CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION GENERAL HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIRMAN MICHAEL GARDNER
POLICE COMMISSIONER ROBERT HAAS
SUPERINTENDENT CHRISTOPHER BURKE FIRE CHIEF.

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

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

DATE: Tuesday, November 12, 2013

TIME: 6:00 p.m.

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INDEX OF AGENDA

AGENDA MATTERS	PAGE
APPLICATION: NOOKIE (NO SHOW)	6
APPLICATION: O SUSHI	7
APPLICATION: CANCUN MEXICAN GRILL	26
APPLICATION: SUPREME LIQUORS	57
APPLICATION: TRURO VINEYARDS	61
APPLICATION: CARR'S CIDERHOUSE	67
APPLICATION: HIT WICKET	71
APPLICATION: PETSI PIES	79
APPLICATION: PORTER SQUARE PSYCHIC STUDIO	91
APPLICATION CURRY & WOK (NOT HEARD - CONTINUED)	
APPLICATION: BOURBON LESLEY	71
APPEAL: ROMUALD CHERY - HACKNEY LICENSE	106

P R O C E E D I N G S

EXECUTIVE DIRECTOR ELIZABETH LINT: We would like to get started.

If anyone has a cell phone on we would appreciate it if you turned it off.

The door in the rear is to remain open at all times.

It is the License Commission General Hearing, Tuesday, November 12, 2013 at 6:03 p.m. We are in the Michael J. Lombardi Building, 831 Massachusetts Avenue, Basement Conference Room. Before you are the commissioners - Chairman Michael Gardner, Chief Gerald Reardon and Commissioner Robert Haas.

If anyone is here for the matter of Curry & Wok that's been taken off the agenda.

CHAIRMAN MICHAEL GARDNER: Just before we begin this evening, Ms. Lint, I would just like to make a public acknowledgment.

This is going to my next-to-last hearing as the Chair. I've been serving in sort've the seat-warming capacity as a part-time employee of the City since November of 2010.

I have enjoyed the job a great deal. I'll maybe say a little more again at the next hearing.

But I'm very pleased to at least tell you, although it's a matter of public record, that there will be a new full-time Commissioner to the license -- Chair of the License Commission starting in about December the 9th.

Andrea Spears Jackson has been offered and accepted the job as the Chair of the Commission.

I'm particularly pleased because Andrea's first job with the City was working as the Employee Relations Manager in the Personnel Office where I was serving back in the late

1990s.

And after a career there, and a career as the Purchasing Agent for the City, Andrea left to go to some big jobs in Atlanta. Ultimately came back to her home town. And after serving with the Commonwealth for awhile has accepted a position here. And I'm very pleased she'll be taking over this job.

She happens to be in the audience this evening as an observer only. And we agreed we would make it clear she's here tonight as an observer only. She won't be participating in any of the deliberations of the Commission until she takes over the job in December.

But on behalf of those of you who sort've participate in the world of licensing, I hope you will welcome her and treat her as professionally and cordially as I've felt I have been treated. With that, we can begin.

APPLICATION: NOOKIE

EXECUTIVE DIRECTOR ELIZABETH LINT: Application: Nookie, LLC, Nookie Stephen postal, manager, holder of an all alcoholic beverages as a restaurant license at 250 Kendall Street has applied for a change of a d/b/a to Commonwealth.

CHAIRMAN MICHAEL GARDNER: Anyone?

Any members of the public of the public that would like to be heard on this matter?

(No response.)

CHAIRMAN MICHAEL GARDNER: Shall we just defer until -- you will get a notice to them.

EXECUTIVE DIRECTOR ELIZABETH LINT: Well, it is strictly a d/b/a change. I know they just opened on Friday. And I know that they are using the new name. I'm just wondering if it is a matter of being overly busy having just opened. We'll inquire.

APPLICATION: CDM INTERNATIONAL ENTERPRISES, LLC, D/B/A O SUSHI

EXECUTIVE DIRECTOR ELIZABETH LINT: Application: CDM International Enterprises, LLC, d/b/a O Sushi, Sunhee Park, manager, holder of an all alcoholic beverages as a restaurant license and entertainment license at 104 Mount Auburn Street has applied to amend their existing entertainment license to include live music instruments and/or vocalist with amplification and a DJ. Applicant is also applying for a change of d/b/a to O Sushi Restaurant and Bar.

CHAIRMAN MICHAEL GARDNER: Good evening. If you would please state and spell your last name for the records and identify your affiliation with the application.

ATTY SEAN HOPE: Good evening, Mr. Chairman and Members of the Commission for the record Attorney Sean Hope, S-E-A-N H-O-P-E, of

Hope Legal Law Offices in Cambridge.

I'm here tonight on behalf of CDM International. I have here with me tonight one of the members of the LLC, also the director of operations Christophe Muller.

CHRISTOPHE MULLER: Good evening. C-H-R-I-S-T-O-P-H-E, for the first name. Last name is spelled M-U-L-L-E-R.

CHAIRMAN MICHAEL GARDNER: Mr. Hope?

ATTY SEAN HOPE: We are requesting an amendment to our entertainment license to add live music as well as a DJ with amplification. Also a ratification for the name change.

As the Commission may remember, this is -- O Sushi had been open six months.

It was a challenging location from one aspect where the existing building did not have gas. There was a previous licensee there, Conga's, and probably because they didn't have

the infrastructure for a restaurant and other issues, their license was transferred to the current applicants.

They have been open over six months. This is a full-service restaurant and having some success -- growing success there. And part of this application was to increase the live entertainment as an amenity to the restaurant and dining experience.

This is on Winthrop Street, which is known as Restaurant Row. So part of this additional entertainment license is strictly to compete with some of the other restaurants on Winthrop Street.

Particularly I want the Commission to note that there's no live dancing requested as part of this entertainment application.

The current layout features a large bar that seats.

CHRISTOPHE MULLER: The bar itself? About 12 people.

ATTY SEAN HOPE: And I think that's significant because there's actually no room for any live dancing.

As you have seen with the application, there's not an amended seating plan, so there's no intention to use the DJ or live entertainment.

The thought process behind it is to have a three-piece live jazz on brunches on Saturday and Sunday as well as going into the evening time to have really some live music. Less performances. There's no intention selling tickets or hosting any type of performances.

This is, again, an amenity to the restaurant experience.

Regarding the DJ, there's not going to be a DJ station.

There's an island in the middle but

there's also a bar that serves sushi and there's a full alcohol license.

I would say today the DJ is like the modern version of the juke box. So you can be playing music on an iPod but this is where we have a DJ and it's set up.

They no longer spin records. This is all digital. So if they are hosting an event -- they do a lot of corporate parties with the universities and businesses in Harvard Square.

You could go and play certain type of music and someone could request a song and the DJ could play it.

It is not in the traditional sense of a DJ where you are offering some kind of night life. There's not going to be a station set up.

This will be someone brought in to have their equipment to plug in and really will be an

amenity.

