

OF COMMONWEALTH MASSACHUSETTS
CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION GENERAL HEARING

Michael Gardner, Chairman
Robert C. Haas, Police Commissioner
Gerald R. Reardon, Fire Chief

STAFF:

Elizabeth Lint, Executive Officer

-- Held At --

Michael J. Lombardi Municipal Building
831 Massachusetts Avenue
Basement Conference Room
Cambridge, Massachusetts

Tuesday, February 21, 2012

6:08 p.m.

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P R O C E E D I N G S

ELIZABETH LINT: Before we get started, if anyone has a cell phone on you, we would appreciate it if you would turn it off, please.

This is the License Commission Hearing on Tuesday, February 21, 2012, at 6:08 p.m. We are at the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Basement Conference Room.

Before you is Commissioner Robert Haas and Chief Gerald Reardon. We have only two commissioners tonight.

ROBERT HAAS: Do you want to note the fire exits?

GERALD REARDON: We have the two exits for tonight. And, obviously, you cannot block the exits, stand in the doorways, during the testimony. Also, do not use the elevator, use the stairway to exit the building.

ELIZABETH LINT: Application for Improvisational Center of Boston, Inc., doing business as ImprovBoston, Daniel Binderman, Manager, holder wine and malt beverages as a restaurant license at 40 Prospect Street has applied for a change of manager from Daniel Binderman to Zachary Ward.

GERALD REARDON: Would you come up and give us your name and spell it, please, for the stenographer.

ZACHARY WARD: My name is Zachary Ward, Z-A-C-H-A-R-Y, W-A-R-D.

ROBERT HAAS: Give us some background as to what happened with the prior manager and your experience.

ZACHARY WARD: I started as the managing director of the Improvisational Center of Boston, doing business as ImprovBoston, on July 13, 2011.

The former managing director resigned at the end of 2010, his last day was early

January of 2011.

ROBERT HAAS: Just a little more background in terms of with respect to -- because you're a holder of a beer and wine license. Have you held a license in your name before?

ZACHARY WARD: No.

ROBERT HAAS: So what experience do you have with respect to the service of alcohol?

ZACHARY WARD: I have owned a comedy theater in the state of North Carolina for the last seven years. I have also produced large scale comedy festivals in Toronto, Ontario, Chicago, Illinois, and Chapel Hill, Durham, and Raleigh, North Carolina.

With all those organizations, I have worked as a producer in facilities, venues, that serve alcohol and have had some responsibility in management of those staff in those venues.

And so I, as a manager on record holding that permit, I have not done that up to this point.

I am a new resident in the state of Massachusetts. I moved to Somerville in July of this year.

ROBERT HAAS: So what training do you have with respect to the service of alcohol?

ZACHARY WARD: I have worked with, in Massachusetts, in coming here to Massachusetts, my entire staff at ImprovBoston went to the tips training earlier this fall.

ROBERT HAAS: Has any of them been through 21 Proof Training?

ZACHARY WARD: No.

ROBERT HAAS: In Cambridge, we have a program that's called 21 Proof Training, and anyone who is a holder of a malt or any kind of an alcohol license has to go through the 21 Proof Training which is arranged through --

ELIZABETH LINT: Frank Connolly, the

Cambridge Prevention Coalition.

ROBERT HAAS: So as a condition of you being named as the manager for the Improv, you would be required, and your staff who serves, would be required to go through 21 Proof Training.

ZACHARY WARD: Okay.

ROBERT HAAS: And he'll come to the site and actually do the training. So we encourage anybody that's handling alcohol --

ZACHARY WARD: The 21 Proof is separate from the tips training?

ROBERT HAAS: Yes. It's Cambridge specific.

GERALD REARDON: What is the occupancy?

ZACHARY WARD: The occupancy of the entire building, I believe, is 140. We have two venues within the theater with separate venues.

GERALD REARDON: Are you good with

your manager of record for occupancy through the State? The program started as of January.

ELIZABETH LINT: The crowd manager.

GERALD REARDON: The crowd manager.

ZACHARY WARD: Oh, the crowd manager, yes.

GERALD REARDON: And you know that someone has got to be present every night --

ZACHARY WARD: We do have a crowd manager that has gone through the certification process online, and we have, I believe, five people certified as crowd manager.

GERALD REARDON: Do you ever actually serve food there, too?

ZACHARY WARD: No. Just prepackaged.

GERALD REARDON: So you don't have cooking goods and equipment and all that, right?

ZACHARY WARD: No. And it's a very limited beer and wine selection.

GERALD REARDON: Any further questions?

ELIZABETH LINT: All the paperwork is in order.

GERARD REARDON: Is there anyone from the general public who wish to be heard on this particular matter, please speak.

Seeing none.

ROBERT HAAS: I make a motion to approve the application for the change of manager.

GERARD REARDON: Second.

