR NICOLE MURATI FERRER: Okay. For a full breakfast and lunch event at MIT. It's a private meeting and lunch at the MIT media lab. The age group expected is 50 to 70.

And we have a one day for a malt and wine from Kevin McGuire, for the Barium US Offices of Economic Development for an event, a party on February 24, from 5:30 p.m. to 8:30 at One Broadway at the Innovation Center.

EXECUTIVE DIRECTOR ELIZABETH LINT: 150 people.

CHAIR NICOLE MURATI FERRER: 150 people.  
Granted.

Amy Wilson, Friends of Cambridge Athletics/CRLS Crew is requesting a malt and wine license for a fundraising event from 6:00 p.m. to 9:00 p.m. at the Cambridge Boat Club.

Granted.

Can you see if that's an actual --

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes, it is.

POLICE COMMISSIONER ROBERT HAAS: What?

CHAIR NICOLE MURATI FERRER: Let's table the request of Amy Wilson for the Friends of Cambridge Athletics, I want a clarification who signed off on the police.

Do you know who that is?

POLICE COMMISSIONER ROBERT HAAS: I don't

think they can sign off on this.

ANDREA BOYER: Sometimes the State Police signs off on it.

POLICE COMMISSIONER ROBERT HAAS: It's in our jurisdiction though.

ANDREA BOYER. I know, but the state has been signing off on them.

CHAIR NICOLE MURATI FERRER: I defer to the City of Cambridge Police Commissioner.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes, that's Mark Horigan, who's the lieutenant at --

POLICE COMMISSIONER ROBERT HAAS: And by HPD.

CHAIR NICOLE MURATI FERRER: So these are --

EXECUTIVE DIRECTOR ELIZABETH LINT: State Police.

POLICE COMMISSIONER ROBERT HAAS: No, but there's other ones.

CHAIR NICOLE MURATI FERRER: The ones in Harvard -- the ones in the university, the -- even the previous type of application, the Cambridge police would not sign off on it, the University police would sign off on it, if it's in the university's campus.

POLICE COMMISSIONER ROBERT HAAS: Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Right.

CHAIR NICOLE MURATI FERRER: So what is your take on the fund raiser on the Cambridge Boat Club?

POLICE COMMISSIONER ROBERT HAAS: I'm okay with it.

CHAIR NICOLE MURATI FERRER: That one is granted.

Nicole Phillips on February 26, has requested a wine and malt license for a private reception at Harvard University at Boylston Hall

from 6:00 p.m. to 9:00 p.m. It's the green reception.

Granted.

We have a request from Lillian Fuller and Nicole Phillips for a request for a beer and wine license for the Autism Speaks at Microsoft Nerd Center on Memorial Drive from 6:30 p.m. to 8:30 p.m.

I think you have that application there.

EXECUTIVE DIRECTOR ELIZABETH LINT: I didn't hear what you --

CHAIR NICOLE MURATI FERRER: Granted. This is the Autism Speaks.

EXECUTIVE DIRECTOR ELIZABETH LINT: Have you done all of those? I know where those are.

CHAIR NICOLE MURATI FERRER: I don't understand what is in the rest of the file folder. You can do them because I'm so confused for their organization.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Christopher Bandereck, The Whoppie Wagon holder of an annual Hawkers and Peddlers license has applied to vend at 449 Broadway on April 16 from 11:00 a.m. to until 5:00 p.m. for the Cambridge Science Festival.

CHAIR NICOLE MURATI FERRER: He already has an annual license.

EXECUTIVE DIRECTOR ELIZABETH LINT: But that's not his location.

CHAIR NICOLE MURATI FERRER: Okay.  
Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: Jaime Beadle (Posto Mobile), had applied for a vendor's license for February 24, March 2, March 9 and March 16 to sell food at Vecna Technologies on their private property from 11:00 a.m. to 2:00 p.m. He has permission from Vecna.

Bill Manley on behalf of Harvard Business

Association has applied for an entertainment license for a Chinese New Year's celebration at Winthrop Park on February 28 from 1:00 p.m. to 2:00 p.m.

CHAIR NICOLE MURATI FERRER: As an FYI, granted, as to the last request.

So Ms. Lint, this last one from Bill Manley, was this because it says they need a new license of is that because the other one they changed the date, or is it just a new license?

EXECUTIVE DIRECTOR ELIZABETH LINT: I think it's just a new one.

CHAIR NICOLE MURATI FERRER: This is for the Chinese New Year's celebration. We had a snowstorm that day. It's probably rescheduling.

EXECUTIVE DIRECTOR ELIZABETH LINT: Sort of a snowstorm.

CHAIR NICOLE MURATI FERRER: But everything was cancelled.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yeah.

Caroline Murphy applied for an entertainment license for a concert at John Knowles Paine Concert Hall, on Kirkland Street on February 27th from 3:00 p.m. to 5:00 p.m., 250 people are expected at the Radcliff Choral Society.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT:  
Phyllis Benjamin applied for a raffle license on behalf of Friends of the Community Learning Center at 5 Western Avenue. That's a fundraiser. They're a nonprofit.

CHAIR NICOLE MURATI FERRER: What are they --

EXECUTIVE DIRECTOR ELIZABETH LINT:  
Friends of the Community Learning Center.

CHAIR NICOLE MURATI FERRER: I didn't hear what they were applying for.

EXECUTIVE DIRECTOR ELIZABETH LINT: A  
raffle license.

CHAIR NICOLE MURATI FERRER: Okay.  
Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT:  
Kathryn Fenneman on behalf of Tutoring Plus of  
Cambridge has applied for a raffle license at 415  
Main Street.

CHAIR NICOLE MURATI FERRER: Granted.  
Laurie Poklop has applied for a raffle  
license of Friends of Amigos School, 15 Upton  
Street, Cambridge on April 2.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: Emera  
Trujillo has applied for a wine and malt license  
to be exercised at Workbar, 45 Prospect Street,  
Cambridge, on March 3 from 5:30 to 8:30 for a  
professional networking event.

Expected 100 people.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Benjamin Green has applied for a wine and malt with entertainment to be exercised at Dudley House in Harvard Yard on March 5 from 8:00 p.m. to 1:00 a.m. for a spring swing. 200 are expected.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: Arlyn

Depagter has applied for a wine and malt license to be exercised at MIT Executive Education Suite dining room, 100 Main Street on February 24th from 5:00 to 9:00, 52 are expected.

Sierra Fan has applied for a wine and malt license with entertainment to be exercised at Northwest Building, 52 Oxford Street on March 5th from 7:00 p.m. to 11:59 p.m. for a performance, 300 are expected.

CHAIR NICOLE MURATI FERRER: I like that

posting 11:59 p.m.

Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: Shane Hebel has applied for a wine and malt license with entertainment to be exercised at Austin Hall, Harvard Law School, 1585 Mass Ave on March 15, 6:30 to 8:00 for a conference reception. 200 are expected.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT:

That's all I have.

**ADMINISTRATIVE MATTERS**

To the administrative matters. Fawaz Abu-Rubayah doing business as Beantown Taqueria, 150 Western Avenue, previously holder of a Common Victualer license ceased operating. Now seeking to renew license, and change d/b/a.

CHAIR NICOLE MURATI FERRER: So this place, we heard this matter. When was it?

February 9 and we later learned that they had closed, so they weren't open for business when they came to renew the other Beantown, they said they were closed. A week after Fawaz Abu-Rubayah came in and he said he wanted to come in and change the d/b/a and that he wanted to just continue with the CV and just basically change the d/b/a to what it used to be. He submitted the application, all the fees and also a waiver with regard to the late renewal.

So he was wondering whether we could vote on the change of d/b/a without having a full blown hearing. That's why it's on the agenda.

POLICE COMMISSIONER ROBERT HAAS: He has done that before.

CHAIR NICOLE MURATI FERRER: He changed a d/b/a without a hearing for CVs.

EXECUTIVE DIRECTOR ELIZABETH LINT: We have done that.

CHAIR NICOLE MURATI FERRER: It's the same owner.

POLICE COMMISSIONER ROBERT HAAS: Uh-huh.

EXECUTIVE DIRECTOR ELIZABETH LINT: Same location, same hours.

POLICE COMMISSIONER ROBERT HAAS: I'm good with it.

CHAIR NICOLE MURATI FERRER: You're good with it?

POLICE COMMISSIONER ROBERT HAAS: Uh-huh.

CHAIR NICOLE MURATI FERRER: So the change of the d/b/a would be to Bub Amoud (phonetic) and everything else is staying the same.

And with regard to the failure to renew in a timely manner, I note for the record this is the first time they had done this. But because they failed to show up at the hearing, and it took a cease and desist order basically, I would

say a violation with one day held in abeyance for a year.

POLICE COMMISSIONER ROBERT HAAS:

Seconded.

CHAIR NICOLE MURATI FERRER: I didn't mean to exclude you, but you weren't here.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Tables of Content, Inc, 6 Appian Way, previously holder of a common victualer license is not open to public.

CHAIR NICOLE MURATI FERRER: Let's just acknowledge and make sure we cancel the file, the electronic file, so we don't do this again and keep sending them notices basically.

EXECUTIVE DIRECTOR ELIZABETH LINT: Pedro Dombeles doing business as Tisan Coffee, 1722 Mass Ave, previously holder of a common victualer license has ceased operating.

CHAIR NICOLE MURATI FERRER: I

acknowledge a closed-out electronic file, or cancelled or however we put it.

EXECUTIVE DIRECTOR ELIZABETH LINT: I'll take care of it.

CHAIR NICOLE MURATI FERRER: It would not be revoked because they don't exist anymore.

EXECUTIVE DIRECTOR ELIZABETH LINT: It will be expired.

YL Harvard Square, Inc, doing business as Yogurtland, 57 JFK Street, previously holder of common victualer and entertainment licenses has ceased operating.

CHAIR NICOLE MURATI FERRER: Same, closed file.

EXECUTIVE DIRECTOR ELIZABETH LINT: Orhan Tas doing business as Café Anthony 983, 983 Massachusetts Avenue, holder of a Common Victualer license filed a Waiver of Hearing for Failure to Renew 2016 license.

CHAIR NICOLE MURATI FERRER: So after the cease and desist order that same day, they came in and think corrected the matter. They paid everything. Filed all the documents that we needed.

For the record, this is the first time they had done it, but, again, based on fact they didn't show to the hearing, I would vote for a one day held in abeyance for a year.

POLICE COMMISSIONER ROBERT HAAS: Second.

EXECUTIVE DIRECTOR ELIZABETH LINT: In response to a License Commission request, Huamulan Restaurant, Inc doing business as Mulan Taiwanese Restaurant, 228 Broadway Street, holder of a Malt and Wine Common Victualer license submitted letter informing they expect to resume operations in approximately three months, when the repairs due to the fire are completed.

CHAIR NICOLE MURATI FERRER:

Acknowledged.

EXECUTIVE DIRECTOR ELIZABETH LINT: In response to a License Commission request, Conductors Restaurant, LLC doing business as Conductors Restaurant, 112 Mount Auburn Street, holder of an All Alcoholic Common Victualer license, submitted a letter stating the build-out will be complete in approximately four to five months, and that it is in negotiations to sell the license.

CHAIR NICOLE MURATI FERRER: Wasn't this the license that just got transferred to them?

EXECUTIVE DIRECTOR ELIZABETH LINT: It was awhile ago.

CHAIR NICOLE MURATI FERRER: But it was transferred to them like they're the new holder of the license and now they're seeking to again transfer it out?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: Okay.

Acknowledged.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Notice from Commerce Bank regarding Rodolphe Cab, Inc. Seeking approval to use medallion (#045) held by Rodolphe Cab, Inc as collateral for a loan.