I bring this up because with the previous licensee there was an issue before the Commission there was a restaurant but they were selling tickets and having more of a lounge or a club, which got out-of-hand, frankly, from what I've heard from the record. And it wasn't what the restaurant used that the License Commission sought to establish.

So there will be no change. This is a full-service restaurant.

And this is primarily just to enhance the dining experience for the establishment.

CHAIRMAN MICHAEL GARDNER: What are the closing hours now?

ATTY SEAN HOPE: So it is 1 a.m. Sunday through Wednesday. And Thursday Friday and Saturday it is 2 a.m. And that's consistent with the other establishments.

CHAIRMAN MICHAEL GARDNER: What is the plan with respect to when entertainment would be provided?

You mentioned the bunches on Saturday and Sunday.

What about late evening, what is the plan there?

ATTY SEAN HOPE: You correct me if I'm wrong, but for live entertainment probably starting around 5:00 dinner time, and the intention, as I said, a three-piece jazz ensemble. There's a small area by the doors facing JFK.

We didn't specifically list hours. We wanted some flexibility for when the DJ may be coming. It is not the intention that the DJ will be there every week.

It will someone brought in from outside because there's a need. And there's really not a

need -- they do a large volume of lunch during the week and the weekends -- do you want to add anything?

CHRISTOPHE MULLER: We definitely, you know, privatize our restaurant, and that's what we want do.

Absolutely we don't want to do a nightclub. And just to have music and be able to compete with the rest of the establishments in the neighborhood.

CHAIRMAN MICHAEL GARDNER: I understand that you haven't specified any particular hours and that you are interested in maximum flexibility.

Just tell us what at least your vision is now with respect to what is going to be happening there from say 11:00 p.m. until 1:30 or 2:00 a.m.

CHRISTOPHE MULLER: We serve food until 1:00 in the morning. And we intend to keep doing

that.

Which means we have dinners staying at a table until 1:30. Sometimes quarter of two.

We try to attract more of a bar crowd to stay at the bar and get maybe a little more business that way.

POLICE CHIEF ROBERT HAAS: When you say bar, more for consumption of drinks, not food.

CHRISTOPHE MULLER: Are have a bar and sushi bar.

POLICE CHIEF ROBERT HAAS: You have to two separate bars?

CHRISTOPHE MULLER: Yes. We think by playing the right music and somebody who plays the right music will have our customers staying longer in the establishment and bring in new customers that way.

CHAIRMAN MICHAEL GARDNER: What I understood you to mean when you said the "bar

crowd," you meant the serving of alcohol in that bar? Did I understand you right?

CHRISTOPHE MULLER: That, too. We want to enhance that also.

CHAIRMAN MICHAEL GARDNER: Are you familiar with the noise ordinances in the City and the regulations with respect to how much noise you -- can be observed or measured outside of the building?

CHRISTOPHE MULLER: I'm not familiar with the exact decibels.

ATTY SEAN HOPE: But, yeah, the intention is, and we'll keep consistent with Cambridge noise ordinance and we won't exceed that.

We are right across from Charlie's Kitchen. Charlie's has a fully open patio there and they do live music.

The volume of all those -- of all the restaurants has to be monitored and kept at a

certain level.

We do have doors that open up on Winthrop Street. This time of the year they will be closed so we won't have that spilling out.

But the intention is -- because it is accessory to the dining and there's not live bands playing and not a performance, I would say it would be above conversation, but they still want patrons to be able to eat and enjoy the food and it is not necessarily to enjoy the music. I don't think --

CHRISTOPHE MULLER: We are not intending of bringing -- it's to be able to play a little louder at night.

ATTY SEAN HOPE: The iPod can play music and it plugs into a speaker. There wouldn't be any additional speakers. There may be an AMP.

CHAIRMAN MICHAEL GARDNER: Will the jazz band be amplified?

CHRISTOPHE MULLER: They have their own amplifier.

CHAIRMAN MICHAEL GARDNER: Other questions?

FIRE CHIEF GERALD REARDON: Any intention on doing cover charge or anything for this?

CHRISTOPHE MULLER: No.

POLICE CHIEF ROBERT HAAS: Any reason for the change of name, doing business as?

Weren't you affiliated with another restaurant in Boston as well?

CHRISTOPHE MULLER: That restaurant closed last week. And one of the former partner at the first location is not involved with us. Since they closed, we figured it would be a better idea to change the name.

POLICE CHIEF ROBERT HAAS: Is this the only restaurant now with that name as opposed to multiple sites?

CHRISTOPHE MULLER: Yes.

CHAIRMAN MICHAEL GARDNER: One of the effects of changing the name it puts more emphasis on the bar aspect by specifying in the name, which of course our general practice has been try to not have a lot of bars, but to have a lot of restaurants that coincidentally serve alcohol.

So I'm -- I don't know, do you know, Ms. Lint, if we have other establishments in the city which are restaurant and bar as part of their official name?

EXECUTIVE DIRECTOR ELIZABETH LINT: I'm thinking we probably do.

Temple Bar.

There's probably others.

But Mr. Chair, I would like to just clarify something for Mr. Muller.

He indicated that if they have a 1:00

a.m. license, that means all glasses, bottles, everything off the bar at 1:30.

If there's still patrons in the establishment at quarter of two, that's a violation.

Because you did mention that it's sometimes quarter of two. And you should be aware that would be a violation.

CHRISTOPHE MULLER: I'm talking about the weekend.

CHAIRMAN MICHAEL GARDNER: I misunderstood that.

EXECUTIVE DIRECTOR ELIZABETH LINT: I did not. And I wanted to make sure he understood.

CHAIRMAN MICHAEL GARDNER: Thank you for pointing that out.

ATTY SEAN HOPE: I do think the change of name, as Mr. Muller said, is to avoid any type of trademark issues with the O Sushi that was

previously at the Westin.

But I also think this is a branding/marketing. But the layout of the establishment itself will never be turning into a saloon.

There is a bar but they are serving sushi.

The name itself I don't think is going to drive a different type of patron to the area.

It is a sushi restaurant. And I would say the -- the board did ratify the name change and I don't think it's gonna shift any of the patrons or type the occupancy.

There's no TVs in like sports bars and all the types of things that usually come along with a place that's 50/50 bar and restaurant.

CHRISTOPHE MULLER: We want to be very careful not to bring in a bar crowd.

We have been doing good with the food.

POLICE CHIEF ROBERT HAAS: Mr. Hope alluded to the fact there was slippage in the prior restaurant to the point where it became almost a nightclub operation. We don't want to see it going in that direction again.

So I think we're worried that you are now kinda changing a little bit and we want to make sure you go all the way where you find it is more lucrative to sell alcohol and not food.

CHRISTOPHE MULLER: We know that will be the end of our restaurant if we do that. It is not our intention.

CHAIRMAN MICHAEL GARDNER: Are there members of the public who would like to be heard on this matter?

Please come forward.

I ask you to state and spell your last name for the record.

DENISE JILLSON: Good evening. Denise

D-E-N-I-S-E J-I-L-L-S-O-N.

I'm the Executive Director for The Harvard Business Association.