ROBERT HAAS: All those in favor?

GERARD REARDON: Aye.

ROBERT HAAS: Aye.

So 21 Proof Training --

ZACHARY WARD: 21 Proof Training?

ROBERT HAAS: Right.

ZACHARY WARD: And I can coordinate that with --

ROBERT HAAS: Ms. Lint will tell you

who the contact person is and then you can actually --

ELIZABETH LINT: We'll send you that information.

ROBERT HAAS: Thank you.

* * * *

ELIZABETH LINT: Application for L'Impasto, LLC, Riccardo Passini, Manager, holder of common victualer license at 2263 Mass. Avenue has applied for a new wine and malt beverages as a restaurant license at said address. The hours of operation will be Tuesday through Sunday from 11:00 a.m. to 10:00 p.m. with a seating capacity of 20 inside and 6 non-alcohol seats outside.

GERARD REARDON: Good evening. Please give us your name and address and spelling it for the stenographer, and also your client's name.

ATTORNEY VINCENT PANICO: My name is Vincent Panico, P-A-N-I-C-O.

My client is Riccardo Passini,
R-I-C-C-A-R-D-O, P-A-S-S-I-N-I.

GERARD REARDON: Do you want to just give us a brief explanation of your request for a beer and wine.

ATTORNEY VINCENT PANICO: This is a request for a non-value beer and wine license for this small Italian restaurant located just across from St. John's Church beside where the plank store used to be.

The notifications were sent as required; 104 neighbors were within the parameter of notification. I talked to Father Collins of St. John's Church and he said that they have no objection to the license. I talked with representatives of North Cambridge Stabilization Committee. Dick Cleary, who is the president, has health problems at the moment, and he referred me to Michael Brandon. I spoke with Michael Brandon and he said they have no objection to the application.

I had submitted previously 484 names in support. More importantly, of those 484 names, 222 are from the City of Cambridge.

The reason he is asking for this beer and wine is -- he has been open since last summer, and the typical calls that he gets are, "Do you have any wine?" Not so much for the beer but it's always, "Do you have wine?" And, as it turns out, apparently having wine with an Italian dinner is an essential element of it.

He has had experience working with alcohol. He has worked in restaurants in Rome, he has worked in restaurants in Boston, the restaurant Fiorie, D'Umbria, the Ponte Vecchio, and he also has worked in other parts of the world.

So he has worked as a person in charge of inventory. He has worked -- when they have certain types of food in the restaurant, he has been the person who says,

"Okay, we need this type of wine for this; this is the type of wine we have to order for that type of food."

I think there is considerable community support for this application and there is a real need, both from the client and from the community, to have this available to serve with Italian food.

And I will just limit my comments to those brief remarks and answer any questions the Commissioners might have.

GERALD REARDON: So this is a no-value and a no-transfer that you're looking for, correct?

ATTORNEY VINCENT PANICO: Yes.

GERALD REARDON: I know you didn't mention it, but I assumed that that was the case?

ATTORNEY VINCENT PANICO: Yes, that's correct.

GERARD REARDON: And how many

employees does Mr. Passini have?

RICCARDO PASSINI: I have three employees.

GERALD REARDON: And the six outside seats, are those on private property?

ATTORNEY VINCENT PANICO: No. I think they are on the City property.

GERARD REARDON: The seasonal ones are on the City?

ATTORNEY VINCENT PANICO: Yes. He got the clearance from the DPW, I believe.

ROBERT HAAS: Can you talk just a little more about your experience in terms of holding an alcohol license. You've never held an alcohol license in your name before, right?

RICCARDO PASSINI: No, sir, I've never held an alcohol license before.

ROBERT HAAS: But you've been involved in the restaurant business that --

RICCARDO PASSINI: I've been involved in the restaurant business as a chef, kitchen

manager, doing inventory, and just wine, especially for wine dinners and wine tasting, to suggest to buy a certain wine.

ROBERT HAAS: So that's your specialty, to match up meals with wine?

RICCARDO PASSINI: Exactly.

ROBERT HAAS: And, Mr. Panico, how many signatures you said are on the petition?

ATTORNEY VINCENT PANICO: 484. And we passed a few more in.

ELIZABETH LINT: And, for the record, I received numerous e-mails over the last few days, which have all been included in the file and were all forwarded to all three Commissioners.

ROBERT HAAS: So you understand that if you were granted a license, you'd have to go through a 21 Proof Training as a condition of the license?

RICCARDO PASSINI: I do, sir.

ROBERT HAAS: And we'd request that

you also have -- since you only have three employees, they should also go through the training as well.

ATTORNEY VINCENT PANICO: Would that be the dishwasher also?

ROBERT HAAS: Anybody who serves alcohol or who has contact with customers, who needs to assess the sobriety of the customer and things like that, I think they all should go through the training. So unless your dishwasher does that on the side --

(Laughter)

GERALD REARDON: I think Mr. Panico was wondering if he had to go and take the class.