CHAIR NICOLE MURATI FERRER: I note for the record that the Executive Director reviewed and found the documents are all set and acknowledged and approved.

EXECUTIVE DIRECTOR ELIZABETH LINT: In response to Cease and Desist Order for operating without a Common Victualer License, Restaurant Associates LLC doing business as Carspen Hall @ Harvard Law School, 1585 Massachusetts Avenue, completed process to obtain valid 2016 Common Victualer license and submitted a Waiver of Rehearing.

CHAIR NICOLE MURATI FERRER: So this was actually --

POLICE COMMISSIONER ROBERT HAAS: No. 9.

CHAIR NICOLE MURATI FERRER: Yeah. No, No. 11. Again, this was the first time that they did it again, but the failure to show up at one day held in abeyance for a year.

POLICE COMMISSIONER ROBERT HAAS: Second.

EXECUTIVE DIRECTOR ELIZABETH LINT: In response to Cease and Desist Order for operating without a Common Victualer License, Restaurant Associates LLC doing business as Restaurants Associates at Harvard, 14 Everett Street, completed process to obtain valid 2016 Common Victualer license and submitted a Waiver of Rehearing.

CHAIR NICOLE MURATI FERRER: Violation one day held in abeyance for a year again considering the fact that it was their first

time.

POLICE COMMISSIONER ROBERT HAAS: Second.

CHAIR NICOLE MURATI FERRER: For the record, I don't have here their waiver.

EXECUTIVE DIRECTOR ELIZABETH LINT: I think they're together.

CHAIR NICOLE MURATI FERRER: Yep.

EXECUTIVE DIRECTOR ELIZABETH LINT: In response to Cease and Desist Order for operating without a Common Victualer License, Fawaz Abu-Rubuyah doing business as Beantown Taqueria, 245 Massachusetts Avenue, completed process to obtain valid 2016 Common Victualer and Entertainment licenses and submitted a Waiver of Rehearing.

CHAIR NICOLE MURATI FERRER: I'm fine with it. Violation one day held in abeyance for a year.

POLICE COMMISSIONER ROBERT HAAS: Second.

EXECUTIVE DIRECTOR ELIZABETH LINT: In response to Cease and Desist Order for operating without a Common Victualer License, Lucksamee of Cambridge, Inc doing business as Rod Dee Thai Cuisine Original, 1906 Massachusetts Avenue, completed process to obtain valid 2016 Common Victualer license and submitted a Waiver of Rehearing.

CHAIR NICOLE MURATI FERRER: This one I have an issue with because they're late 2011, 2012, 2014 and 2015.

POLICE COMMISSIONER ROBERT HAAS: Uh-huh.

CHAIR NICOLE MURATI FERRER: So I would actually vote for a one day to be served now.

POLICE COMMISSIONER ROBERT HAAS: Second.

CHAIR NICOLE MURATI FERRER: One day suspension.

EXECUTIVE DIRECTOR ELIZABETH LINT:  
License Commission deferred February 9, 2016,

vote on disciplinary matter regarding Compass Group, doing business as Eurest Dining Services, 1 Memorial Drive, failure to renew 2016 Common Victualer License. Investigator confirmed establishment was operating and open to the public. Since inspection, licensee completed renewal procedure and filed Waiver for Failure to Renew.

CHAIR NICOLE MURATI FERRER: Again, with this one, I would vote a one day to be served now because they were late 2010, 2013, 2014 and '15.

POLICE COMMISSIONER ROBERT HAAS:  
Seconded.

CHAIR NICOLE MURATI FERRER: Suspension one day.

EXECUTIVE DIRECTOR ELIZABETH LINT: In response to Cease and Desist Order for operating without a Common Victualer License, Plenty USA, Inc doing business Santouka, 1 Bow Street,

completed process to obtain valid 2016 Common Victualer license and submitted a Waiver of Rehearing.

CHAIR NICOLE MURATI FERRER: Being the first time violation the failure to show up at the hearing one day held in abeyance for a year.

POLICE COMMISSIONER ROBERT HAAS:  
Seconded.

EXECUTIVE DIRECTOR ELIZABETH LINT: In response to Cease and Desist Order for operating without a Common Victualer License, Northeast Foods, Inc doing business as Burger King, 679 Concord Avenue, completed process to obtain valid 2016 Common Victualer license and submitted a Waiver of Rehearing.

CHAIR NICOLE MURATI FERRER: First time violation one day held in abeyance for a year.

POLICE COMMISSIONER ROBERT HAAS:  
Seconded.

EXECUTIVE DIRECTOR ELIZABETH LINT: In response to Cease and Desist Order for operating without a Common Victualer License, King Selhi Associates, LLC doing business as McDonald's, 184 Alewife Brook Parkway, completed process to obtain valid 2016 Common Victualer license and submitted a Waiver of Rehearing.

CHAIR NICOLE MURATI FERRER: Violation one day to be held in abeyance for a year considering it's the first time.

POLICE COMMISSIONER ROBERT HAAS: Second.

CHAIR NICOLE MURATI FERRER: Can we check their address because we have on some of our agendas 186 and others 184. Just make sure that we have their right address, please.

EXECUTIVE DIRECTOR ELIZABETH LINT: In response to Cease and Desist Order for operating without a Common Victualer License, Aspen Bagel Co doing business as Alpine Bagel Café and

Cambridge, 84 Massachusetts Avenue, completed process to obtain valid 2016 Common Victualer and Entertainment licenses and submitted a Waiver of Rehearing.

CHAIR NICOLE MURATI FERRER: Considering it's the first time, violation one day held in abeyance for a year.

POLICE COMMISSIONER ROBERT HAAS: Second.

EXECUTIVE DIRECTOR ELIZABETH LINT: In response to Cease and Desist Order for operating without a Common Victualer License, NE Frog Pond, LLC doing business as Pinkberry, 1380 Massachusetts Avenue, completed process to obtain valid 2016 Common Victualer license and submitted a Waiver of Rehearing.

CHAIR NICOLE MURATI FERRER: Considering they also did this 2012, 2013 and 2015, violation one day to be served.

POLICE COMMISSIONER ROBERT HAAS:

Seconded.

EXECUTIVE DIRECTOR ELIZABETH LINT: Life Alive Acquisition, LLC doing business Life Alive, at 763 Massachusetts Avenue, previous holder of a Common Victualer license which has expired, has applied for a new Common Victualer license. They're seeking a temporary license until the matter can be properly noticed.

CHAIR NICOLE MURATI FERRER: So this is the one that -- can you give us the background on this because I don't really remember it?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes. This one, they came in, they called to ask if they could apply for a wine and malt license, and in looking at the paperwork they submitted, it was a new corporation, a new LLC that had not been approved by the Board. New members, new owners. And in reviewing --

CHAIR NICOLE MURATI FERRER: This is one

of the ones we didn't schedule because they got lost in the shuffle because they originally held a liquor license.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Exactly. And then, in looking in the system, the license was expired and they thought the food handlers permit was sufficient.

CHAIR NICOLE MURATI FERRER: Did they submit to us the CV application?

EXECUTIVE DIRECTOR ELIZABETH LINT: It's in the process. They needed more paperwork.

CHAIR NICOLE MURATI FERRER: Do we know their hours of operation?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: All the same?

EXECUTIVE DIRECTOR ELIZABETH LINT: All the same.

CHAIR NICOLE MURATI FERRER: I would

grant a temporary CV license while they -- what paperwork do they need? They have the food permit already?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: And everything at the ISD?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: They got those without getting our license though.

EXECUTIVE DIRECTOR ELIZABETH LINT: Right. They have to complete -- it may have been submitted, and I didn't know it, but they -- when they came in, they were missing some things on the document.

CHAIR NICOLE MURATI FERRER: So I would vote to provide them a temporary CV while they get their paperwork together.

FIRE CHIEF GERALD REARDON: 60 days.

CHAIR NICOLE MURATI FERRER: Two weeks.

It should not take them that long if they already have everything else.

FIRE CHIEF GERALD REARDON: Do they know they have to be in for this?

CHAIR NICOLE MURATI FERRER: Well, to submit the application to us.

Two weeks to submit the application to us?

POLICE COMMISSIONER ROBERT HAAS:  
Seconded.

CHAIR NICOLE MURATI FERRER: All in favor?

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR NICOLE MURATI FERRER: Aye.

EXECUTIVE DIRECTOR ELIZABETH LINT: The License Commission has received notice that The Massachusetts Lottery Commission intends to install Keno To Go monitors at the following

Locations: Cambridge Shell, 1001 Cambridge Street and Crimson Corner, 1394 Massachusetts Avenue.

CHAIR NICOLE MURATI FERRER:

Acknowledged.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Lamplighter Brewing Co, LLC doing business as Lamplighter Brewing Co's application for a Farmer Brewery Pouring Permit and Common Victualer License at 284 Broadway. Matter was deferred pending receipt of the First Holiness Church's letter regarding the application. Letter and responses thereto submitted to the Commission.

CHAIR NICOLE MURATI FERRER: We received the church's letter basically saying what the woman had represented at the hearing about the parking and whatnot, and we also received another letter from the church right across saying they're in support of the application, and we

received some other letters in support.

During the hearing, I found that they had shown public need. I think the fact that yes, of course, they're going to bring in some business, but it doesn't seem like it's going to impact in such a negative way, and considering the CV and they have gone through an extensive process with that already, and they have been approved for the number of seats that they were seeking, and the variance, I see no problem with granting the application presented to us. So I vote to grant the application.

POLICE COMMISSIONER ROBERT HAAS: Second.

FIRE CHIEF GERALD REARDON: I don't think I was there for that one. Abstain.

CHAIR NICOLE MURATI FERRER: So granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: 0912,  
LLC doing business as Forage application for  
Common Victualer All Alcoholic Beverages License

at 5 Craigie Circle. Matter was deferred pending receipt of additional documents necessary to complete application and confirmation the financing would not violate General Laws Chapter 138, Section 25. Documents came in and Commission received legal confirmation Section 25 would not impede the proposed financing.

CHAIR NICOLE MURATI FERRER: So those were the only two reasons why we deferred this matter, but interestingly enough, we did receive some more letters with regard to this matter, specifically, the closing hour issue and one of the letters says that these hours transferred from the old one. I want to put, for the record, that the hours are specifically to the application and the license, they don't transfer along with the license. And I think during the presentation, there was sufficient show of public need for these hours at this location. And in

the worst case scenario, if issues do come up, we have the power to roll back these hours.

I propose to grant it as presented to us.

POLICE COMMISSIONER ROBERT HAAS: Would you be willing to do a six-month review?

CHAIR NICOLE MURATI FERRER: Exactly.

Granted with a six-month review.

### **NEW AGENDA**

#### **APPLICATION:**

#### **CAMBRIDGE CRAFT, LLC D/B/A WORLD OF BEER**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Moving to the new agenda.

Application: Cambridge Craft, LLC doing business as World of Beer, has applied for a new Common Victualer All Alcoholic Beverages License to be exercised at 100 Cambridgeside Place, #W102, Brian Nadler, as proposed manager, and hours of operation of Sunday to Thursday from 11:00 a.m. to 1:00 a.m., and Friday and Saturday

from 11:00 a.m. to 2:00 a.m.; seating capacity of 149 inside and 21 seasonal patio seats on private property. An application is also made for an Entertainment License for an audio tape machine/CD/computerized digital media that can be played below conversation level; live music with amplification; and 17 TVs.

CHAIR NICOLE MURATI FERRER: Good evening.