Can you -- I can't believe we are losing you.

So Christophe and his partner immediately became members the Harvard Business Association when they opened the restaurant.

And unlike the previous occupants of that space, they became immediate partners participating in Octoberfest and Bastille Day and the concierge event and have been really terrific ambassadors for The Square.

They participate very actively on the Hospitality Committee.

The way they are approaching the committee is completely different than the previous folks that had that space, which is a changeling space. We know that.

But I think that what we have seen is that the reputation of the restaurant is increasing every week.

You see more patrons there. And it would be, I think, a lovely amenity to have the music and the brunch.

But we certainly would not, and I don't believe this is the direction he's going in, condone going in that direction where it becomes a nightclub because that's just not gonna work.

These guys have been terrific. And we support their application and they continue to be responsible and constant, steady good partners to The Square.

Thank you.

CHAIRMAN MICHAEL GARDNER: Thank you very much.

Any other members of the public that would like to be heard on this matter?

Anything else you would like to add, Mr. Hope?

ATTY SEAN HOPE: No.

CHAIRMAN MICHAEL GARDNER: So seeing no further comment, I'll make the motion to approve the change in the name for doing business and also to approve the amendment to the existing entertainment license as specified in the agenda.

FIRE CHIEF GERALD REARDON: Seconded.

POLICE CHIEF ROBERT HAAS: Seconded.

CHAIRMAN MICHAEL GARDNER: Motion having been made and seconded, all in favor signify saying aye.

FIRE CHIEF GERALD REARDON: Aye.

POLICE CHIEF ROBERT HAAS: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed.

Good luck with your jazz in the

afternoons or late mornings and the rest of the program.

ATTY. SEAN HOPE: And off the record, Mr. Chairman, I would like to say I have enjoyed my time with the Commission. I have found you extremely helpful to myself and the other licensees in terms of complying with the Commission and just want to thank you for your time.

CHAIRMAN MICHAEL GARDNER: Thank you.

APPLICATION: CANCUN MEXICAN GRILL, LLC, D/B/A CANCUN TAQUEIRA Y MAS.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Cancun Mexican Grill, LLC, d/b/a Cancun Taqueira y Mas. Areli Sahagun, manager, holder of a common victualer license at 1105 Massachusetts Avenue has applied for a new all alcoholic beverages as a restaurant license

at said address. The hours will remain the same as the current common victualer license, 11:00 to 1:00 a.m. seven days per week.

CHAIRMAN MICHAEL GARDNER: Good evening.

Be so kind to state and spell your last names for the record and identify your affiliation with the application.

ARELI SAHAGUN: A-R-E-L-I S-A-H-A-G-U-N. Manager and owner.

FELIX SANTANA: Good evening.

My name is Felix, F-E-L-I-X S-A-N-T-A-N-A. Also I'm manager of the restaurant.

CHAIRMAN MICHAEL GARDNER: So tell us a little more about the business and about how long you have been in operation and the reason for this request.

ARELI SAHAGUN: We have been open for about three months.

Originally our concept was to do a fast food Mexican restaurant when we came to see you guys.

Throughout the weeks, we have noticed between these three months, customers are requesting margaritas with the Mexican food. It is part of our culture to do margaritas. And we have been losing customers everyday because we don't serve alcohol.

And the restaurant slowly turned into a full-service restaurant. We had to take down our take-out menu. It wasn't what the community wanted.

We decided to look for a liquor license. We wanted to purchase one. But it was way over our price range, and they did not want to negotiate price.

Half a million dollars for a liquor license is out of our possibilities.

FELIX SANTANA: Pretty much, yeah, what she said, it's turned into a sit-down dine-in place.

Our business has been growing. It's been successful. But sometimes we do have the customer that comes in and wanting some alcohol with their food. And we decided to apply for this license not to make it a bar or anything like that.

I don't know.

First thing when a person thinks about a Mexican restaurant, as she said, margarita with your food or pina colada or something like that.

And that's the reason -- the main reason we applied for the license.

ARELI SAHAGUN: Here I have an article from the Boston Globe. We're -- customers across the street mentioned that we are a great

restaurant but we are missing our margaritas.

And not only that, attached there I have the email of -- the last email of the person I was talking with the liquor license and it clearly shows there the price range.

We come from a background of experience and we understand the responsibilities having a liquor license.

POLICE CHIEF ROBERT HAAS: Can you talk about your experience.

ARELI SAHAGUN: Overall we grew up in the restaurant business. My parents had a restaurant for ten years.

My husband's family still has restaurants. They have been in business for 20 years.

Before I came here to Boston, I was working in a winery. I was international and national sales manager.

I had experience with events serving liquor, serving wine. Traveling to Mexico and Canada for distribution.

So I have experience in handling it responsibly.

FELIX SANTANA: And my experience, I have been a bartender and waiting tables and managing the restaurant for the parents and I have uncles with restaurants.

Like she said, we come from the West Coast, and we moved this way and want to break the ice.

CHAIRMAN MICHAEL GARDNER: So one of the concerns we often have is that an applicant may come in and seek a common victualer license without alcohol and then that was part of the plan from the beginning to come back later.

I'm not sure that I understand why with the experience you've had and what you cite, as I

take it, as sort've the cultural expectations, that either you didn't seek the liquor license in the beginning or that, in fact, you always intended to seek the liquor license but preferred to get your foot in the door first.

I would like some reaction to why it is now after three months you are here as opposed to if it were so necessary your making it a part of the application in the beginning.

ARELI SAHAGUN: Originally we named the restaurant Cancun Taqueira meaning you order your food and you leave or you sit down.

The clients when they come in, they requested a full service. They want chips and salsa. They want to be waited on.

The majority of the customers do request alcohol, and the ones that know, come back. But they don't come back for dinner, and the reason of -- we are losing business instead of gaining

business, and we want to serve the community what they are asking for.

I don't know if any other Mexican restaurant within the Harvard Square location that's a full service. I know there's other places. But I guess we were going to stand out from the other locations, and we want to make something different and provide margaritas, and we want to do it within the rules and laws of the State of Massachusetts.

CHAIRMAN MICHAEL GARDNER: So is your sense you had originally planned to have a pretty substantial take-out trade and that has not actually developed?

ARELI SAHAGUN: No.

CHAIRMAN MICHAEL GARDNER: And your reasons for that is you just don't think that's what people are interested in. They, in fact, want the sit down. Am I describing your view of

it right?

ARELI SAHAGUN: They don't want to -- that was our concept originally. And the response to it was differently.

CHAIRMAN MICHAEL GARDNER: How many seats do you have?

ARELI SAHAGUN: 62.

CHAIRMAN MICHAEL GARDNER: Other questions?

POLICE CHIEF ROBERT HAAS: So aside from some customers occasionally asking for alcohol, can you demonstrate to us that there's an overall demand and need for an alcohol license for your restaurant?

In other words, do you have any evidence other than your telling us that you've had some people asking for alcohol and then either leave or not come back, is there any petitions or anything to suggest that that would really change

your business plan?