Is all the paperwork in order?

ELIZABETH LINT: Yes, it is.
Background check is satisfactory.

GERALD REARDON: Is there anyone from the general public that would like to be heard on this matter?

(Audience member indicates.)

GERALD REARDON: Please come forward. Please state your name and spell it for the court stenographer.

ATTORNEY DEAN PAPADEMETRIOU: My name is Attorney Dean Papademetriou, that's spelled P-A-P-A-D-E-M-E-T-R-I-O-U. I'm an attorney in Boston, and I represent the owners of the building.

My parents, who are sitting in the audience tonight, they've owned the building for 30 years. They have gotten to know Riccardo over the last few months and are very impressed with his management and responsibility, and they think that he would be a proper recipient for this license. Thank you.

ROBERT HAAS: Did you speak in favor of the initial application?

ATTORNEY DEAN PAPADEMETRIOU: Yes, I did. I was here then and my parents were also

here then as well. Thank you.

ROBERT HAAS: Okay.

GERALD REARDON: Anyone else?

(Audience member)

LINDA BORODKIN: My name is Linda Borodkin, B-O-R-O-D-K-I-N, and I live a few blocks away. That spot has had several different restaurants that have all closed after not too long a time.

And, I mean, Riccardo serves wonderful food and everyone in the neighborhood loves the place.

And I don't drink, I don't drink wine or beer, but I came just to support a new and wonderful neighborhood restaurant, so I hope he can succeed. And I know that wine, he said, is important to an Italian restaurant.

And almost everyone here is here to support Riccardo. If you ask for a show of hands, it will be very interesting to see.

GERALD REARDON: Actually, we can

actually do that. Can I ask for a show of hands for all those who are in favor.

(Most of the audience members all raised their hands.)

GERALD REARDON: All right. Anyone here who is opposed to the license who would like to speak?

(Laughter)

We can cut down everyone's time this way. Okay. Seeing no one. I'd like to let the record show that there was probably 15 to 20 in favor and none opposed.

And the paperwork is in order?

ELIZABETH LINT: Yes.

ROBERT HAAS: My compliments to you. I mean, it's really great to see the neighbors come out in support of a local restaurant. We do see that sometimes and I'm always happy to see such great neighborhood support, so it speaks well of your restaurant and your reputation.

RICCARDO PASSINI: Thank you.

GERALD REARDON: I'll make a motion that we approve the beer and wine license for Mr. Riccardo Passini.

ROBERT HAAS: I would second that motion with the stipulation.

(Whereupon, most of the audience stood up and clapped.)

ROBERT HAAS: You have a high reputation to keep up and maintain now.

GERALD REARDON: The stipulation, as the Commissioner said, is that you get the 21 Proof Training for any people who actually handle the alcohol, either yourself or on your behalf.

ROBERT HAAS: So on the motion, I second to support the application.

GERALD REARDON: All in favor? Aye.

ROBERT HAAS: Aye.

ATTORNEY VINCENT PANICO: Thank you very much.

RICCARDO PASSINI: Thank you.

(Audience is clapping).

ROBERT HAAS: Did you have a question?

LINDA BORODKIN: No. I just wanted to say that Riccardo makes great food, but also I forgot to say that he's a very kind man.

* * * *

ELIZABETH LINT: Disciplinary matter for All Common Victualer, Used Car Dealer, and Jitney licensees that failed to complete the renewal process for their 2012 license.

So we only have two, which is a record. Fresh Pond Gas? No. And Bellan Disposal.

And so they were -- since their last notice on January 25th, they were advised that they needed to complete the requirements by 4:00 p.m. on Thursday, February 9th, and to send in their fees plus a \$50 administrative

fee made payable to the City and they did not.

GERALD REARDON: Recommendation from the Executive Director?

ELIZABETH LINT: For Fresh Pond I would recommend that we send Ms. Boyar up to make sure they are still in business.

GERALD REARDON: Which one is that, Fresh Pond Gulf?

ELIZABETH LINT: Fresh Pond Gas, 480 Concord Avenue.

ROBERT HAAS: Is that a Shell Station?

GERALD REARDON: I think they're closed right now.

ROBERT HAAS: I know one is closed and the other one owns the property.

GERALD REARDON: Yes, one is closed.
(Inaudible discussion between the Board.)

ELIZABETH LINT: I will send her up to check it out.

The disposal company is in Waltham.
So --

GERALD REARDON: They may not have had any additional contracts --

ELIZABETH LINT: That's entirely possible. So I can have her get in touch with them.

ROBERT HAAS: Okay. So their license is to operate in the City, right? So I'm wondering if they have any plans --

(Inaudible discussion between Board.)

ELIZABETH LINT: So I would recommend that if they are not working in the City, that, once we make that determination, to place them on file.