ATTY JOE HANLEY: Nice to see you. Just passing out materials for the record. Attorney Joe Hanley, McDermott, Quilty & Miller, 131 --

THE REPORTER: Joe, you have to spell your first and last name.

ATTY JOE HANLEY: Joe, J-O-E, initial P, last name, H-A-N-L-E-Y.

With me is or I can actually let you guys introduce yourself.

BRIAN NADLER: Brian Nadler, B-R-I-A-N,

N-A-D-L-E-R.

JAMES CECIL: James Cecil, J-A-M-E-S,  
C-E-C-I-L.

MATT CHRISTY: Matt Christy, M-A-T-T,  
C-H-R-I-S-T-Y.

ATTY JOE HANLEY: Madam Chair, we handed  
out some presentation materials for you. Thank  
you for the opportunity to be here tonight.

To my right, as he introduced himself,  
Brian Nadler is the proposed manager of record on  
the application before you, and to my middle  
right is James Dan Cecil, who is a principal with  
the proposed licensee for the beer. And Matt  
Christy, to my far right, who is the marketing  
manager for the concept.

We're excited to be here with an  
opportunity to open the first World of Beer  
Restaurant concept in Massachusetts in the area.  
The space is the former California Pizza Kitchen

Restaurant location inside the Cambridgeside Galleria.

That operation completed business at the end of the year, and it has been vacant, and my client signed a lease with New England Development, the owner of the mall, to go into that space. And the application before you is approximately a 1.9 million dollar investment, a million of which is estimated for the build-out of the space.

And as the Executive Director read into the record, we're looking for 149 seats interior and 21 on the patio for a total of 170. You have a floor plan with you as well.

Just a little bit about World of Beer, 70 locations nationally, and they're in the midst of repositioning with a very strong focus on dining and restaurant.

And pairing the beer and sort of alcohol

as an amenity to the dining aspects, they offer almost 70 craft beers on tap with a real regional and local focus.

And this, again, would be the first in Massachusetts and the fourth for this franchisee who has the rights to the northeast market as well as some parts of Florida.

Also, proud to say that the standard here obviously is public need and the character and fitness. This applicant in the other locations have never had a violation from any of the licensing authorities at their other locations. Everyone that works World of Beer will be TIPS certified and routinely trained.

The manager of record, Brian, is -- has been working with the concept for two years now. He's local. We anticipate that by the time the build-out is done, we'll probably be before you with a change of manager for someone who is more

of a day-to-day person, but certainly Mr. Nadler has taken the time to work with us and with Dan and the company to become familiar with all the rules and regulations and certifications and will go through Cambridge's certification process as well.

Finally, we had very positive outreach with the community before coming to you tonight. I have a copy of the letter from the East Cambridge Planning Team. I don't know if you're in receipt of this.

CHAIR NICOLE MURATI FERRER: We did receive it.

ATTY JOE HANLEY: We met with them on February 10 and they voted to support the concept.

With respect to the public need, this is a space that was licensed. These are, as you know, licenses that are issued for the mall

itself, so that license has been handed in rather than a transfer for tax reasons. This is, obviously, a new entity, so we're seeking a new license in its place, and would suggest there's a need that continues in the mall and Cambridge and in the area for this type of concept that is to provide a very good dining experience with a selection of craft beers and spirits that reflect the region and the tastes of the area.

CHAIR NICOLE MURATI FERRER: Thank you. Mr. Hanley, before I ask your clients a couple questions, I did see a couple issues.

Mr. Nadler's CORI request form, it's notarized, but the notary did not fill out the -- neither did David, he signed it before the notary or the ID used.

ATTY JOE HANLEY: Okay.

CHAIR NICOLE MURATI FERRER: So that probably needs to be re-notarized or fixed. I

think it's Helena Facetto (phonetic), maybe she is in your office. I'm not quite sure.

ATTY JOE HANLEY: Okay.

CHAIR NICOLE MURATI FERRER: I did have a question. Does the landlord have any interest in the license? Any -- it's not a percentage lease or anything of that nature?

ATTY JOE HANLEY: In the lease --

CHAIR NICOLE MURATI FERRER: I know the landlord is providing funds for some of the improvements, but they're not taking --

ATTY JOE HANLEY: Is it percentage rent though?

JAMES CECIL: Over a certain cap.

ATTY JOE HANLEY: We checked off "yes."  
I know the ABCC now has a different way of looking at this.

CHAIR NICOLE MURATI FERRER: I mean, I was wondering in terms of 18B because it says

"no" and since they're listed as --

ATTY JOE HANLEY: Okay.

CHAIR NICOLE MURATI FERRER: It's kind've weird now. I don't know, so I'm not quite sure.

ATTY JOE HANLEY: I know the -- in reading the new directive from the new treasurer and her commission, they don't consider it to be an interest, but you have to disclose it.

CHAIR NICOLE MURATI FERRER: Fine by me. I flagged it.

And then I did have a question as to the lease. Do you have it before you, by any chance?

ATTY JOE HANLEY: I'm sorry?

CHAIR NICOLE MURATI FERRER: Do you have the lease agreement before you?

ATTY JOE HANLEY: I do not.

CHAIR NICOLE MURATI FERRER: I flagged  
59H.

Why don't you read it while I ask

Mr. Nadler, the manager, questions.

Mr. Nadler, you have never been the manager on a liquor license before, correct?

BRIAN NADLER: Yes.

CHAIR NICOLE MURATI FERRER: Your counsel said you have been with the company two years, is that correct?

BRIAN NADLER: Approximately two years.

CHAIR NICOLE MURATI FERRER: What has been your experience with them?

BRIAN NADLER: Real estate. Looking for site development and new locations.

CHAIR NICOLE MURATI FERRER: So you don't have any experience in the food and beverage industry?

BRIAN NADLER: I have years of experience.

CHAIR NICOLE MURATI FERRER: Okay.

BRIAN NADLER: Not to date myself, but I

was manager for a concept called Pewter Pot Muffin House years ago and I ran the Salem Inn Hospitality Division, which was banquet bar and restaurant in Salem, New Hampshire for several years.

CHAIR NICOLE MURATI FERRER:

Understanding that you're probably going to be changing managers once you operate, but still I want to ask you, did you take the 21 Proof training with the City of Cambridge?

ATTY JOE HANLEY: We're going to do that, yeah, yep.

CHAIR NICOLE MURATI FERRER: And are you familiar with the rules and regulations with regard to sales and service of alcohol?

BRIAN NADLER: I am, and I'm refamiliarizing the packet of information.

CHAIR NICOLE MURATI FERRER: Do you understand that we expect you to stay updated

with those rules laws and regulations?

BRIAN NADLER: Yes.

CHAIR NICOLE MURATI FERRER: Are you a  
Massachusetts resident?

BRIAN NADLER: Yes.

CHAIR NICOLE MURATI FERRER: Are you a US  
citizen?

BRIAN NADLER: Yes.

CHAIR NICOLE MURATI FERRER: Any  
questions?

POLICE COMMISSIONER ROBERT HAAS: No  
questions.

FIRE CHIEF GERALD REARDON: In terms of  
the retrofit, how extensive is that going to be  
in that space?

JAMES CECIL: A complete gut.

FIRE CHIEF GERALD REARDON: It is.

JAMES CECIL: Ground slab style.

FIRE CHIEF GERALD REARDON: You're doing

a complete kitchen? The kitchen is a relocation or in the same location?

JAMES CECIL: It's slightly back from what it was, where the existing cooler remains.

FIRE CHIEF GERALD REARDON: Obviously, from your menu, you will have fryolators?

JAMES CECIL: I'm sorry?

FIRE CHIEF GERALD REARDON: Looking at your menu, I assume you have fryolators?

JAMES CECIL: Yes.

FIRE CHIEF GERALD REARDON: You're aware of all the new changes in Massachusetts with regard to the hoods?

JAMES CECIL: We have a hooding system.

FIRE CHIEF GERALD REARDON: And you need to get that certified by a competent certified one by the State Fire Marshal's Office when you make a move like that.

Are you moving them far horizontal to

where they were before or relatively close?

JAMES CECIL: Exact same location.

FIRE CHIEF GERALD REARDON: All right.

As part of the retrofit, you're going to be doing the firearm alarm system and sprinkler system predicated on the space?

JAMES CECIL: Yes. We have a full set of architectural plans with complete mechanical engineering.

FIRE CHIEF GERALD REARDON: How far along are you right now?

JAMES CECIL: Just gutting the space and putting the permits and architectural plans and mechanical engineering are with the city right now for review.

FIRE CHIEF GERALD REARDON: You're also familiar with the crowd manager law because you will have over 100 people as well?

JAMES CECIL: Yes.

FIRE CHIEF GERALD REARDON: You make sure that someone is present at all times when the establishment is open so you have the crowd manager law.

JAMES CECIL: Yes.

FIRE CHIEF GERALD REARDON: I'm all set.

CHAIR NICOLE MURATI FERRER: Did you get to read them, Mr. Hanley?

ATTY JOE HANLEY: Yes, ma'am.

CHAIR NICOLE MURATI FERRER: Can you anticipate my question?

ATTY JOE HANLEY: Well this is talking about the prohibition on pledging the license which, of course, this is a restricted license that has no value and can't be pledged and can't be transferred back. So I would think it would be kind've a moot provision.

CHAIR NICOLE MURATI FERRER: The next page where it says "If the licensee or if the

tenant leaves, that the license reverts to the landlord"?

ATTY JOE HANLEY: Right.

CHAIR NICOLE MURATI FERRER: Are you aware that can't happen?

ATTY JOE HANLEY: Obviously, it can't. Yup, yup. I think my friends at Goulston & Storrs probably didn't realized it was a restricted license. I didn't work on the lease, but we'll communicate with them. It wouldn't work by operational law, so thank you.

CHAIR NICOLE MURATI FERRER: No, I know. That's why I was concerned about it.

ATTY JOE HANLEY: Okay.

CHAIR NICOLE MURATI FERRER: Ready to vote?

FIRE CHIEF GERALD REARDON: All set.

CHAIR NICOLE MURATI FERRER: All in favor as to how it was presented to us?

EXECUTIVE DIRECTOR ELIZABETH LINT: Do  
you want to ask --

CHAIR NICOLE MURATI FERRER: Thank you.  
See, I need my coffee. I need to start bringing  
my coffee down.

Anyone in favor of this petition?

Anyone in opposition to this petition?

I vote to grant.

FIRE CHIEF GERALD REARDON: Second.

CHAIR NICOLE MURATI FERRER: All in  
favor?

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIR NICOLE MURATI FERRER: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR NICOLE MURATI FERRER: Granted.

ATTY JOE HANLEY: Thank you.

**APPLICATION:**  
**GQS HARVARD SQUARE, INC D/B/A TOM'S BAUBAO**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: GQS Harvard Square, Inc doing business as Tom's BaoBao, has applied for a new Common Victualer License to be exercised at 57 JFK Street, open seven days per week between 7:00 a.m. and 1:00 a.m. with a seating capacity of 13 inside and four seasonal patio seats on private property, proposed manager of record, Rosamond Lu. Premise description: First floor fast order restaurant with approximately 1200 square feet, including open kitchen. Street level with entrance on Winthrop Street and emergency exit into Crimson Galleria Mall.

ATTY ANDREW UPTON: Good evening, Madam Chair, Chief, Chief.

Andrew, A-N-D-R-E-W, Upon, U-P-T-O-N representing the applicant.

With me is Rosamond, R-O-S-A-M-O-N-D, last name L-U, and Gerry Tracy, G-E-R-R-Y, T-R-A-C-Y.

CHAIR NICOLE MURATI FERRER: Thank you.