One of the things the Chairman indicated you had one plan three months ago and to come back three months later to drastically change that plan is a little disconcerting.

And the other thing we are concerned about too on the one hand you are telling us the business is growing and then you also say you are losing business. I'm trying to reconcile that.

FELIX SANTANA: As far as that goes, the business is doing good. I mean we are not going to go bankrupt or anything like that.

But there could be more business is what she's meaning.

And also as far as the demand, you can look at our Yelp reviews and there's reviews there that say hopefully we get booze later on so on and so forth.

But there's some reviews there.

We didn't want to print those out because I know -- we know that some businesses are kind've iffy about that stuff. Some businesses we know, that they'll pay somebody to put a good review up there, and that's why we didn't want to do that.

But there is that -- that is one example of the demand. We don't have like written letters that we could bring to you guys stating we need an alcohol license.

But as far as I goes, just people in a come in and some they leave, and that's --

POLICE CHIEF ROBERT HAAS: Can you explain to the applicants the three conditions we look at in terms of approval an all alcohol liquor license.

EXECUTIVE DIRECTOR ELIZABETH LINT: What the Board considers is that there's a need for another alcohol license in the area. Not that

you need it. But that the neighborhood needs it.

That there would be no harm to the neighborhood.

And that you have overwhelming neighborhood support.

POLICE CHIEF ROBERT HAAS: So when you talk about providing that, we need that evidence to support that. It is not that we don't agree with what you are saying.

ARELI SAHAGUN: And there's people in the audience that came to support us.

POLICE CHIEF ROBERT HAAS: What you may need to think about of doing, from my perspective, is going back -- oftentimes we see petitions from people, either people that go past your restaurant or customers that indicate that they are coming there and have an expectation and would like to have alcohol served and that's one

way of getting over that hurdle.

But I'm -- your representations right now doesn't, in my mind, make that threshold for me. Or meet that threshold.

CHAIRMAN MICHAEL GARDNER: Other questions or comments?

FIRE CHIEF GERALD REARDON: That location is a tough location. I've visited your street.

As the Commissioner said, the fact it is only has been three months, and it looks as though the original plan you came in for is not working.

ARELI SAHAGUN: It fell apart.

FIRE CHIEF GERALD REARDON: I guess I have the same thing, obviously we have to turn around and follow the regulations. But at the same time, one feels as though it is an attempt to salvage something that may not be there. Hopefully it is for you.

FELIX SANTANA: The business that was there, not the one prior to us, but there was a Chinese place, and they had a license. And it sounds like they were in business for a long time. But they went out of business because they burned down or something like that. They were serving alcohol. And I don't know how long ago that was. But people came in and said they were doing really good. I don't know how long ago that.

CHAIRMAN MICHAEL GARDNER: One thing I'm trying to assess, and I can't figure it out, is whether or not you are really in dire straights.

I heard you say, Well, you know, business is good. We're not going to go bankrupt or anything. Then I thought I heard you say that model fell apart. So maybe that's just the take-out. I'm trying to understand how critical or central the license is your survivability in

your view.

ARELI SAHAGUN: When I mean that fell apart, meaning the restaurant concept changed. Not the business itself.

That's what I meant by that.

And --

CHAIRMAN MICHAEL GARDNER: You are talking about the flip from being take-out to full sit-down?

ARELI SAHAGUN: Yeah.

It is not that it hurt the business but we know that we could do better and we wouldn't be losing customers if we had that service.

CHAIRMAN MICHAEL GARDNER: Thank you.

Are there members of the public that would like to be heard on this matter?

Please come forward.

State and spell your last film for the record.

LEO CROWLEY: My name is Leo C-R-O-W-L-E-Y.

I'm an employee for the American Repertory Theater. And the venue manager at Obern Theater O-B-E-R-N. That's a theater based right across the street from Cancun Taqueira y Mas.

And I'm here to speak on their behalf.

They have been a welcome addition to the neighborhood. They have took an empty store front sitting there that looked derelict and spruced it up. It's a nice presence.

Since day one they have worked with us. They partnered with us to help us out with events.

And they are very responsible and very responsive. And I know that a lot of people in the neighborhood feel that.

CHAIRMAN MICHAEL GARDNER: Thank you very

much.

Any other members of the public that would like to be heard on this matter?

Please come forward and we'll let the record note that this is Ms. Jillson again.

DENISE JILLSON: Thank you.

So this is interesting.

You know they have only been in business three months.

But they also immediately became members of The Association. And participated in Octoberfest.

You know, they were front and center and main stage and people just loved what they had to offer.

They were serving burritos from noon until 6:00, and they really -- it was lovely to see.

They are such a young couple and just

starting out, and I do think that the business model probably did change because people do want to go in, and if you get an opportunity to read the Globe article, they talk about the quality of food and how authentic it is.

And you know, we know what happened to the restaurant that was in there before. They didn't make it. They simply just didn't make it.

And I think they are competing -- there's the sushi restaurant, Cafe sushi. There's The Dolphin upstairs. And I think that, you know, they are tucked away.

It is a very -- sort've they are in that corner by the ramp. You can't really see them.

They are going to have something that they offer people to come in and sit down and certainly having a Cervza or glass of wine or margaritas with a Mexican meal is -- I think it is an important component to the whole dining

experience.

So I would say this, I understand that perhaps they should have done a written petition, and they can go back and do that, and I'm certain they can get the required number of signatures and the support from the neighborhood. And maybe that ought to happen.

But I will say that this, I don't know that they will really be able to survive. Lamone (phonetic) was there probably less than a year or about a year. And without offering a full complement, I really don't see how they are going to be able to compete in a market that says this is all part of the dining experience.

So I hope we can work something out. If it means they are asked to come back in a few months with petitions or whatever, but it certainly is something that we would be willing to support.

CHAIRMAN MICHAEL GARDNER: Thank you very much.

Any other members of the public that would like to be heard?

I ask you to please come forward and state and spell your last name for the record.

And you can sit if you like.

KRITHIKA VARAGUR: K-R-I-T-H-I-K-A. Last name V, as in Victor, A-R-A-G-U-R.

I'm a Harvard student member of the Harvard Square community and I want to speak on their behalf.

From day one, the Taqueira has been a supporter not only of the student communities, but organizations like the Harvard Advocate and Harvard Lampoon. And I can attest their volume has changed in the three months they have been there.

We have done both take-out and eat-in

restaurant experiences with them. And the latter has been really qualitatively different in the way they may not have foreseen.

We want to continue supporting them in the restaurant, and I think that if where they allowed to serve alcohol beverages there, that would really be a wonderful addition.

Like we -- you already know that the location is very difficult. But students have been going out there. The university has been going out there to support them because of the quality is so good.

But I think it might be difficult to sustain that without also being allowed to serve beverages.

If it comes to the event that we have to do some kind of petition, we would be happy to rally up a lot of the university.

I can promise you, the demand is there.

And they have been great supporters of us.

I think if it is up for consideration, the demand among our population is definitely there.