GERALD REARDON: Do you need a motion for that?

ELIZABETH LINT: Yes.

GERALD REARDON: I make a motion that we place them on file --

ROBERT HAAS: Pending investigation.

GERALD REARDON: -- Pending investigation, yes.

ROBERT HAAS: Okay. So you'd call them back in again if we determine that they are still operating --

ELIZABETH LINT: Correct.

ROBERT HAAS: I second the motion.

GERALD REARDON: All in favor?

ROBERT HAAS: Aye.

GERALD REARDON: Aye. Motion is approved to place this on file pending investigation by the License Commission.

* * * *

ELIZABETH LINT: Application for Super Duck Tours, LLC/Upper Deck Trolley Tours has applied to amend their existing route through Cambridge. The proposed route and alternative route is available in the License Commission office for review.

GERALD REARDON: Good evening. Could you just state your name and spell it for the

stenographer so we get the correct spelling.

JACK HARTE: My name is Jack Harte, H-A-R-T-E. I'm the operations manager with Super Duck Tours, LLC, and Upper Deck Trolley Tours.

GERALD REARDON: Could you just give us a brief description of what your anticipated change is and what it's for.

JACK HARTE: Well, we've been running a route from the Cambridgeside Galleria down to Harvard Square and back for the last several years. We took over a route that was at one time operated by Russell Bushman from the Charles River Boat Company.

And the Central Square Business Association and the MIT Museum contacted us and, as part of the Central Square Revitalization Program, you know, they had seen our vehicles and seen what we've done in Harvard Square; we brought a lot of business to there. So they were curious to see if we

could participate in their revitalization.

And then the MIT Museum wanted to get more people there. So we are looking to get an additional stop closer to Central Square; I believe the Sydney Street Extension is the spot that we are looking for.

And there seems to be several metered spaces there that would be able to be altered for that, and that's from Adam Shulman, Transportation Department. So that would suit us and suit those other needs.

Our route has -- additionally, our route has gone down Broadway for the last several years. That's a relatively narrow road, there are two schools along there, it's a reasonably congested area, and we have seen that, you know, in the course of riding around --

GERALD REARDON: That's a big street to us.

JACK HARTE: Well, at any rate, for a

number of reasons, we have sought to alter our route to take us down Hampshire Street to Cambridge Street through Inman Square and down into Harvard Square down towards the Cambridge Common, that direction, for a number of reasons.

Reason number one, it seems the schools aren't there so there is some safety issues that we feel would be eliminated especially when kids are getting out of school. We think that it shows a more rounded view of Cambridge life. And also when you get down -- if we take our trolleys -- we go down Broadway, we end up going down Quincy Street into Harvard Square. And our approach to go around the Common that way requires a maneuver that causes us to need to move several lanes over to get around with a large vehicle.

If we take it down Cambridge Street and we go through the tunnel, we have a better approach, less lane-changing, a little bit

safer for the drivers, the passengers, the pedestrians and so forth, so that's why we've sought that. And we believe that it gives a little bit better view of Cambridge life.

ROBERT HAAS: Just for me, review the route now as you were proposing it.

JACK HARTE: The route as we would propose it would be to come out of the Cambridgeside Galleria, turn on, as we have, turn onto Land Boulevard, and then Binney Street to Galileo Galilei Way, and take the right onto Broadway, but then take an another right onto Hampshire Street, follow that down to Cambridge Street, take a left onto Cambridge Street, follow that down through the tunnel, and then it goes around Cambridge Common, Garden Street to Waterhouse Street and back onto Massachusetts Avenue. Our stop -- we have a stop on Brattle Street down by Cardullo's, and then turn down Mt. Auburn Street and back down to -- once we get into

Central Square -- a left onto the Sidney Street Extension, stop there, and then take a right onto -- that's Main Street, and then back onto Galileo Galilei Way and to First Street and back to the Cambridgeside Galleria.

ROBERT HAAS: You said you talked to Traffic and Parking about the parking spaces on the Sidney Street Extension.

JACK HARTE: Correct.

ROBERT HAAS: And what was the feedback on their willingness to change that?

JACK HARTE: Based on the desire from the Central Square Business Association to have us stop there, they seemed willing to do that.

And our marketing people have been involved with the Central Square people and, you know, the only objection that they had to losing those spaces was that a couple of people on the committee -- within the Business Association have used those spaces as

convenient spots because nobody seems to use them. But they were willing to lose their sort of special spots if it meant that our trolley would be able to stop there and bring passengers there.

ELIZABETH LINT: And this has been something that's been talked about for the past several months in order to -- as part of the Red Ribbon Commission in Central Square and the Revitalization of the Square and just to get more people in and visit the shops and the restaurants. And so everybody was on board.

GERALD REARDON: There's not going to be a stop at Inman Square?