ATTY ANDREW UPTON: Thank you for listening. We're here on behalf of Tom's BaoBao, which an exciting Asian fast order food concept which Gerry will describe a little bit.

But just by way of procedure, we met with and earned the support of the Harvard Square Business Association and the Harvard Square Advisory Committee.

We also have been approved for the appropriate ZBA relief, and we're waiting for that decision to come through.

I will also mention that Austin Collier (phonetic), the director of operations, is here in the back, as is Tom Tong, the founder of the company, who has over 200 locations in China. He's from China and will probably not be asking questions unless you address him in Chinese, but his business and his representation in his own

country are impeccable. He wanted to be here because this is the first outlet that they're starting in Cambridge.

It's the first in the US and with that, we'll have Gerry just give you a very brief description of the concept and answer any questions along the way.

GERRY TRACY: Good evening. I am just back four days ago from my month long trip to China to learn all about this company and the art of Bao, and I'm really excited to bring it to the states. This concept that we have is unlike any other.

Our product is hand-crafted, it's authentic, uses the highest quality of filings and ingredients all the way around. With that, Bao is centuries old and probably the most recognized food in China.

It goes back over 1200 years. And it's

simply a steamed bun. You may know them from dim sum or from markets where you have the dough, the lemon dough with the filling, and typically we eat them at brunch, but they're a staple in the Chinese cuisine.

CHAIR NICOLE MURATI FERRER: What is your role within the concept?

GERRY TRACY: I'm the vice president of operations for the company.

CHAIR NICOLE MURATI FERRER: Okay.

ATTY ANDREW UPTON: Rosamund has applied for manager of record, but once the store is up and running, Gerry will take over on the day-to-day basis.

CHAIR NICOLE MURATI FERRER: The owner is GQS Harvard Square, Inc?

ROSAMUND LU: Correct.

CHAIR NICOLE MURATI FERRER: You're the owner of that company?

ROSAMUND LU: An officer of the company.

CHAIR NICOLE MURATI FERRER: And who is the actual -- aside from --

ROSAMUND LU: Harvard Square -- who are the other officers?

CHAIR NICOLE MURATI FERRER: Yeah.

ROSAMUND LU: Tom is.

CHAIR NICOLE MURATI FERRER: So the profits -- I'm trying to figure out, who gets the profits from this venture basically.

ROSAMUND LU: GQS Harvard Square, Inc is owned by GQS -- Bao, Inc, which is the parent company.

CHAIR NICOLE MURATI FERRER: Okay.

You will be open from 7:00 a.m. to 1:00 a.m.?

ROSAMUND LU: That's what is suggested by the Advisory Board. They would like to see it open from 7:00 to 1:00 p.m.

ATTY ANDREW UPTON: We originally proposed shorter hours, but the Harvard Square Advisory Commission said they're interested in having both breakfast options and late night fast order food and snacks.

We expect most of the business to be sort of brunch and dinner, but we agreed to expand for now to see if that's viable.

CHAIR NICOLE MURATI FERRER: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

FIRE CHIEF GERALD REARDON: How much of a build-out is this location for you?

ROSAMUND LU: We're getting the RFPs back next week, so I would -- just a rough estimate, probably a quarter million.

FIRE CHIEF GERALD REARDON: This is basically another gut?

GERRY TRACY: Indeed.

ROSAMUND LU: Yes, it was formerly a yogurt space.

FIRE CHIEF GERALD REARDON: That's not really conducive. So you, again, will have to put fryolators in for this or --

GERRY TRACY: No. Actually, there's no fryolators at all. We will be installing the hood system with appropriate Ansul-required suppression system.

Our cooking elements are steam. We have two very large vessels which generate steam, and besides the coffee maker, that's the sole initial source.

FIRE CHIEF GERALD REARDON: The same thing, this will be another revalue of the fire alarm system, sprinkler system to match the footprint of what you're building?

GERRY TRACY: Exactly.

FIRE CHIEF GERALD REARDON: Thank you.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

Anyone --

ATTY ANDREW UPTON: Just for the record, we do have a petition signed by over 200 members of the Cambridge and Greater Boston community in support.

I believe a copy of that is with the Zoning Board, and we can submit a copy for the record.

CHAIR NICOLE MURATI FERRER: We'll take it. Thank you.

Anyone in favor?

Anyone in opposition?

I vote to grant the petition as presented to us.

FIRE CHIEF GERALD REARDON: Second.

CHAIR NICOLE MURATI FERRER: All in

favor?

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

**APPLICATION:**

**PANDAN LEAF, INC D/B/A PANDAN LEAF**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Give 'Em Enough Rope --

CHAIR NICOLE MURATI FERRER: What happened to No. 3?

EXECUTIVE DIRECTOR ELIZABETH LINT: I'm sorry.

Application: Pandan Leaf, Inc doing business as Pandan Leaf, has applied for a new Common Victualer License to be exercised at 569 Cambridge Street, open seven days per week between 11:00 a.m. and 10:00 p.m. with a seating capacity of 20. Proposed manager of record, Siriwan Daranuwat. Premise description: Dining area with four tables and 20 seats; restrooms,

checkout counter, and kitchen on the street level.

CHAIR NICOLE MURATI FERRER: Good evening.

ATTY MICHAEL TOBIN: My name is Michael Tobin, and I'm the attorney representing the applicant.

THE REPORTER: Michael, spell your first and last name.

ATTY MICHAEL TOBIN: M-I-C-H-A-E-L, last name is Tobin, T-O-B-I-N.

With me is Siriwan Daranuwat. I'll spell that for you. S-as in "Sam"-I-R-I-W-A-N. Last name, D-A-R-A-N-U-W-A-T.

And next to Siriwan is her husband Tom, same last name, T-O-M.

And they're buying the current restaurant at this location at 569 Cambridge Street, which is under the name of Curry Thai. And their name

will be Pandan Leaf.

They're essentially keeping everything the same other than some interior remodeling.

TOM SARANUWAT: Everything same, no change, nothing. Change the name outside and the sign and everything and look inside.

CHAIR NICOLE MURATI FERRER: Can you tell us what the concept will be?

TOM SARANUWAT: I'm sorry?

CHAIR NICOLE MURATI FERRER: The concept, the food concept.

TOM SARANUWAT: Thai food.

I have my restaurant for the Toyong Room in Medford.

ATTY MICHAEL TOBIN: He has a restaurant in Medford and another one --

TOM SARANUWAT: And another one in Dorchester, name is Kapoy. This one almost ten year.

FIRE CHIEF GERALD REARDON: Is the menu going to be similar to that?

TOM SARANUWAT: Yes, everything is similar.

SIRIWAN DARANUWAT: We have a lot of customer work in Cambridge.

TOM SARANUWAT: A lot of customers like my food in Medford, that's why I can move to Cambridge for the open.

CHAIR NICOLE MURATI FERRER: Open seven days a week?

TOM SARANUWAT: Yes.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

Anyone in opposition to this petition?

I vote to grant.

FIRE CHIEF GERALD REARDON: Seconded.

CHAIR NICOLE MURATI FERRER: All in favor?

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR NICOLE MURATI FERRER: Aye.

**APPLICATION:**

**GIVE 'EM ENOUGH ROPE, LLC D/B/A THE AUTOMATIC**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Give 'Em Enough Rope, LLC d/b/a The Automatic, has applied for a new Common Victualer All Alcoholic Beverages License to be exercised at 50 Hampshire Street in: A dining room with bar (+/- 1,650 SF) and kitchen (+/- 302 SF) and two restrooms on the first floor of building; storage on ground floor of building (+/- 573 SF) and in the parking garage (+/-677SF); seasonal outdoor patio on private property (+/- 1719 SF); and one entrance/exit on Hampshire Street with one additional entrance/exit through parking garage. David Cagle, proposed manager, and hours of operation of 11:00 a.m. to 1:00 a.m. seven

days a week, 74 seats inside and 40 outside.  
Also applying for an Entertainment License to include an audio tape machine/CD/computerized digital media that can be played at conversation level and two TVs.

DAVID CAGLE: Good evening, Madam chair and Chiefs.

CHAIR NICOLE MURATI FERRER: Please state your names for the record.

DAVID CAGLE: David, D-A-V-I-D, Cagle, C-A-G-L-E.

CHRIS SCHLESINGER: Chris, C-H-R-I-S. Schlesinger, S-C-H-L-E-S-I-N-G-E-R.

CHAIR NICOLE MURATI FERRER: Thank you. Tell us a little bit about your application.

DAVID CAGLE: We're looking to open up a casual neighborhood restaurant moderately priced right outside of Central Square, that is an area that is growing and we definitely think there's a

market for something that's a little more moderately priced.

FIRE CHIEF GERALD REARDON: Is this the Asca property?

DAVID CAGLE: Atasca.

FIRE CHIEF GERALD REARDON: Atasca, excuse me.

CHAIR NICOLE MURATI FERRER: Who is going to sign for us the tax certification form?

This is the one sheet you guys didn't sign.

DAVID CAGLE: Oh, no. I blame Bob.

CHAIR NICOLE MURATI FERRER: This might not be a reasonable question, but you are not seeking to license the parking garage space, correct?

DAVID CAGLE: No.

CHAIR NICOLE MURATI FERRER: So really it's just the dining room, kitchen, the two

restrooms, the storage -- the storage is yours --  
you will be using the storage?

DAVID CAGLE: Yes.

CHAIR NICOLE MURATI FERRER: And the  
seasonal outdoor patio?

DAVID CAGLE: Yes.

CHAIR NICOLE MURATI FERRER: I got thrown  
off by the parking garage. I didn't know exactly  
what you were planning to do there.

CHRIS SCHLESINGER: The exit of the  
egresses goes into the parking garage.

CHAIR NICOLE MURATI FERRER: That's fine.

Mr. Cagle, you have never been a manager  
of record on a liquor license?

DAVID CAGLE: I have not, but I have been  
on premises manager at four or five different  
places that have an all alcohol license.

CHAIR NICOLE MURATI FERRER: I did notice  
that you presented all of your affidavits and

everything, so that's in order.

Can you tell us a little bit about your experience?

DAVID CAGLE: I'm currently the general manager of Green Street Grill in Central Square. Prior to that, I was a managing partner with Deep Ellum and Lone Star in Allston and helped them to open their location in Cambridge on Cambridge Street. I worked for the guys for eight years. I have been working in restaurants since I was 15. I have done everything, kitchen manager, general manager, you know.

CHAIR NICOLE MURATI FERRER: I know you guys said it's a casual neighborhood, but what kind of food is it going to be? What kind of concept other than neighborhood and moderately priced?

DAVID CAGLE: Like a more casual version of East Coast Grill. More everyday version.

CHRIS SCHLESINGER: Plan to serve the neighborhood there where the people can go and eat there a couple times a week to be a little bit different than some of the others.

CHAIR NICOLE MURATI FERRER: Just to relate back to what you started off with, the public need is to fill out the space that has now been empty by the last place and also to serve the growing neighborhood?

DAVID CAGLE: That's exactly it.

CHAIR NICOLE MURATI FERRER: Have you been to the 21 training, 21 Proof training?

DAVID CAGLE: I haven't, but when I was over at the License Commission or upstairs, I should say today, I got a sheet with the dates on it and I'll make sure that I take care of that right away.

CHAIR NICOLE MURATI FERRER: Are you currently familiar with the rules and regulations

and the laws with regard to the sale and service of alcohol?

DAVID CAGLE: Yes.

CHAIR NICOLE MURATI FERRER: Do you understand that we expect you to stay up to date with those rules, laws and regulations?

DAVID CAGLE: I do.

CHAIR NICOLE MURATI FERRER: Are you a Massachusetts resident?

DAVID CAGLE: Yes.