POLICE CHIEF ROBERT HAAS: I would ask that if you are going to support their endeavors, make sure people sign a petition old enough to consume alcoholic beverages.

KRITHIKA VARAGUR: Sure.

CHAIRMAN MICHAEL GARDNER: Thank you very much.

Any other members of the public that would like to be heard?

Please come forward and state and spell your last name for the record and I ask you to speak up so that all members of the audience can hear you.

TYLER RICHARD: My name is Tyler R-I-C-H-A-R-D.

And like Krithika, I'm a Harvard student. I'm a Harvard senior. I'm president of the Harvard Advocate, which is Harvard's literary magazine and I wanted to come and speak to the relationship that our institution, which numbers about 90 people, has with Cancun Taqueira.

So, I guess, just to give a little bit about myself, I'm from San Antonio. I'm a big fan of the cuisine of Latin American coming from Texas.

One thing I can say is that Cancun Taqueira y Mas sort've fulfills a role that other Latin American or Mexican restaurants in The Square does not serve or offer, which is both a sit-down, a nice sit-down environment, and also I guess like a very good authentic Mexican food where you have, for example, Fillipe's in the square, a lovely institution, but it is not the best place to have a sit-down dinner for 20

people.

You also have Border Cafe, which is much more lively and boisterous than, say, if you want to have a dinner for 20 people. And what The Advocate does, we have staff dinners where we have 20 people come, 20 members. We also have catering and do smaller dinners when we have guests come.

For example, it is the go-to place when we have say (inaudible) like from MIT, who is like -- we have had Pulitzer Price winners come, and people who are very entrenched in national and sort've Boston-based culture. And we go there because we are able to enjoy great food and also have this sort've ambience where we can get to know them and not have to be overwhelmed by say the boisterous noise of other Mexican restaurants in The Square.

And so I wanted to voice our support, and

sort've highlight the unique role and also having serving drinks, would, I feel, like make -- would not jeopardize the unique ambience of the restaurant. It would not lead to boisterousness.

CHAIRMAN MICHAEL GARDNER: Any other members of the public that would like to be heard?

Please come forward and I ask you to state and spell your last name for the record.

KENNETH ZOLON: My name is Z-O-L-O-N. Kenneth. Z as in Zebra.

I'm a -- I'm live in the neighborhood to the restaurant. And there are a number of us that go there and like to go there.

And we would like to have a margarita with our food. So I just want to mention that my wife also goes there. And there are several other members of the immediate community that go there, in and around that area. And we would

like to have a Mexican restaurant there that's of good class and serves drinks.

CHAIRMAN MICHAEL GARDNER: Thank you very much.

Any other members of the public who would like to be heard on this matter?

Seeing none, I'm wondering if the Commission would like to defer this matter until our next scheduled Decision Hearing, at which point we could at least review any additional evidence that might be submitted by the applicant with respect to the issue of overwhelming community support, or if you would prefer to dispose of the matter this evening.

POLICE CHIEF ROBERT HAAS: Mr. Chair, I would be inclined to defer the matter, give the applicant an opportunity to meet the thresholds we are looking for. When's the next hearing?

EXECUTIVE DIRECTOR ELIZABETH LINT:

December 5.

POLICE CHIEF ROBERT HAAS: So December 5. Now there's an opportunity for you to demonstrate those three criteria to us, that would be helpful to the Board, at least to me, in making a decision.

CHAIRMAN MICHAEL GARDNER: So I'll make the motion that we defer this matter until our Decision Hearing, which is 10:00 a.m. on December 5, a meeting that will be held in this room at Decision Hearing.

That's my motion.

Is there a second for that motion?

FIRE CHIEF GERALD REARDON: Seconded.

POLICE CHIEF ROBERT HAAS: Seconded.

CHAIRMAN MICHAEL GARDNER: Motion having made and seconded.

By way of further explanation, typically at these hearings we don't take public testimony.

We may ask the applicant for clarification of some points, but we reserve the right to make any inquiry.

We'll also have available to us any written record of materials submitted on behalf of the applicant or in opposition to the application. So to the extent that representations have been made here that there is a lot of interest within the drinking age community of Harvard, and elsewhere, for a need here, you have the opportunity over the next couple weeks to help us understand by concrete evidence, typically letters, petitions, or statements of support for the proposition.

FELIX SANTANA: Thank you.

ARELI SAHAGUN: Thank you.

CHAIRMAN MICHAEL GARDNER: I think that -- I'll call for the vote and I'll have another couple questions for you.

EXECUTIVE DIRECTOR ELIZABETH LINT: I have some housekeeping issues as well.

CHAIRMAN MICHAEL GARDNER: Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT: There's issues surrounding the corporate papers where you are listed just as the sole owner but the application was both of you.

We need to have it clarified who is exactly what.

You can either see me or Chris in the office and we'll get it straightened out.

CHAIRMAN MICHAEL GARDNER: Anything else, Ms. Lint?

EXECUTIVE DIRECTOR ELIZABETH LINT: That's it.

CHAIRMAN MICHAEL GARDNER: So motion having been made and seconded, all in favor signify saying aye?

FIRE CHIEF GERALD REARDON: Aye.

POLICE CHIEF ROBERT HAAS: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed.

The other thing is, I just want to see if I've captured your experience here.

I understand, sir, you said you have served as a waiter before or involved in the serving of drinks.

I take it that means you have never actually been the manager of a restaurant or an establishment that has an alcohol license?

FELIX SANTANA: Managing a restaurant with an alcohol license, no, but I have worked in all the restaurants that my family has owned, and they have all had alcohol licenses.

But I haven't managed it, no. As far as managing, no.

CHAIRMAN MICHAEL GARDNER: Thank you. And ma'am, my understanding is that your

experience is basically similar to that, but if you can elaborate.

ARELI SAHAGUN: I do have experience with alcohol, not only in a restaurant but as well as out of the country, and I do carry my liquor license from Washington to do that.

We grew up in the restaurant business and we have seen the issues and the benefits to have a liquor license.

We understand that it comes with a responsibility to do it, and it is important to do it within the laws of the State.

And our experience is more from the wisdom of people that have had situations happen with the liquor license.

CHAIRMAN MICHAEL GARDNER: Thank you very much.

To the extent that might be relevant, you can submit a copy to the office. Not now. You

don't need to do it now.

Thank you very much. Appreciate your participation this evening.

ARELI SAHAGUN: Thank you.

FELIX SANTANA: Thank you.

APPLICATION: PARKINGWAY WINES, INC., SUPREME LIQUORS

EXECUTIVE DIRECTOR ELIZABETH LINT: Application. Parkingway Wines, Inc., Supreme Liquors, Sharon Walsh, manager, holder of an all alcoholic beverages as a package store license at 600 Massachusetts Avenue has applied for a change of officers/directors and a transfer of stock.

COMMISSIONER MICHAEL GARDNER: Good evening. Be so kind to state and spell your name for the record and identify your relationship to the application.