JACK HARTE: So far there has been no information given to us from anyone at Inman Square about that, so we don't anticipate that. I imagine if they did inquire, that we would at least talk with the City about that and what they think.

ROBERT HAAS: So the intersection of Hampshire and Cambridge is a little tricky. You've got four or five streets feeding into that intersection --

JACK HARTE: We actually have sent some trolleys down there in peak -- what we feel would be peak traffic time to see if that's maneuverable. If it's not maneuverable, you know, we wouldn't want to do it; not only for safety reasons but for insurance and property reasons.

ROBERT HAAS: So you are satisfied that that is safe?

JACK HARTE: I've sent several drivers down through there to make sure that -- you know, it's not just one person who is extraordinarily gifted that could maneuver around --

GERALD REARDON: Right. It's plenty wide enough. It's kind of a challenge making a left with the oncoming traffic, but --

JACK HARTE: Oh, absolutely. But at this point -- you know, in the winter we run one trolley a day. In the summertime we'll run two trolleys a day. So we're talking about once a half-hour. I believe our license would allow us to run up to three but we typically don't.

GERALD REARDON: I think it's a good service. It's been pretty well received.

Is all of the paperwork in order?

ELIZABETH LINT: It is. This would be a recommendation to the City Manager for the City Council.

GERALD REARDON: Is there anyone here that would like to be heard on this particular matter from the public, pro or con?

Seeing none. Okay.

ROBERT HAAS: I'll make a motion to make a recommendation to the City Manager to approve the modified route as proposed.

GERALD REARDON: I'll second that.

All in favor? Aye.

ROBERT HAAS: Aye.

GERALD REARDON: So it's approved.

ELIZABETH LINT: As I said, we will try to get the paperwork on for next Monday; if not, it will be the following Monday. For the City Council, if you want to be heard, you have to go and sign up.

JACK HARTE: All right. We are fairly comfortable, if we chose not to do it --

ELIZABETH LINT: We've been down that road.

JACK HARTE: Yes.

GERALD REARDON: It's not a requirement at all.

ELIZABETH LINT: But we'll let you know.

JACK HARTE: Very good. Thank you.

* * * *

ELIZABETH LINT: Disciplinary matter

for Royal Transportation Services, Inc.,
Medallion No. 255A, Selim Romanos, Manager,
due to your failure to submit up-to-date owner
and operator information.

I was under the impression that it
was continued -- Mr. Ramanos' I actually
continued to the next hearing, March 6th.

* * * *

ELIZABETH LINT: Disciplinary matter
for Three Sister's Cab, Inc., Medallion No.
256A, Carnot Georges, Manager, due to failure
to submit up-to-date owner and operator
information.

AUDIENCE MEMBER: I want to --

GERALD REARDON: Good evening. Can
you state your name and spell it for the
stenographer.

CARNOT GEORGES: My name is Carnot
Georges, C-A-R-N-O-T, G-E-O-R-G-E-S. I'm the
owner of Three Sister's Cab, No. 256A,
Cambridge.

In late December 2011, I received a letter from the License Commission that was a form to fill out about the driver and the owner. And then the due date was on the 16th of January.

And then I didn't mail it out. I wait until the due date, and I came here to the License Commission, and then I met with Ms. Lint, and I talked to her about the situation, like the wheelchair -- we go over the whole thing.

And then she said to me, "Do you have the letter, the form?" And then I had the form in my hand but it wasn't filled out.

The reason why I was -- there is a guy I choose to drive in the evening, he is a new driver, a new guy. He was still in school. And then I didn't know exactly when the school was going to be ending for him to get the license. I just signed the form for him today.

GERALD REARDON: Are you talking about Hackney school?

CARNOT GEORGES: Hackney school, yes. I just filled out the form for him today. And I also remember that Ms. Elizabeth said, "You have to fill out the form" and I said, "Yes, I will."

And then it was my fault. I was supposed to, even if the driver wasn't ready, I was supposed to fill my part and then come back, and give it -- I can give it to him after.

When the Hackney officer called me, he said, "I got a letter for you, do you want me to mail it for you?" I said, "No. Let me pick it up." And when I open it, I saw it was for this hearing.

And then I just filled out the form, it was on January 24th. I come back to the office and then I give out the form. It was on January 24th.

ELIZABETH LINT: So the reason the Hackney officer asked him to come in and pick up the letter was because we mailed it to the address that he gave us that was on file originally before we got this form back. And he has a new address so the letter came back to us.

So he hadn't changed his address with the License Commission and he hasn't changed the vehicle registration, as far as I know. And that was a few days ago, the last time that was checked.

Still, this is an accessible van. The accessible vans are supposed to be operating 24 hours a day. So right now there is only one driver on that van and, obviously, he can't drive 24 hours. And it's been that way for quite a long time. So this was the reason why we sent out the forms to all of the accessible drivers so that we know who is available to drive.