CHAIR NICOLE MURATI FERRER: Are you a US citizen?

DAVID CAGLE: I am.

CHAIR NICOLE MURATI FERRER: Questions?

FIRE CHIEF GERALD REARDON: Go ahead.

POLICE COMMISSIONER ROBERT HAAS: What happened to the license that was held at Atasca before this?

DAVID CAGLE: They're still currently

operating pending our --

CHRIS SCHLESINGER: It's a no value license.

POLICE COMMISSIONER ROBERT HAAS: Okay. They're operating until you take over the operation?

DAVID CAGLE: They're operating until this all gets approved.

CHRIS SCHLESINGER: We have two or three months renovations in there, we have no kitchen renovations.

FIRE CHIEF GERALD REARDON: Your renovations are just basically cosmetic?

DAVID CAGLE: Exactly.

FIRE CHIEF GERALD REARDON: Dining areas?

DAVID CAGLE: Yeah, to make it look like a different place.

FIRE CHIEF GERALD REARDON: The major appliances, kitchens, bars, wet areas are staying

the same?

DAVID CAGLE: Yes.

CHAIR NICOLE MURATI FERRER: What time are you planning to serve food?

DAVID CAGLE: Until midnight. A lot of the restaurants in that area close 10:00, 10:30, so those guys can come eat when they get out of work and such.

CHAIR NICOLE MURATI FERRER: Anything else?

FIRE CHIEF GERALD REARDON: No.

POLICE COMMISSIONER ROBERT HAAS: I'm good.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

Why don't you please come up and state your name for the record and also spell it.

And if you're a resident, please give us your address.

MICHELLE GOLDBERG: I'm Michelle Goldberg, M-I-C-H-E-L-L-E, G-O-L-D-B-E-R-G. I have been a resident in this particular neighborhood for approximately 25 years. I know both of these gentlemen through both of their restaurants, and I'm very in support of this mostly because I know Dave from the B Side Lounge and live close to it. I live on Union Street which is close. And he was a very respectful bartender and manager there.

As a neighbor, I work in this business as well differently and somewhere else, and when I go home, I like a quiet neighborhood.

When the B Side was first there, I worried like every neighbor did about people strolling through your neighborhood or loud people leaving a bar, and they made our neighborhood so much quieter than the previous bar which we know, and, in my opinion, than the

current bar that's there.

It was a very, very respectful place, caring about every customer whether they were traveling as a destination or whether they were in the neighborhood.

Same thing with Chris, I've been going to the East Coast Grill, sadly not anymore, but since I moved here in 1991, and it's the same thing. Very respectful business people. So I would be excited for this place to open in my neighborhood for those exact reasons.

CHAIR NICOLE MURATI FERRER: Thank you.

Anyone else in favor of this petition?

I do note for the record that the East Cambridge Business Association has submitted a letter in support and so has City Councillor Timothy Toomey.

Anyone in opposition to this petition?

I vote to grant as presented to us.

FIRE CHIEF GERALD REARDON: Seconded.

CHAIR NICOLE MURATI FERRER: All in  
favor?

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIR NICOLE MURATI FERRER: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR NICOLE MURATI FERRER: Granted.

Thank you and good luck.

EXECUTIVE DIRECTOR ELIZABETH LINT:

BonChon application has been withdrawn.

Informational matter: Held pursuant to  
General Laws Chapter 138, Sections 23, 64 and 77,  
and General Laws Chapter 140, Sections 9 and 185C  
as to Cantabridgean Hospitality, Inc doing  
business as Prospect at 675 Massachusetts Avenue  
for Non-Use of License.

MARC SHULMAN: Good evening.

CHAIR NICOLE MURATI FERRER: State your  
name for the record.

MARC SHULMAN: Marc Shulman, M-A-R-C,  
S-H-U-L-M-A-N.

CHAIR NICOLE MURATI FERRER: Thank you.  
Mr. Shulman, can you tell us what has been going  
on with this license and --

MARC SHULMAN: The project did not go  
through. We transferred the license from an  
existing business and we intend to transfer it  
back to both corporations under a different  
venue. We're waiting for the letter of good  
standing from the Department of Revenue to move  
forward.

CHAIR NICOLE MURATI FERRER: When did you  
request the letter?

MARC SHULMAN: Just recently. Two weeks  
ago.

CHAIR NICOLE MURATI FERRER: You already  
-- is there already an agreement with a buyer  
or...?

MARCH SHULMAN: We have a --

CHAIR NICOLE MURATI FERRER: I'm sorry.  
I didn't quite understand. Are you  
retransferring to someone or...?

MARC SHULMAN: Transferring back to  
ourselves. There were two locations. And the  
old location closed and we opened up a dumpling  
restaurant in Central Square called Patty Chen's  
Dumpling Room, homemade dumplings from scratch,  
and we think the alcohol would complement the  
license. People like to eat dumplings and drink  
beer and Sake and such.

CHAIR NICOLE MURATI FERRER: You're going  
to transfer it to yourself and to a different  
location?

MARC SHULMAN: Different location. The  
original location was demolished for the 300 Mass  
Ave building.

CHAIR NICOLE MURATI FERRER: So basically

all you're waiting for is the DOR release?

MARC SHULMAN: That's it.

CHAIR NICOLE MURATI FERRER: And you already requested it?

MARC SHULMAN: Yes.

CHAIR NICOLE MURATI FERRER: All right.

Say six months from now, a nonuse hearing. If nothing has been before us, otherwise we cancel it.

POLICE COMMISSIONER ROBERT HAAS: I agree.

FIRE CHIEF GERALD REARDON: Yes.

CHAIR NICOLE MURATI FERRER: Okay. Six months review, a nonuse hearing in six months.

MARC SHULMAN: We anticipate the transfer application sooner than that.

CHAIR NICOLE MURATI FERRER: We'll give the six months and hopefully you won't take them. If you do, we'll quote you straight from the

record.

MARC SHULMAN: Thank you very much.

Good night.

EXECUTIVE DIRECTOR ELIZABETH LINT: This gentleman wants to be heard about Forage, which was heard much earlier and there's no testimony.

CHAIR NICOLE MURATI FERRER: I'm sorry --

KENNETH TAYLOR: I understand that I --

THE REPORTER: Chair, he has to identify himself for the record.

CHAIR NICOLE MURATI FERRER: Hold on.

I understand, sir.

The problem is, we already heard that petition February 9 and today we're just voting on it. We're not taking public testimony on it. We have received letters and we took those into consideration.

KENNETH TAYLOR: This is one such letter sent to you at 4:00 this afternoon.

CHAIR NICOLE MURATI FERRER: And we have it in front of us.

KENNETH TAYLOR: You didn't receive it. I got a message that your web address did not get -- didn't receive it, and that's why I'm bringing a hard copy of it to you.

CHAIR NICOLE MURATI FERRER: So we'll take it and we'll read it, but at this point, we don't take -- that matter has been --

KENNETH TAYLOR: I understand where you are. So just for your information, there are the -- there's the opposition of 12 people here, 12 neighbors and abutters. And I was distressed to find that your website is not working or at least receiving email. Thank you.

CHAIR NICOLE MURATI FERRER: Thank you. For the record, sir, please state your name.

KENNETH TAYLOR: Kenneth, K-E-N-N-E-T-H,

Taylor, T-A-Y-L-O-R. 223 Berklee Street.

CHAIR NICOLE MURATI FERRER: For the record, I'm not sure if you knew that was for Forage that he was referring to.

**DISCIPLINARY HEARING (CONTINUED)**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Disciplinary hearing continued from February 9, 2016 as to Compass Group, Inc, doing business as Eurest Dining Services, holder of a common victualer license at 1 Memorial Drive, for failure to renew its 2016 license, in violation of General Laws Chapter 140, Sections 4 and 20.

CHAIR NICOLE MURATI FERRER: This was off because we dealt with it with the waivers, so it was taken off the list.

EXECUTIVE DIRECTOR ELIZABETH LINT: My note was on a different agenda.

Consideration of the 2016 renewal of the used car dealer License No. UCD10028 for Morgan

Okundaye doing business as NOMA Auto Sales at  
2380 Mass Ave.

ATTY WILLIAM SPALLINA: Good evening,  
William Spallina.

CHAIR NICOLE MURATI FERRER: Let's swear  
the witnesses in before we start.

For the record, if anyone in the audience  
is here to testify on this matter, if you could  
also stand up and raise your right hand.

EXECUTIVE DIRECTOR ELIZABETH LINT:  
Anyone who is going to testify, please stand up  
and raise your right hand.

(People sworn.)

CHAIR NICOLE MURATI FERRER: Thank you.  
Now, good evening. Could you please state your  
names for the record and spell them for the  
stenographer?

ATTY WILLIAM SPALLINA: William Spallina,  
counsel for NOMA. W-I-L-L-I-A-M,

S-P-A-L-L-I-N-A.

And this is Morgan Okundaye.

M-O-R-G-A-N, is the first name, last name

O-K-U-N-D-A-Y-E.

And his wife Jane Okundaye, J-A-N-E,

O-K-U-N-D-A-Y-E.

CHAIR NICOLE MURATI FERRER: Thank you.

ANDREA BOYER: Andrea Boyer, B-O-Y-E-R,  
chief investigator for the City of Cambridge  
License Commission.

CHAIR NICOLE MURATI FERRER: Thank you.  
Go ahead, Ms. Boyer.

ANDREA BOYER: Thank you.

This is regarding consumer complaints  
regarding NOMA Auto Sales at 1280 Massachusetts  
Avenue.

According to our License Commission files  
NOMA Auto Sales is owned by Mr. Morgan and  
Mrs. Jane Okundaye.

The following are the three current pending cases regarding NOMA: Case Number 1506-5503 Complainant, Mr. Matthew McGuckin, opened June 23, 2015: The buyer, Mr. McGuckin, purchased a green 2000 Chevrolet Malibu with 141,000 miles for \$1,300.00 in Maine on June 11,2015. (Please see attached Bill of Sale labeled NOMA Auto Sales labeled #1. Please note the Bill of Sale states the sale took place on June 8,2015, which is part of Mr. McGuckin's complaint). The original listing of the vehicle was allegedly posted by Mr. Edward Delarosa on Craig's List giving the impression to the buyer, Mr. McGuckin, that the vehicle was located in Manchester, New Hampshire. When buyer, Mr. McGuckin spoke with seller, Mr. Delarosa, he was told not to go to Manchester, New Hampshire, but to Lawrence, Massachusetts to pick up the vehicle.

Mr. McGuckin missed his train, so Mr. Delarosa had the vehicle delivered by a gentleman, named Patrick, with additional cost to Mr. McGuckin in Topsham, Maine on June 11, 2014.

On June 14, 2015 Mr. McGuckin had the vehicle inspected and was told by the inspection mechanic that the vehicle was too rusted to pass inspection.

Mr. McGuckin contacted Mr. Delarosa and was told, "Too bad." He further explained that since Mr. McGuckin bought the vehicle it was now his problem. Mr. McGuckin reviewed his paperwork and realized that the seller's signature was the person who delivered the vehicle, Patrick with NOMA Auto Sales listed as the used car dealer.

Mr. McGuckin further explained the vehicle history by outlining the back of the vehicle title. He stated that the original owner traded the vehicle in on May 30, 2015 to Banks

Chevy, who then sold it on June 4, 2015 to Bayrock Motors, owned by Mr. Delarosa. Bayrock then sold it to NOMA Auto Sales on June 6, 2015. (Please see attached complainant's McGuckin written statement labeled #2.)