THOMAS CIFRINO: My name Thomas

C-I-F-R-I-N-O. And I'm the president of Parkway Wines d/b/a Supreme Liquors and the application is for my father who is 88-years-old. And it is part of his estate plan to divest the shares of additional stock.

CHAIRMAN MICHAEL GARDNER: So will these shares be transferred to you?

THOMAS CIFRINO: Transferred. Some of them will be transferred to me. Others will transferred to my brothers and sisters, all of who are currently shareholders.

The management of the store will change.

Sharon Walsh will continue as manager.

Everything will continue like before.

COMMISSIONER MICHAEL GARDNER: And will then your father be no longer a shareholder?

THOMAS CIFRINO: No longer be a shareholder. He wants to be a director, which is his right.

CHAIRMAN MICHAEL GARDNER: Any particular issues with the operation of this establishment, Ms. Lint?

EXECUTIVE DIRECTOR ELIZABETH LINT: None whatsoever.

CHAIRMAN MICHAEL GARDNER: They have been in business for how long? How long have you been in business?

THOMAS CIFRINO: Actually, my grandfather bought the building in 1920. Ran it as a Manhattan market for a number years and sold it in 1935.

My father and uncle bought the building back again in 1965, I believe. And have run it since then.

CHAIRMAN MICHAEL GARDNER: And ran it since 1965 as a liquor store?

THOMAS CIFRINO: It was Supreme Market, a supermarket, and it became Purity Supreme, and

then it became some nondescript grocery store. I don't remember. And we subdivided the building eight years ago. Ten years ago maybe.

EXECUTIVE DIRECTOR ELIZABETH LINT: It was before I was here.

THOMAS CIFRINO: Richard Scalli was still here. And there's a Wendy's restaurant there and a Sleepy's, or Tello's department store and then Sleepy's took over from Tello's, Chipotle took over from Wendy and we enlarged the store.

CHAIRMAN MICHAEL GARDNER: How long has the liquor -- the package store operated there?

THOMAS CIFRINO: We operated since 1965.

CHAIRMAN MICHAEL GARDNER: So it was -- I have this memory that there was a grocery store and there was a liquor store.

THOMAS CIFRINO: In the very front it was 800 square feet.

CHAIRMAN MICHAEL GARDNER: Any questions?

POLICE CHIEF ROBERT HAAS: No questions.

CHAIRMAN MICHAEL GARDNER: Any members of the public who would like to be heard on this matter?

Seeing none, I will make the motion to approve the change of directors, officers and directors, and the transfer of stock as listed in the application.

POLICE CHIEF ROBERT HAAS: Seconded.

CHAIRMAN MICHAEL GARDNER: All in favor signify saying aye?

POLICE CHIEF ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed.

So thank you for your participation as a neighbor.

APPLICATION: TRURO VINEYARDS OF CAPE

COD, INC., LLC, D/B/A TRURO VINEYARDS

EXECUTIVE DIRECTOR ELIZABETH LINT: Application: Truro Vineyards of Cape Cod, Inc., LLC, d/b/a Truro Vineyards, holder of a state-approved farmer winery license has applied to operate at the Cambridge Winter Farmers' Market at 5 Callendar Street from January 4 to April 26, 2014.

CHAIRMAN MICHAEL GARDNER: Good evening.

I ask you to state and spell your last name for the record and just identify your relationship to the application.

ANDY LISLE: L-I-S-L-E. A-N-D-Y.

CHAIRMAN MICHAEL GARDNER: So are you Mr. Andy?

ANDY LISLE: Mr. Lisle.

CHAIRMAN MICHAEL GARDNER: You are connected with Truro Vineyards. Tell us about the plan.

ANDY LISLE: I'm an assistant winemaker and have been doing farmers' markets in Orleans, Truro, and last year I did the Cambridge Winter Farmers' Market.

CHAIRMAN MICHAEL GARDNER: This would be your second season.

ANDY LISLE: Yes.

CHAIRMAN MICHAEL GARDNER: Any issues last year?

ANDY LISLE: Not a single one.

CHAIRMAN MICHAEL GARDNER: And does the business model work?

ANDY LISLE: Yes. We love doing the farmers' markets. It gives us visibility. It was the first time we have done the Cambridge Winter Farmers' Market last year. And we found it was a very helpful to get -- people that hadn't heard of our wines and they could try a small sample and it was very successful and we

loved the market. That's why we want to do it again.

CHAIRMAN MICHAEL GARDNER: Do you participate in the summer market in Cambridge as well?

ANDY LISLE: We do not.

CHAIRMAN MICHAEL GARDNER: Other questions?

POLICE CHIEF ROBERT HAAS: So you have actually participated in other markets principally around the Cape area. What made you come to Cambridge?

ANDY LISLE: I think it was the idea of -- my family and the Roberts family, they got together and they said, Why don't we try branching out from the Cape to Cambridge.

POLICE CHIEF ROBERT HAAS: I'm trying to figure out what's the attraction from the Cape to Cambridge.

ANDY LISLE: It is a two-hour drive but on a Saturday it's not so bad.

CHAIRMAN MICHAEL GARDNER: I assumed they would say the attraction was the quality of the clientele in Cambridge.

POLICE CHIEF ROBERT HAAS: So last season was -- reasonably it went well for you last season?

ANDY LISLE: Yes.

CHAIRMAN MICHAEL GARDNER: Do you participate at all in the dispensing yourself.

ANDY LISLE: Yes.

CHAIRMAN MICHAEL GARDNER: So tell us a little about how you control for under age.

ANDY LISLE: Well, I card everybody. I like to say -- look at their photograph and say "Wow, you like pretty good. You look better than my license."

CHAIRMAN MICHAEL GARDNER: The three of

us could be expected to be carded if we came and asked for a sample.

ANDY LISLE: Absolutely. I have TIPS certification as well.

CHAIRMAN MICHAEL GARDNER: Okay. Are there any members of the public that would like to be heard on this matter?

Seeing none, I will make the motion to approve the farmer winery license for the Cambridge Winter Farmers' Market from January 4 to April 26 as further described in the application.

ANDY LISLE: Thank you.

CHAIRMAN MICHAEL GARDNER: Wait.

POLICE CHIEF ROBERT HAAS: Seconded.

CHAIRMAN MICHAEL GARDNER: Motion having been made and seconded, all in favor signify saying aye?

POLICE CHIEF ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed.

A single motion doesn't do it.

Good luck.

APPLICATION: NICOLE BLUM D/B/A CARR'S CIDERHOUSE

EXECUTIVE DIRECTOR ELIZABETH LINT: Application: Nicole Blum d/b/a Carr's Ciderhouse, holder of a state-approved farmer winery license has applied to operate at the Cambridge Winter Farmers' Market at 5 Callendar Street from January 4 to April 26, 2014.

NICOLE BLUM: N-I-C-O-L-E B-L-U-M, co-owner of Carr's Ciderhouse.

CHAIRMAN MICHAEL GARDNER: So tell us a little about Carr's Ciderhouse and any experience you've had in Cambridge prior to now.

NICOLE BLUM: We make hard cider as well as other nonalcoholic apple cider products.