And the reason we had to do that is, I'm informed by the manager of the Act Contract, that nobody is taking the jobs, nobody is answering the phone. So we wanted to make sure that we had all the correct phone numbers, all the correct addresses, and a way to give all of that information to the Act manager. So we still have no information.

CARNOT GEORGES: I've been in the business, the wheelchair business, since 1999. My phone number never changed since 2000. Each year we get a car inspection two times a year, the same form, I fill out the same information.

The only thing, two years ago, I change address. I bought a new home and I change address. And then when I went to the Registry, they asked to change the address on the registration, they were -- the ID number or something. I didn't, I forgot the tax ID number, and they said I cannot change it. So

I have to go back there to change it and then to get everything straight.

For Mr. Riley (sic), [Mr. Corey] my phone is always on. I work since 4:00 in the morning to 9:30 or 10:00 in the evening. Because I know I'm only one driver.

But on the other end, I'm not on his company, I'm not on his radio service. I use Ambassador Service. I never refused any job, any wheelchair job from Ambassador. I'm always on for them.

Sometimes Checker call me. If I'm busy with Ambassador doing a job, I just told them that and so I cannot do it for now because I have a job on my cab.

Like a few weeks ago they call me, I was stopped at the Commodore Hotel. He wants me to go to 165 Cambridge Street, Boston, to pick up a wheelchair going back to 350 Third Street.

And then I told the dispatcher, "I

had been there for one hour, can you check if you have any other vans close by Kendall Square available? "She told me, "I will call you back, let me go find out."

GERALD REARDON: They wanted you to go and pick up in Boston?

CARNOT GEORGES: In Boston.

ELIZABETH LINT: To come to Cambridge.

CARNOT GEORGES: She never called me back. And 15 minutes after, I had a job going to the airport. I called myself, I told her, "I'm going to the airport, did you find anybody?" She said, "No." I said, "Okay. I'm going to do it quick. I'm going to pay the tolls on my way back and I will go pick it up." And then I did that.

This Friday -- what I'd like to know is if a job, a wheelchair job in Cambridge went to Boston, it's okay for a driver to go to Boston to pick it up? But if a job in

Boston stays in Boston, doesn't live in Cambridge, I don't think it is fair to move a driver from Cambridge to pick up from Boston to Boston.

So Friday he called me, Mr. Riley (sic), [Mr. Corey] called me on the phone. He sent me to 59 Coolidge Hill Road in Watertown -- rush hour. 4:00. I was stopped at the Galleria Mall -- to pick up a wheelchair going to the Watertown Mall. I wasn't happy about it, but I didn't say one word. I just start my car and go pick it up.

By 7:00, they call me back again to go pick her up from the Watertown Mall back to her residence at Coolidge Hill Road in Watertown. SO --

GERALD REARDON: Is that what --

ELIZABETH LINT: This came up at the last taxicab subcommittee meeting. And, yes, it is. A lot of other cities and towns don't have accessible vans so they will use ours in

order to be able to --

GERALD REARDON: But do we have an like approved list that the cab is not -- I mean, the cab is not supposed to pick up outside Cambridge?

ELIZABETH LINT: If it's a call, you can pick up anywhere. And Mr. (inaudible) -- and it was his position that if someone needs an accessible van, that it is really our obligation to provide that service.

GERALD REARDON: Is there a limit to --

ELIZABETH LINT: I think it is common sense. You know, I think if they got a call saying "go pick somebody up in Framingham," we can say "that's really not reasonable." But within the vicinity, it certainly is.

I should just say, you know, Mr. Georges is a very nice man. He has been driving for a very long time and we don't have any problems with him. But the Act Contract,

as we've been having one problem after the next, and it was a decision made that we have to let all these drivers know that we are very, very serious about it and that we will be taking action if they are refusing the jobs and not giving the information.

CARNOT GEORGES: I spoke to Mr. Riley (sic) [Mr. Corey] myself on, I think, Saturday and I asked him for a meeting. Sure, we'll have a meeting with all the drivers.

Because I can understand him -- he told me -- because I've been driving a cab a long time. And he told me when he called the drivers, they don't want to answer. He said the reason why I keep using you, 254, you know, but the other drivers, no.

And then he gave me an example. He called 250 and then he yelled at him. He said, "I have no choice. I have to call you to go back to pick her up." And then I just go to Watertown.

GERALD REARDON: So you drive and one other driver to cover all the hours; is that correct? It's just the two of you?

ELIZABETH LINT: He hasn't had another driver, that's the problem.

CARNOT GEORGES: I'm going to have a new driver. So the deal is 7:00 to 7:00. I'm going to work 7:00 in the morning to 7:00 in the evening. He is going to take over 7:00 in the evening to 7:00 in the morning, but he is going to start on Monday.

ROBERT HAAS: Do you have the information on the new driver that's going to start on Monday?