On June 17, 2015 Mr. McGuckin placed a complaint with Massachusetts Attorney General's Office, who forwarded it to the Cambridge Consumer Council. The complaint was faxed to the State of Maine on June 30, 2015. The Secretary of State and Bureau of Motor Vehicles Investigator, John A. Gould, concluded that NOMA Auto Sales acted as an unlicensed Dealer in Maine. Investigator Gould explained to Mr. McGuckin the difficulty of serving legal process outside of Maine and that he would forward the complaint to the Cambridge License Commission.

(Please see attached report by

Investigator John A. Gould, labeled #3.)

Case Number 1511-5500 Complainant

Mr. Brian Fitzgerald, opened November 9, 2015:

The buyer, Mr. Fitzgerald, bought a blue 2002

BWM. The case shows a Bill of Sale signed by

Mr. Nickerson Theodat from NOMA Auto Sales.

(Please see attached Bill of Sale NOMA Auto

labeled #4; RMV-11 labeled #5; Certificate of Title

labeled #6.)

Mr. Fitzgerald stated that the vehicle he purchased did not pass inspection and that an expensive part for the headlights needed to be repaired for the high beams to work.

(Please see attached Massachusetts Vehicle Inspection Report labeled #7; BMW Service Quote labeled #8.)

Mr. Fitzgerald sent several certified letters to NOMA explaining the problem and did not receive compensation to fully fix the

vehicle.

(Please see attached letters labeled #9, #10, #11, #12.)

The NOMA owners, Mr. Morgan and Mrs. Jane Okundaye, stated that Nickerson Theodat does not work for them and has been using their Auto Dealer license to attend auto auctions without their approval. Jane Okundaye stated that she has filed a Statement of Small Claim with the Clerk Magistrate Trial Court of Massachusetts.

(Please see attached Statement of Small Claim labeled #13 and Notice of Trial Court labeled #14.)

The clerk at Dorchester Small Claims stated that the letter sent to the defendant, Nickerson Theodat, was returned and no further action was taken.

Case Number 1512-5509 Complainant,  
Mr. Adilo Chinchilla, opened July 31, 2015: The

buyer, Mr. Chinchilla, bought a black 2007 Infinity on July 14, 2015.

(Please see attached RMV-11abeled # 15.)

The case shows that the transmission did not work and that Mr. Chinchilla purchased a new transmission for the vehicle.

(Please see attached transmission Repair bill dated July 24, 2015 labeled# 16.)

NOMA would not reimburse Mr. Chinchilla for the transmission cost and submitted a complaint to the Cambridge Consumer Council.

Cambridge Consumer Council contacted Mrs. Jane Okundaye. In January 2016, Mrs. Okundaye agreed to resolve the complaint and pay the consumer \$1,500.00 in monthly installments of \$300.00 through the Cambridge Consumer Complaint office to the complainant. They no longer want to have contact with the consumer based on Mr. Chinchilla hanging up the

phone when she or Mr. Okundaye calls.

(Please see attached email from Ms. Laura Nichols labeled #17.)

Additional information collected: Per the Commissioner's request I went to NOMA's office to examine their records. At said time of the request no one was at the 2380 Massachusetts office. I still took pictures of the exterior of 2380 Massachusetts Ave, kiosk and the business hours of operation that are posted on the door.

(Please see attached Pictures labeled #18, #19 and #20.)

On January 26, 2106 informed Ms. Nichols that another man, other than Nickerson Theodat, was using their used auto license without permission. Mrs. Okundaye contacted Cambridge Police Detective Donald Mahoney. Detective Mahoney performed an investigation regarding the alleged fraudulent usage of NOMA's used car

license to be able to attend auto auctions.

Detective Mahoney stated that he could not contact Nickerson Theodat, but he was able to speak with the second person allegedly using their license, Mr. Kawenja. Mr. Kawenja gave Detective Mahoney a third person's name allegedly using the license, Mr. Belyaev. Detective Mahoney concluded that he has serious doubts that Mr. Kawenja and Mr. Belyaev are buying and selling vehicles with the authority of NOMA Auto Sales. Detective Mahoney submitted a report to our office via email.

(Please see attached report labeled #21.)

NOMA's Previous History: There were three previous cases filed with Cambridge Consumer Council regarding NOMA Auto Sales.

(Please see attached Consumer Complaint List labeled #22.)

Case Number 1402-5493, Complainant,

Mr. Wanderley Fonseca, opened, February 6, 2014, closed June 30, 2014.

Mr. Fonseca bought a 2002 Acura from Elie Routana on January 27, 2014 for \$1,900. The vehicle failed inspection and a mechanic quoted it would cost \$2800 to fix the vehicle and the vehicle needed a new transmission. NOMA refused Mr. Fonseca's claim and Cambridge Consumer Council got involved. Tony from NOMA responded and negotiated with Mr. Fonseca to his satisfaction and the case was closed.

Case Number 1404-5493, Complainant

Mr. Ferdinand Furxhi, opened April 15, 2014, closed September 20, 2014.

Mr. Furxhi filed a complaint stating that he bought a 1997 Toyota Camry on November 5, 2013 from Mr. Abia Pierre and wanted his money back because the vehicle is a lemon. A Cambridge Consumer Council representative called NOMA's

owner, Mr. Morgan Okundaye. Mr. Okundaye contacted Mr. Abia Pierre and asked him to call the Cambridge Consumer Council office.

Mr. Pierre contacted the Consumer Council, stated he was an agent for NOMA, and reimbursed the complainant \$250.

Case Number 1405-5499, Complainant, Ms. Michelle Rushton, opened May 13, 2014, closed August 29, 2014.

Ms. Rushton bought a vehicle from Patrice, who stated he worked for NOMA Auto Sales, off a Craig's List ad. The vehicle was located at Patrice's residence in Derry, New Hampshire. The seller requested a \$200 deposit towards the purchase of \$3500. Patrice said the vehicle had an oil leak from an oil valve cover gasket, which would be fixed by pick-up. On April 14, 2014 the complainant paid Patrice \$3,300 cash for the vehicle and got a title/bill

of sale from "NOMA Auto Sales, 2380 Massachusetts Ave, Cambridge, Massachusetts." The vehicle did not pass inspection and Patrice stopped responding to phone calls. The complainant contacted NOMA Auto Sales and was told, no one by the name of Patrice worked there. The complainant then contacted Cambridge Consumer Council in May, 2014. When Cambridge Consumer Council contacted Mr. Morgan Okundaye, he said he was not familiar with the complaint. The Cambridge Consumer Council requested, but did not receive, additional information from the complainant. The case was administratively closed.

Please note that Mr. Okundaye's Worker's Compensation license renewal paperwork for 2014 and 2015 reflects that NOMA has no employees other than its owners. (Please see renewal information attached #23 and #24.)

Please advise if further investigation or information is needed.

CHAIR NICOLE MURATI FERRER: Thank you.  
Counselor?

ATTY WILLIAM SPALLINA: I think I'll tell you what they're going to say. They're going to say that these people, Mr. Theodat, they don't -- they know one of them, but none of them work for them or had the authority to use their license or buy or sell cars.

CHAIR NICOLE MURATI FERRER: Who do you know of all these people, do you know Mr. Edward Delarosa?

MORGAN OKUNDAYE: No.

CHAIR NICOLE MURATI FERRER: You have no idea who he is?

MORGAN OKUNDAYE: No, I have no idea.

CHAIR NICOLE MURATI FERRER: Patrick?

MORGAN OKUNDAYE: I know Patrick.

CHAIR NICOLE MURATI FERRER: You know  
Patrick?

MORGAN OKUNDAYE: Yes.

CHAIR NICOLE MURATI FERRER: Do you know  
Nickerson Theodat?

MORGAN OKUNDAYE: No.

CHAIR NICOLE MURATI FERRER: Do you know  
Patrice?

MORGAN OKUNDAYE: That's why I have to  
take Nickerson to the court.

ATTY WILLIAM SPALLINA: Do you know this  
guy, Patrice.

MORGAN OKUNDAYE: Patrick?

ATTY WILLIAM SPALLINA: No, not Patrick.

CHAIR NICOLE MURATI FERRER: The case  
with regard to Ms. Rushton who bought a car for  
\$3,500?

MORGAN OKUNDAYE: No, no, no. Don't know  
her.

CHAIR NICOLE MURATI FERRER: No?

MORGAN OKUNDAYE: No.

CHAIR NICOLE MURATI FERRER: Do you know someone by the first name or last name Kawenja?

MORGAN OKUNDAYE: Kawenja?

JANE OKUNDAYE: That's the -- that's the guy that --

ATTY WILLIAM SPALLINA: Charles Kawenja.

JANE OKUNDAYE: He doesn't work for us.

MORGAN OKUNDAYE: He doesn't work for him.

POLICE COMMISSIONER ROBERT HAAS: Do you know him?

MORGAN OKUNDAYE: Yes.

CHAIR NICOLE MURATI FERRER: How about Belyaev?

ATTY WILLIAM SPALLINA: Kirill Belyaev.

JANE OKUNDAYE: I know him, though.

CHAIR NICOLE MURATI FERRER: How do you

know him?

JANE OKUNDAYE: I know him because when somebody called me went to look -- they went to look up NOMA Sales on the internet and because there's -- this guy Carice sold a car to somebody using my auto sales information. And the car was bad. So this guy went to internet to look for NOMA Sales and he called me and he said, "You sold me a car and the car is no good. You didn't do the paperwork." I said, "Who are you? Who sold the car to you?" He said me. I said, "I didn't sell the car to you." He said, "You put it on Craig's List." I said, "No. Do you know the name of the person?" He was furious. "Why are you asking me the name of the person? You sold the car to me." "No, I didn't sell the car to you." I said, "Okay. Bring the paperwork" -- because there's a lot of issue going on people using our information to buy cars. "Can you

bring the paperwork so I can see the signature of the person who signed the papers?"

He came to my house to meet me. And when I looked at the back of the paper, he told me to complete the paper, the title. I said, "Please. I'm sorry. This person that signed this paper I'm not familiar with this. I'm not going to sign this. I want to get to the bottom of this." I took the paperwork from him and take a copy of the back of the title. So I looked at the last person that bought, the company, the company was from Tennessee, so I called Union Motors. I think it was Union Motors. I call the company. I said, "Please. I bought a car from you guys. Do you work for" -- he kept -- he said, "What do you want?" I said, "because I bought a car. This guy -- you didn't complete the paperwork. I need to complete the paperwork." He said, "What are you calling for?" I said, "I bought a car in

Boston." He said, Okay. Someone will call you back." I did not give them my number. I gave them my office number.

Ten minutes later, somebody call me.

"Did you buy a car?" I said, "Yes. You sold a car to me. The car is no good. I need to do the paperwork." "Okay, okay. What happened?" I said, "You didn't complete the paperwork." He said, "Meet me in Watertown." I said, "Watertown"?

Then I called this guy that was badgering me. I told him "I found the person that sold the car to you. Come with me." Both of us -- I took my two kids with me and went to Watertown. When we got there, I gave him the paperwork. He finish the paperwork and he went and saw the car. He copied my license and everything right in front of me. He copied, filled out the paper. After he finished, I said, "Okay. Thank you." I

said, "Do you work for NOMA Auto Sales?" He said, "Yeah, yeah, yea." I said, "Really? Can I see proof you really work for NOMA Auto Sales?" He says "No, no, no. Why, why, why, why?"

Then I got aggressive. I said, "I'm NOMA Auto Sales. You're using my information. How did you get my information?" Then my two boys came out because he tall. Then my son ask him, "My friend, do you work for NOMA Auto Sales?" Both of them. That's why I took my sons. My son ask "Can you please give me your license," because he thought we like police. So that's the only reason because I didn't want -- because I was -- confronted them first before my two boys came out from the car.