And we have been -- part of our business model is doing a lot of farmers' markets, so the Berkshires in Western mass, where we live, and done Somerville and Natick and now we'll do Wayland. Hopefully Cambridge. Somerville we are approved, and Natick for the winter as well. So --

CHAIRMAN MICHAEL GARDNER: You have not been in Cambridge before?

NICOLE BLUM: Haven't been in Cambridge.

CHAIRMAN MICHAEL GARDNER: And Carr's Ciderhouse is based in the Berkshires?

NICOLE BLUM: Hadley. Western Mass.

CHAIRMAN MICHAEL GARDNER: Tell us anything of note in terms of either difficulties or advantages in the farmers' market kind've model.

We are particularly concerned about issues of either over-serving or under-age serving.

NICOLE BLUM: Well, I mean, for us coming to farmers' markets is great because people can try our markets and we are stocked in retail stores mostly in western Massachusetts. People can see what our products are like, and it has been fantastic. We want to keep that up.

We never had an issue. We have gone through the TIPS cert. And we card. And people generally offer to show their cards to us especially if they know they look young before we get to even say anything.

No issues as of yet. Hopefully never will.

FIRE CHIEF GERALD REARDON: Once you do the winery tasting and so forth is it on-line purchases that generates the sales for you?

NICOLE BLUM: No.

Just people purchasing at the farmers' markets. Yeah. No. We can't really do the on-line sales with alcohol.

CHAIRMAN MICHAEL GARDNER: So it is a point of sale thing?

NICOLE BLUM: It is a point of sale.

FIRE CHIEF GERALD REARDON: There's nothing stocked?

NICOLE BLUM: No. We are in the second year in this right now, so we're still small.

FIRE CHIEF GERALD REARDON: Thank you.

NICOLE BLUM: Okay.

CHAIRMAN MICHAEL GARDNER: Anything else, Commissioner?

POLICE CHIEF ROBERT HAAS: No.

CHAIRMAN MICHAEL GARDNER: Any members of the public that would like to be heard on this matter?

Seeing none, I will make the motion to approve the farmer winery license for the Cambridge Winter Farmers' Market on the dates specified in the application and further detailed in the application.

FIRE CHIEF GERALD REARDON: Seconded.

CHAIRMAN MICHAEL GARDNER: Motion having been made and seconded, all in favor signify saying aye?

POLICE CHIEF ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed.

Welcome to Cambridge.

APPLICATION: TON VENTURE GROUP, D/B/A HIT WICKET

EXECUTIVE DIRECTOR ELIZABETH LINT: Application: TON Venture Group, d/b/a Hit

Wicket, Stacy Blount, manager, holder of an all alcoholic beverages as a restaurant license at 1172-1178 Cambridge Street has applied for a change of manager to Paul Heredia.

CHAIRMAN MICHAEL GARDNER: Good evening. If you would all please state and spell your last for the record and identify your affiliation.

ATTY TRISH FARNSWORTH: Good evening. Mr. Chair. Attorney Trish F-A-R-N-S-W-O-R-T-H.

NADA HEREDIA: Nada, N-A-D-A H-E-R-E-D-I-A. Co-owner of Hit Wicket.

PAUL HEREDIA: Paul P-A-U-L H-E-R-E-D-I-A.

CHAIRMAN MICHAEL GARDNER: Okay, so tell us about the change, Stacy Blount is listed as the manager.

ATTY TRISH FARNSWORTH: Nada is co-owner. And Paul is her husband. And they hired Mr. Blount who was the chef, and he was approved as

manager on the license, and he's no longer employed by the company.

And they thought it would be better, Paul's there at least 40 hours a week anyway, and he's kind've taken that role on of just kind've making sure things are going right, with Nada, of course.

So the thinking they would like to put him on as manager. He's TIPS trained, and he's been in communication to do the 21 Proof. So --

CHAIRMAN MICHAEL GARDNER: How long has Mr. Blount been gone?

ATTY TRISH FARNSWORTH: We notified Ms. Lint. He was last on September 17 and we immediately wrote a letter, and advised the board here.

But we just thought about hiring someone else, and they also have a bar manager with years and years experience. But she wasn't too keen

about being put on as manager. You know, people are skittish about that personal liability and such.

So they thought, you know what, employees come and go, why don't we have someone that really is running and operating the license.

CHAIRMAN MICHAEL GARDNER: So is fair to say that you have been kind serving de facto or so just as a matter of course in the role for awhile now?

PAUL HEREDIA: I think so.

CHAIRMAN MICHAEL GARDNER: And tell us about any issues, challenges, opportunities you see with it.

PAUL HEREDIA: I think so far we have been very clean of issues.

I certainly don't know of any issues. I don't think anyone has had any issues with alcohol or otherwise.

Complaints about our food occasionally but.

NADA HEREDIA: We remind the staff, and Paul reminds the staff, too and he's watching to make sure everybody is being carded even if they look 40, just to be extra cautious with the carding.

PAUL HEREDIA: I'm getting a sense that being married to one of the owners, I'm a little stricter than the average employee about carding.

CHAIRMAN MICHAEL GARDNER: Tell us about the restaurant and how long.

NADA HEREDIA: We have been open five months. And it's a cricket-themed sports bar.

And we are working under the same concept that we had originally in terms of serving international menu and having an international-based bar menu as well. And just

want to put the license closer to home in that way.

ATTY TRISH FARNSWORTH: I didn't mean to interrupt.

They have gotten great reviews. I don't know if you have seen them. But a whole big spread in the Boston Globe Calendar. Who tweeted? What is his name?

Pierce Morgan. He tweeted. He was all excited about -- that's national-wide. Pierce Morgan on CNN. The British guy.

EXECUTIVE DIRECTOR ELIZABETH LINT: I know who you mean.

CHAIRMAN MICHAEL GARDNER: Sorry.

I don't get out much.

EXECUTIVE DIRECTOR ELIZABETH LINT: He can be pretty nasty.

ATTY TRISH FARNSWORTH: Right. So some good feedback.

CHAIRMAN MICHAEL GARDNER: So you have a new chef as well?

NADA HEREDIA: Our sous chef became the head chef, so it was from within.

POLICE CHIEF ROBERT HAAS: Have you held a liquor license in your name before?

PAUL HEREDIA: No.

POLICE CHIEF ROBERT HAAS: What experience have you had with liquor licenses?

PAUL HEREDIA: I have been doing this for five months now. I pretty much -- more than I would like to admit, actually. This is pretty much the experience I have in the restaurant business.

POLICE CHIEF ROBERT HAAS: So have you had any training?

PAUL HEREDIA: TIPS. And I'll make sure I go through everything that is required, so --

CHAIRMAN MICHAEL GARDNER: Anything else?

FIRE CHIEF GERALD REARDON: No questions.

CHAIRMAN MICHAEL GARDNER: Any members of the public that would like to be heard on this matter?

Seeing none, I will make the motion to approve the change of manager as listed in the application.

FIRE CHIEF GERALD REARDON: Seconded.