CARNOT GEORGES: No. I just filled out the form for him. He just finished the Hackney school. He got his license this afternoon. So tomorrow he is going to bring me the work card and I'll get all the information from him to bring over to the Hackney.

ELIZABETH LINT: But there is still the 60 days' probationary period that you have to make sure that he meets all the qualifications and that he --

CARNOT GEORGES: Yes. I have to train him also.

ROBERT HAAS: Right. So you understand that because you have a handicapped accessible taxi that you have additional responsibilities with respect to the transportation?

So I just want to make sure that you understand that you are taking on a special responsibility and because, by virtue of the type of cab you are driving, that you accepted that responsibility. So it's a little bit different. It may cause some hardships to you because of the special needs of that population but, regardless, you are still responsible to answer the calls when you're called and pick up a fare and take it to that

location, right?

CARNOT GEORGES: I don't understand that. Like I have my own clients, wheelchair clients. Like if you talk to the other owners or dispatchers, they will tell you everything about me. When they call in, they ask directly for me. They got (inaudible) on Western Avenue, he won't take any other. It is only me. Because he said when I drive him, I be careful with him. Because I know he has kidney problems, so the speed bumps, I slow down. When he needed wheelchair, he just call me and I pick him up. He goes to Wellesley -- whatever hospital he wants to go to. So I just want to make sure that I do my things right.

GERALD REARDON: We probably should find out if there are people who are refusing to go --

ELIZABETH LINT: We are on it. It's in the works.

CARNOT GEORGES: If we have a meeting to set this up, some owners, you know what they said, "I bought my own medallion. So if I don't want to do a wheelchair, I can refuse." I heard that, some people say that.

ELIZABETH LINT: I am aware of that. We are aware of that basically, but -- and we haven't had any complaints. And maybe we haven't had any complaints because the jobs are being filled because a lot of people have the drivers that they like and they call them directly and we know that. It's the ones that don't have their drivers, so to speak.

And we did have a meeting, when the contract was awarded to Checker, and we had all the drivers in and we made it very clear. So we'll do it again if we have to, but we shouldn't have to do that.

Once the License Commission says, "This is your responsibility," that's your responsibility.

ROBERT HAAS: I understand. The Chief's point, I think, is that I think we need to start looking at the number of times these calls are going unanswered.

ELIZABETH LINT: That's the plan.

GERALD REARDON: And, obviously, we don't want to over-burden any particular cab because others choose not to do it; it should be fair and equitable.

And I think we also should take into consideration the number of accessible jobs that each cab does, so we know what's being utilized.

ELIZABETH LINT: Yes. And that's what's happening. So what Checker will do is their dispatcher will start at the top of the list and just call right down until they get someone that will take it. Then they'll start with the next one and, you know, just keep cycling it around. But it's the same two or three people that are taking jobs.

So 254 that's Gus --

CARNOT GEORGES: Yes.

ELIZABETH LINT: --That's basically why he --

CARNOT GEORGES: And he does everything (inaudible) --

ELIZABETH LINT: Because he'll always answer his phone, and he is on Checker Service. But that --

GERALD REARDON: But I guess the point I'm making is if he is taking an accessible fair, and they call him and he can't take it, he shouldn't be charged for the --

ELIZABETH LINT: No, no. That's not really what it is. It is the ones who are not answering the phones and not giving us the information; because it's in our rules and regs and that's their obligation.

GERALD REARDON: And so your recommendation on it?

ELIZABETH LINT: To place it on file.

ROBERT HAAS: So what I would say is that you've told us that you're going to hire a driver on Monday, right?

CARNOT GEORGES: Yes. Because I filled out the form for him today. He said he was going to the Hackney with \$10 and they are going to give it to him for 60 days. And then I told him, bring me back the form tomorrow, the work sheet, and I can come over here with it and set up everything.

ROBERT HAAS: So when do you plan on completing or finishing the paperwork for Ms. Lint?

CARNOT GEORGES: Tomorrow. Because I have to see -- I have to have the work -- the work come from him first.

ROBERT HAAS: So I would say, in consideration of the fact that you are responsible, you're answering your calls and things like that -- I mean, I think if we had

a situation where you weren't answering your calls, I think we'd take a very different view -- but I think it's laudable that you are taking the calls, and I understand that it causes some hardships for you, especially when you have to go out of the city to take fares, but, again, it has to be within a reasonable range of the region. And I think you appreciate that and understand that.

It sounds like you have your own clientele base, which speaks volumes with your service, so I agree with the Chief that I would like to place the matter on file, which means there's not going to be any penalty towards you unless we have another violation for you.

GERALD REARDON: Or you don't get the paperwork in by the end of the week.

CARNOT GEORGES: No, no. Tomorrow. No more than tomorrow because I'm going to call him tonight to make sure we get

everything done.