My son said, "Give me your license and give me the other license." Both of them, one of them was resisting.

I said, "Give it to me right now. I want

to see it." I took the two pictures. I don't know them before.

They -- I said, "How did you get NOMA Auto Sales?" He told me "Charles." "Who is Charles?" "Some guy." He told me "I pay him a lot of money so I buy car in this name and use NOMA Auto Sales to sell it."

How do people do that?

I said, "Please, based on your explanation, I have to come to see you're innocent in this matter."

"You can do me a favor. Let me him write something for you to state that he really permits you to use NOMA." He told me okay. "I don't try to make trouble with you. I don't want to make trouble."

I said, "I understand. I want to get something because this guys -- they've been using my information to do this." He said, "What do

you need?" I said, "You don't need to pay me anything." Then I sent -- he sent me a letter that -- Charles made up a letter using NOMA and NOMA and he wrote his name.

This is the letter he sent to me on my phone.

So that's -- he give me this letter and that's why I went to the police.

Before I went there, I went to the police to report this matter. So they would not take anything. I said, "Please, I need help." They said they cannot go to arrest somebody because I wanted them to be arrested.

So that's how I got this information. I don't even know them. I don't know where they came from.

I understand these people, these guys just -- this is because -- my husband was telling you, this is what they do.

They take deposit information when they ask you to buy a car from you, they collect your information and you to sell cars without permission. So he said -- I understand he told detective.

EXECUTIVE DIRECTOR ELIZABETH LINT: One at a time.

JANE OKUNDAYE: He told Detective Mahoney that -- he's our friend. He knows also -- let's see about the auction. Maybe he bought a car from us one time not knowing the intention. That's what they do. That lawyer told us that. This is what they do.

They have a lot of lawsuits because of this type of behavior.

CHAIR NICOLE MURATI FERRER: A question: From all these cases was Mr. Adilo Chinchilla the only person that NOMA sold to?

MORGAN OKUNDAYE: Yes.

CHAIR NICOLE MURATI FERRER: Can you tell me whose signature is on the bottom of this -- on the top of NOMA, who signed that?

ATTY WILLIAM SPALLINA: I'm not sure -- where are you?

CHAIR NICOLE MURATI FERRER: At the very bottom of the page.

ATTY WILLIAM SPALLINA: Above the name NOMA?

MORGAN OKUNDAYE: I don't know.

CHAIR NICOLE MURATI FERRER: Whose signature is that?

MORGAN OKUNDAYE: Which one?

ATTY WILLIAM SPALLINA: Right there.

ANDREA BOYER: Where your finger is.

MORGAN OKUNDAYE: I think it was you. Maybe it's her.

CHAIR NICOLE MURATI FERRER: Is that your signature, ma'am?

MORGAN OKUNDAYE: Sometimes she sign like this.

CHAIR NICOLE MURATI FERRER: I want a "yes" or "no." Is that your signature?

JANE OKUNDAYE: I can't remember if I -- no, this is not -- no.

CHAIR NICOLE MURATI FERRER: That's not your signature. So who sold him his car?

JANE OKUNDAYE: Who is this person?

ATTY WILLIAM SPALLINA: This is Chinchilla. This is -- the car was sold to Adilo Chinchilla.

JANE OKUNDAYE: Let's see that paperwork.

ATTY WILLIAM SPALLINA: What do you need to see?

JANE OKUNDAYE: I want to see the front of this one, the title.

FIRE CHIEF GERALD REARDON: I guess I'm unclear. You're saying that's not your

signature?

JANE OKUNDAYE: No.

MORGAN OKUNDAYE: No.

CHAIR NICOLE MURATI FERRER: Who sold the car to Chinchilla?

JANE OKUNDAYE: Who is Chinchilla?

ATTY WILLIAM SPALLINA: The guy you resolved the complaint with.

MORGAN OKUNDAYE: Resolved the complaint.

JANE OKUNDAYE: Okay. That brother that brought him.

MORGAN OKUNDAYE: Maybe. That's not my signature.

JANE OKUNDAYE: This is our judgment -- they always like refer people to us.

CHAIR NICOLE MURATI FERRER: He works for NOMA?

MORGAN OKUNDAYE: No, no.

JANE OKUNDAYE: No, no.

MORGAN OKUNDAYE: He doesn't work for NOMA.

CHAIR NICOLE MURATI FERRER: He refers cases and he signs on behalf of NOMA, but he doesn't work for NOMA?

JANE OKUNDAYE: Because like every time we go to the auction, we always -- he always help me out with papers and he always -- he drive us home. He's the one that referred this guy to us.

FIRE CHIEF GERALD REARDON: When you go to the auction, you have to present credentials and your license to purchase as a dealer?

MORGAN OKUNDAYE: Yes.

FIRE CHIEF GERALD REARDON: How are these people buying on your behalf unless they have the credentials?

MORGAN OKUNDAYE: No. The way it work, we go to the auction, and let's say you want to buy, you say "Okay. You want to buy?" You take

it to the auction. You see the car you like, now we bid for it. When I bid for it, then when you like it, you took it and you pay for it, and then when you pay for it, then -- sometimes they say on the auction board, they will have blue -- red, green, blue lights, yellow lights. If it's yellow and blue -- blue means (inaudible) -- yellow mean (inaudible). Green means there's no problem. Sometimes when you buy it and do the paperwork, then you give it to the customer.

FIRE CHIEF GERALD REARDON: But you, as the dealer, do the paperwork --

MORGAN OKUNDAYE: Yes.

FIRE CHIEF GERALD REARDON: -- not the customer.

MORGAN OKUNDAYE: No customer, no, no, no.

FIRE CHIEF GERALD REARDON: You're doing the paperwork at the auction because the auction

is only allowed to sell to dealers?

MORGAN OKUNDAYE: Yes.

FIRE CHIEF GERALD REARDON: What do you present to the auction for paperwork?

Do you have a license and you have a dealer number and you have a credential?

MORGAN OKUNDAYE: Yes.

FIRE CHIEF GERALD REARDON: What is the credential? Do you have the credential with you?

MORGAN OKUNDAYE: The auction.

JANE OKUNDAYE: Yeah.

CHAIR NICOLE MURATI FERRER: This person that you said signed this application form to transfer the title, what was his name?

JANE OKUNDAYE: Which one?

CHAIR NICOLE MURATI FERRER: Chinchilla.

JANE OKUNDAYE: Yeah.

CHAIR NICOLE MURATI FERRER: What was the name that you said signed for NOMA?

MORGAN OKUNDAYE: Kolangi.

CHAIR NICOLE MURATI FERRER: How do you spell that?

MORGAN OKUNDAYE: K-O-L-A-N-G-I.

CHAIR NICOLE MURATI FERRER: Isn't that the person that the detective spoke to?

ANDREA BOYER: That is one of the gentleman being referred to the paperwork.

FIRE CHIEF GERALD REARDON: So when you go to the auction, you have to present your card as a dealer, right?

MORGAN OKUNDAYE: Yes.

FIRE CHIEF GERALD REARDON: And then do they verify you with your driver's license to prove this is you?

MORGAN OKUNDAYE: Yes.

FIRE CHIEF GERALD REARDON: So no one can use your card unless they have it in hand and they're verifying --

MORGAN OKUNDAYE: No, no, no.

ATTY WILLIAM SPALLINA: If you look at the photograph, this guy in Watertown made a card using their name.

JANE OKUNDAYE: That's not what he did. What he did after -- if we buy a car for somebody like -- they can buy their own car, some of them have wholesale license, they cannot sell. So they buy with the wholesale, they go in there with the license, after they buy -- this is what this guy did -- after they buy with the wholesale license, they will not send to NOMA Auto Sales using our information.

This is -- it's not like they have our card to go in. They don't have our card to go in.

FIRE CHIEF GERALD REARDON: You're saying they falsified your information?

MORGAN OKUNDAYE: Yes.

JANE OKUNDAYE: Because like -- if you buy a car for somebody, definitely just like I made a copy for -- made a back of the copy of the title. So this is what I think they did. They make the back of the title like they pretended to buy a car from us not knowing they have ulterior motive like different intention to copy all our information because once we give the paperwork, it's like anybody can copy it. So I think that's what these guys are doing. Because they didn't tell us this is what they will be doing until this problem start coming from everywhere.

FIRE CHIEF GERALD REARDON: So the thought is that the other car is a fraudulent car?

MORGAN OKUNDAYE: Which one?

ATTY WILLIAM SPALLINA: Kirill is a wholesaler? Can we see a copy of it?

JANE OKUNDAYE: This is fraudulent. This

is not fraudulent. Because this -- he owned this license. This is his own license. He's buy cars under -- this is the one I looked for Union Motors. This address is in Tennessee. So now he buys as a wholesale and sold it to NOMA. He can go to the auction with this information with his card. But once he buy the car wholesale, he not transferred to NOMA and he is not selling like NOMA Auto Sales.

FIRE CHIEF GERALD REARDON: He's claiming to sell to NOMA, but he's not authorized?

JANE OKUNDAYE: He's not authorized, but he's selling to NOMA.

FIRE CHIEF GERALD REARDON: He's buying the car at the auction under his card?

JANE OKUNDAYE: Yeah, yeah, yeah.

FIRE CHIEF GERALD REARDON: But at the car auction, you have to swipe the card, so he's using his card?

MORGAN OKUNDAYE: Exactly, exactly, to try to buy from the auction. They now transferred the paper to NOMA.

FIRE CHIEF GERALD REARDON: There's no way of proving he stole your ID. He would have to have swiped his own card and purchased it on his own, but then he's -- your contention is that he's now selling it as NOMA without authorization?

MORGAN OKUNDAYE: Exactly.

JANE OKUNDAYE: Because a long time ago, I remember Charles bought a car from us, but we didn't know that is what he does. I'm sure when Charles got our information, we never really take -- he doesn't work for us. He has his own dealership. But his own dealership is wholesale. Now, he gets our information just like here. Anybody can copy this. The information is there. My license number is there, everything is in

there. This is where he got information and he sold my information to this guy. He said he paid \$1,000 to Charles.

MORGAN OKUNDAYE: It's in the report.

JANE OKUNDAYE: For him to use NOMA Auto Sales, Charles doesn't work for NOMA Auto Sales.

CHAIR NICOLE MURATI FERRER: When you fill out the paperwork, do you use the stamp with NOMA and your information?

JANE OKUNDAYE: Yes.

CHAIR NICOLE MURATI FERRER: Is it like the one that Nicholas Theodat used?

JANE OKUNDAYE: Yes.

CHAIR NICOLE MURATI FERRER: But you're saying that Nicholas Theodat never worked for you?

MORGAN OKUNDAYE: We don't know him.

CHAIR NICOLE MURATI FERRER: He went through the trouble of creating a stamp just like

yours?

JANE OKUNDAYE: And he put his number.

CHAIR NICOLE MURATI FERRER: That's not your phone number.

JANE OKUNDAYE: 617-407-8444.

CHAIR NICOLE MURATI FERRER: So 429-1398 doesn't appear in your records?

JANE OKUNDAYE: Yes.

CHAIR NICOLE MURATI FERRER: The person you do authorize to sign for NOMA handwrites your stuff, they don't use your stamp, is that what you're saying?

JANE OKUNDAYE: That's -- yeah, because we didn't use the stamp. Sometimes my husband is not there and somebody comes to do the paperwork, and I use my hand to write it, too. As far as the information is correct.

FIRE CHIEF GERALD REARDON: But you did make a settlement with Laura Nichols on a car you

sold, correct?

CHAIR NICOLE MURATI FERRER: No Laurie Nichols is the director of Consumer Council. They only did it on Chinchilla matter.

FIRE CHIEF GERALD REARDON: I'm sorry. The Chinchilla matter, Adilo Chinchilla.

ATTY WILLIAM SPALLINA: I would note while we're looking at the bill of sale, Mr. Chinchilla paid \$9,000 for the car submitted to the investigator a bill allegedly from Silver Auto Repair claiming it needed \$2,900 for a transmission, parts and labor.

FIRE CHIEF GERALD REARDON: It appears that's a used transmission.

ATTY WILLIAM SPALLINA: Maybe used, yeah. But settled his case for \$1,500 and apparently kept the car, as I understand it. Apparently he was satisfied because he took \$1,500 and kept the car. And for some reason, one of the

complainants was Brian Fitzgerald. He puts down an address for NOMA as being on North Street in Randolph with a 508 phone number. I don't know where he got that from. That's obviously not where NOMA is and that's not their phone number.

CHAIR NICOLE MURATI FERRER: What are you looking at?

ATTY WILLIAM SPALLINA: 12.

FIRE CHIEF GERALD REARDON: When you go to the auto auction, do you ever buy cars for someone just for a handling fee, like you buy the car and you catch \$100, \$200 cash for purchasing the car and let them do it?

MORGAN OKUNDAYE: No. At the auction, no. When I have a customer let's say like that, he brings a customer to us and we go to the auction.

FIRE CHIEF GERALD REARDON: From the auto auction, you should have paperwork showing them

of transferring ownership to you for each of these vehicles, correct?

ATTY WILLIAM SPALLINA: I don't think the auto auction takes title. It comes from a dealer directly.

FIRE CHIEF GERALD REARDON: So --

ATTY WILLIAM SPALLINA: Like the title here from this dealer in Tennessee.

FIRE CHIEF GERALD REARDON: Counsel, there's no record of the -- your recitation is that the auto auction has no record of what they did with that car, or how they transferred it to someone?

ATTY WILLIAM SPALLINA: Do you know if the auto auction keeps a record of the sales they make identifying the buyer?

FIRE CHIEF GERALD REARDON: They may not have the title for it, but...

CHAIR NICOLE MURATI FERRER: They do give

you a receipt.

JANE OKUNDAYE: No, the auction -- what happened the dealers give the title to the auction, so after -- like if I buy with my license if I buy, now the auction will not do the paperwork on behalf of the dealer. They give it to me as the buyer.

FIRE CHIEF GERALD REARDON: So the auto auction will do the title?

MORGAN OKUNDAYE: Yes. Give to me.

FIRE CHIEF GERALD REARDON: There must be that paperwork for all of these cars you buy that you have a copy of? When you buy from the auction and they transferred you the title, there has to be paperwork to that effect.

JANE OKUNDAYE: We have, yes.

FIRE CHIEF GERALD REARDON: Do you have any of that for these vehicles?

JANE OKUNDAYE: We're not disputing this.

We bought that. But those other ones we didn't buy at all. Like this one.

MORGAN OKUNDAYE: We didn't buy this one. You see the Union is transferred to NOMA Auto Sales, that's why we have to give to the cops. Because a lot have been using -- they have been using information without authority.

JANE OKUNDAYE: Because we have been dealing with this for awhile right now. I went to the Registry and we -- to change the number and they told us even if you change the number, they can still use it because we try to change the number so everyone have -- nobody has my information. So they said because -- we went as far as changing the number to get a different number, so that they can stop using our information.

FIRE CHIEF GERALD REARDON: How many cases are there, four or five?

ANDREA BOYER: Altogether there's the three for right now and there was a fourth from years ago.

FIRE CHIEF GERALD REARDON: The three that's present right now, how many do you acknowledge are yours?

MORGAN OKUNDAYE: One.

ANDREA BOYER: May I ask a question for the Board?

When we first started to talk about the different people that you may or may not know, I know there's a difference between Patrice and Patrick. You stated that you know Patrick.

MORGAN OKUNDAYE: Yes.

ANDREA BOYER: Patrick was the one that brought the car for the gentleman in Maine. Does he work for you? How do you know Patrick?

MORGAN OKUNDAYE: The auction. At the auction.

ANDREA BOYER: He also --

MORGAN OKUNDAYE: He goes to the  
auctions.

ANDREA BOYER: You only know him -- if he  
delivered a name --

MORGAN OKUNDAYE: I don't know him.

ANDREA BOYER: You just know who he is?

MORGAN OKUNDAYE: Yes.

ANDREA BOYER: Do you have any open cases  
against him as well using your name since you  
know him and you know where he lives? Have you  
opened up a case?

MORGAN OKUNDAYE: I know he was one --

ANDREA BOYER: You had opened up a case  
against Nicholas Theodat, but you do know Patrick  
and you had this case a couple weeks? Have you  
thought about placing a complaint against him as  
well for using your name?

MORGAN OKUNDAYE: I don't --

ANDREA BOYER: I don't know Patrick's last name. What is Patrick's last name?

MORGAN OKUNDAYE: I don't know Patrick's last name.

ANDREA BOYER: You don't know Patrick's last name. So you're going to throw a case at him as well? I have an address for Nicholas Theodat if you want it.

FIRE CHIEF GERALD REARDON: Do you believe that Patrick has an ID for the auction?

MORGAN OKUNDAYE: I have to find out when I go to the auction. Now I will find out and ask him everything and hand it over to my lawyer.

FIRE CHIEF GERALD REARDON: Have you tried to go to the auction and say that you believe that people have been misrepresenting you?

MORGAN OKUNDAYE: We have not been able to -- we have not renewed. You cannot go to the

auction. Since if you don't renew and you try to take this license, it won't work.

ANDREA BOYER: The people using your license, are they still able to go to the auctions?

MORGAN OKUNDAYE: I don't know.

CHAIR NICOLE MURATI FERRER: But if I'm understanding your complainant's position correctly, what they're saying is that none of these people are actually using their license. What they're doing is that they actually go to the auctions, either as a wholesaler or a friend of a friend, and buy these vehicles, and just for the heck of it or putting NOMA as the seller with the number 21 dealer next to it?

MORGAN OKUNDAYE: That's correct. That's correct. That's correct. That's correct.

ATTY WILLIAM SPALLINA: I think some of

these people are going with wholesale dealers' licenses. They're not just going -- that's how they're getting in and buying the cars.

FIRE CHIEF GERALD REARDON: As a wholesaler, they can't sell retail.

ATTY WILLIAM SPALLINA: Right, but they can buy at the auction. They'll go with a valid wholesaler license and selling retail which apparently is --

FIRE CHIEF GERALD REARDON: I guess my other question is: If they go up there and using NOMA's credentials, apparently the car auction isn't very critical about writing the title to them --

ATTY WILLIAM SPALLINA: I was surprised to hear that.

FIRE CHIEF GERALD REARDON: -- under false pretenses, so to speak?

ATTY WILLIAM SPALLINA: I would have

thought the auction would keep better records of who comes and goes there.

I understand from talking about this case with other lawyers that you would be surprised, apparently, as long as they can sell cars, they sell cars. Exactly who is to regulate how they supervise who they sell to is not clear to me. So that's my understanding. I'm not exactly sure what records they're supposed to keep, but, obviously, if someone goes in with a wholesale license and they keep a record, there's no cause for concern. They don't know what that person does to that car afterwards. As far as they know, he is a wholesaler and sells to a dealer.

FIRE CHIEF GERALD REARDON: But in the case of the ones where the wholesaler potentially bought on behalf of NOMA, did the car auction do the title transfer to NOMA or to the wholesaler, do we know?

MORGAN OKUNDAYE: To the wholesaler. To the wholesaler. They went to sell to customer, they transfer to NOMA first before they sell to customer.

FIRE CHIEF GERALD REARDON: Because they can't transfer the wholesale to the customer directly.

MORGAN OKUNDAYE: Yes. What we -- we go back to Registry, want to make sure we change.

JANE OKUNDAYE: As a matter of fact, I need help personally because if people are doing this, somebody wrote a letter stating he works for NOMA Auto Sales, they just cannot get away with this like that. They take away food away from my table. How many months now with this and Charles is on this. The somebody paying \$2,000 something to use our information.

CHAIR NICOLE MURATI FERRER: Did you get that information to the police detective?

JANE OKUNDAYE: I did.

CHAIR NICOLE MURATI FERRER: When?

JANE OKUNDAYE: As soon as I finished, I came to the office -- no, I went to the police station. I drop all these things off.

CHAIR NICOLE MURATI FERRER: I'm wondering whether because the detective's report came in awhile back. Have you given him this information since that time --

JANE OKUNDAYE: Yes.

MORGAN OKUNDAYE: Yes.

CHAIR NICOLE MURATI FERRER: -- so he can investigate this situation?

MORGAN OKUNDAYE: Yes.

CHAIR NICOLE MURATI FERRER: Do you want to take this under advisement?

POLICE COMMISSIONER ROBERT HAAS: Take it under advisement.

ATTY WILLIAM SPALLINA: The detective in

his email does mention Mr. Belyaev so he, in fact, called him.

CHAIR NICOLE MURATI FERRER: Counselor, do you have anything else for us?

ATTY WILLIAM SPALLINA: That's it. There's three complaints that are the subject of this hearing. One of them apparently has been resolved to the satisfaction of the consumer, to the extent he didn't want to give the car back and wanted to keep it. He submitted an estimate for \$2,900, but accepted or is accepting \$1,500, so I'm assuming he's satisfied.

And the other two involved these people they have gone to the police, they have given all the information to the police, they confronted this guy. They got information out of him which I think was dangerous. They filed a suit against this guy Theodat based on the address they had. It came back with no good address. Now I

understand there's a good address for him. I don't know what else they can do to stop people from doing this.

CHAIR NICOLE MURATI FERRER: We'll take this matter under advisement. Take this matter under advisement and I think our next -- is it the 8th or when do we meet next?

EXECUTIVE DIRECTOR ELIZABETH LINT: We'll take a vote on it on March 8. Thank you.

ATTY WILLIAM SPALLINA: Could we have that back that one letter? Do you want copies of these things.

ANDREA BOYER: Come in tomorrow and I'll give you the information for Nicholas Theodat.

ATTY WILLIAM SPALLINA: I need that letter submitted.

CHAIR NICOLE MURATI FERRER: Are there no copies for us?

ATTY WILLIAM SPALLINA: No. I can get

you copies.

CHAIR NICOLE MURATI FERRER: Counselor,  
if you can fax whatever documents you have  
because you only gave us the letter, but if you  
want us to consider the others...

ATTY WILLIAM SPALLINA: That's the only  
one I have.

Thank you.

CHAIR NICOLE MURATI FERRER: Motion to  
adjourn.

FIRE CHIEF GERALD REARDON: Seconded.

CHAIR NICOLE MURATI FERRER: All in  
favor?

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR NICOLE MURATI FERRER: Aye.

(Whereupon the hearing was concluded at  
7:46 p.m.)

ERRATA SHEET

INSTRUCTIONS: After reading the transcript, note any change or correction and the reason therefor on this sheet. Sign and date this errata sheet.

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I have read the foregoing transcript, and except for any corrections or changes noted above, I hereby subscribe to the transcript as an accurate record of the statement(s) made by me.

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## CERTIFICATION

Commonwealth of Massachusetts

Norfolk, ss.

I, Jill Kourafas, a Notary Public in and for the Commonwealth of Massachusetts, do hereby certify:

That the hearing herein before set forth is a true and accurate record of the proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of March 2016.

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Jill Kourafas  
Certified Shorthand Reporter  
License No. 14903  
Notary Public

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