GERALD REARDON: I think we can reasonably say by the close of business on Friday, okay? Just in case something happens tomorrow, I'll give you a little leeway. But you need to get that done this week.

ROBERT HAAS: And I would say to you also, that if things don't work out with this new driver, you have to let Ms. Lint know. Don't let us come back after you again.

CARNOT GEORGES: Thank you. I will do that.

ELIZABETH LINT: Thank you for that. Because that is really what the problem is; they get new drivers or they lose a driver and they don't replace it, or the van breaks down and they don't tell us that the van is off the road -- you know, those are all the things.

GERALD REARDON: Same thing, too, like if you have an address change or a vehicle change or a registration change, just

get it in so the paperwork is all up-to-date.

CARNOT GEORGES: Yes, I will do that.

GERALD REARDON: Thank you.

CARNOT GEORGES: Thank you, sir.

ELIZABETH LINT: We count on you to set an example for all the new drivers.

CARNOT GEORGES: I feel bad myself.

GERALD REARDON: Okay. Motion to place it on file?

ROBERT HAAS: Seconded.

GERALD REASON: All in favor?

ROBERT HAAS: Aye.

GERALD REARDON: It makes Ms. Lint's job a lot easier if you stay in touch with her. Okay.

CARNOT GEORGES: Yes. Thank you so much.

GERALD REARDON: You'll have all the paperwork by tomorrow but, at the very latest, by the close of business on Friday?

CARNOT GEORGES: Yes. I will do my

best.

ELIZABETH LINT: Okay. That's all I have.

That's all I have.

* * * *

AUDIENCE MEMBER: Hello. I'm from Boston T Stop. I got a letter about a victualer license -- (inaudible)

(Discussion off the record.)

AUDIENCE MEMBER: I missed the meeting. I'm here for the L'Impasto Restaurant.

I manage the hotel and I wanted to speak up for him by telling him that we send a lot of guests over there in the evening, whether they come in from out of state or out of the city.

I asked them, you know, "Are you familiar with the dining facilities in the area?" And the ones that say "No," I send over there. And they've always come back with

a rave review. And a lot of them even come back with a little candy that they give out and they say, "Here, thanks for giving us that place. It's a great, great place."

GERALD REARDON: What hotel do you work for?

AUDIENCE MEMBER: It's called The Cambridge House Bed and Breakfast.

ROBERT HAAS: Oh, right across the street almost.

AUDIENCE MEMBER: And I've eaten there myself and I've been there many times on a Friday or Saturday night and it's always full.

And what I was going to say, the kind of clientele that goes there, it's not the people that go there to drink. The older people there are sitting there for a meal, which is not cheap to begin with, but they are well cooked, served well. It's not like a bar. And the only -- other than hearing what

a great place it is, the only -- I've heard a few comments of "I would like to have had a glass of wine with the meal."

And to that, I was basically going to say that I stood up for them and said basically what I just said now.

And If you wish, if you are going to be recording this, my name is Victor Marabeeto (ph.sp). And I'm living practically, I spend so much time there, at the Cambridge House. And I don't know the gentleman's name, but many times I've stood there in line waiting to be seated, and everyone seems to be satisfied with what they are getting for food.

It's a nice place. It's a relatively new place. It has only about seven or eight tables. You get a half a dozen people there and it's crowded.

But he cooks right there in front of you. He's got two little girls running around serving and giving you these great pieces of

loaves of bread. You won't find any parking; you'll have to park illegally, or sneak in the church across the street.

Other than that, that's all I was going to say.

GERALD REARDON: Thank you. Riccardo Passini is his name, the chef.

AUDIENCE MEMBER: A thank you.

ROBERT HAAS: Sir, you'll be happy to know that we did, in fact, grant him a beer and wine license. And he had about 20 of your neighbors that were here and were all speaking on his behalf; so you are not alone. And we appreciate you coming in.

AUDIENCE MEMBER: Thank you, sir.

ROBERT HAAS: Thank you.

GERALD REARDON: Any other business, Ms. Lint?

ELIZABETH LINT: I have nothing.

ROBERT HAAS: Make a motion to adjourn.

GERALD REARDON: Second that.

All those in favor? Aye.

ROBERT HAAS: Aye.

GERALD REARDON: We are so adjourned
at 6:55.

(Whereupon, the Hearing was adjourned
at 6:55 p.m.)

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS
SUFFOLK, SS.

I, Evelyn M. Slicius, a Certified Shorthand Reporter and Registered Professional Reporter, the undersigned Notary Public, certify that:

I am not related to any of the parties in this matter by blood or marriage and that I am in no way interested in the outcome of this matter.

I further certify that the testimony hereinbefore set forth is a true and accurate transcription of my stenographic notes to the best of my knowledge, skills and ability.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of February, 2012.

Evelyn M. Slicius
Notary Public
Certified Shorthand Reporter
License No. 127193
My Commission Expires:
May 15, 2013

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