CHAIRMAN MICHAEL GARDNER: Motion made and seconded, all in favor signify saying aye?

POLICE CHIEF ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed.

Good luck.

The fact that your experience is a little thin for our tastes, I think is -- hopefully is counter-balanced by your ownership structure and hopefully you will understand what you need and

it is followed through on.

PAUL HEREDIA: Thank you.

Hope to see you guys there.

APPLICATION: PETSI PIES, INC.

EXECUTIVE DIRECTOR ELIZABETH LINT: Application: Petsi Pies, Inc., d/b/a Petsi Pies, Renee McLeod, manager, has applied for a common victualer license to be exercised at 441 Cambridge Street. Said license if granted would allow food and nonalcoholic beverages to be sold, served and consumed on said premises with a seating capacity of 15 and total occupancy of 20. The hours of operation will be 7:00 a.m. to 7:00 p.m. seven days per week.

CHAIRMAN MICHAEL GARDNER: Good evening.

If you would be so kind as to state and spell your name for the record.

RENEE MCLEOD: R-E-N-E M-C-L-E-O-D. And

I'm the owner of Petsi Pies.

CHAIRMAN MICHAEL GARDNER: Let's see, do I understand, is this how continued since the last meeting?

EXECUTIVE DIRECTOR ELIZABETH LINT: No.

RENEE MCLEOD: No. I purchased R.J. Gourmet at 441 Cambridge Street and I would like to turn it into Petsi Pies.

CHAIRMAN MICHAEL GARDNER: Tell us a little about your experience.

RENEE MCLEOD: I opened Petsi Pies 11 years ago in Somerville and then eight years ago on Putnam Avenue in Cambridge.

I managed those, and I own a restaurant in Inman's Square that -- I don't manage it but you know, I'm the boss.

CHAIRMAN MICHAEL GARDNER: All of the other locations are going to stay in operation?

RENEE MCLEOD: Yes. When my lease is

over on Putnam Avenue, I'll be moving out in December of 2014.

CHAIRMAN MICHAEL GARDNER: Until then, you will operate the three?

RENEE MCLEOD: Yes.

CHAIRMAN MICHAEL GARDNER: How will you manage that?

RENEE MCLEOD: I have a manager in each location.

And this location I'll be working in until I can find the right person to -- it is very small. I don't know what it will require.

CHAIRMAN MICHAEL GARDNER: Any issues, Ms. Lint, with the Putnam Avenue address?

EXECUTIVE DIRECTOR ELIZABETH LINT: Oh not at all. Except it is close to the office.

RENEE MCLEOD: Are you complaining about our calories again?

CHAIRMAN MICHAEL GARDNER: Am I to take

both the tone of your comments and facial gesturing that it was an endorsement for the quality of the food.

EXECUTIVE DIRECTOR ELIZABETH LINT: It is really, really good.

CHAIRMAN MICHAEL GARDNER: Thank you.

RENEE MCLEOD: Thank you.

CHAIRMAN MICHAEL GARDNER: We have a letter from the Executive Director of the Commission for Persons with Disabilities in the City commenting the physical location where you are planning the restaurant and recommending that the seven-inch step in the restaurant is an unreasonable barrier for persons with disabilities or have mobility issues, and including those wheelchair-bound, and he was recommending a ramp installation as a way to overcome that. I am wondering if you are aware of that letter.

RENEE MCLEOD: I did not see that. Was it sent to R.J. Gourmet?

EXECUTIVE DIRECTOR ELIZABETH LINT: No. It was just sent to me today.

CHAIRMAN MICHAEL GARDNER: This is a letter we just received today?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIRMAN MICHAEL GARDNER: Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT: Mr. Muehe is very amenable going out to meet people and helping them figuring out what the appropriate steps to take.

RENEE MCLEOD: Okay.

CHAIRMAN MICHAEL GARDNER: So I think one of the things that -- well, I understand that you just are being hit with this cold and I apologize that's the case.

If you want to take a minute to review it, please go ahead.

I will ask if there are any members of the public who want to be heard on this matter?

EXECUTIVE DIRECTOR ELIZABETH LINT: I did receive two letters of support.

CHAIRMAN MICHAEL GARDNER: Why don't you tell us about those.

EXECUTIVE DIRECTOR ELIZABETH LINT: Sure.

Jason Alex, Executive Director of the East Cambridge Business Association wrote to express their support for the application, to have a common victualer license at 441, Petsi Pies would be a welcome addition to the neighborhood filling the void left by the previous operator at that location. Rene already operates a business on Cambridge Street and we would be happy to see her expand locally.

There's a letter in support from Councillor Toomey basically saying the same thing, it will reactivate the storefront and

provide a service that is greatly desired and missed in the Cambridge community.

RENEE MCLEOD: That's nice. I didn't know about this. I didn't petition for anything.

I just think I assumed that this was gonna be simpler just because it is exactly it is what was there.

Now I have a little disability thing to handle. I have to find out how much this is going to cost me.

POLICE CHIEF ROBERT HAAS: It seems to me what they are suggesting is a probably a single ramp that has a grade no greater than 8.3 percent. I think if you were to put a ramp over that stairway it might solve that problem for you.

I don't think it will be anything elaborate.

EXECUTIVE DIRECTOR ELIZABETH LINT: I

know what he recommended for other locations in the city is a removable ramp and a bell, so that if a person in a wheelchair needed to be able to get in, you the ring bell and the ramp can go out. I know if you speak to him, he's very helpful.

RENEE MCLEOD: Do you have to make a curb cut, do you know?

POLICE CHIEF ROBERT HAAS: No. A lot of times they build a ramp and they put it on top of the step. And like Ms. Lint said, you can have it situated on the top of the step.

FIRE CHIEF GERALD REARDON: It depends how close you are to sidewalk.

EXECUTIVE DIRECTOR ELIZABETH LINT: The other issues: There's an outstanding property tax bill.

RENEE MCLEOD: I can do that. For this spot? Or for my -- oh, for that spot?

EXECUTIVE DIRECTOR ELIZABETH LINT: For Putnam.

RENEE MCLEOD: Okay.

FIRE CHIEF GERALD REARDON: Do you plan on having to do much of a renovation in particular location?

RENEE MCLEOD: I'm going to open as soon as I can.

FIRE CHIEF GERALD REARDON: Your preparation/cooking is done elsewhere?

RENEE MCLEOD: It is a Cafe. I'm not going to turn it into anything else.

FIRE CHIEF GERALD REARDON: Thank you.

CHAIRMAN MICHAEL GARDNER: So we could defer the matter for a report at our next hearing which is November 26th, or we could make a contingent approval, which is -- assuming that there was the support for it, I don't want to presume too much here.

A contingent approval, contingent on satisfactorily meeting with Mr. Muehe and either doing what he suggests or presenting persuasive evidence to us it is not possible for you to do.

And I'll make the motion and see if we have the support for it, that we approve the application for the common victualer license, as described in your application to us, subject to your meeting with Mr. Muehe and either taking steps to address his concerns to his satisfaction or providing evidence to the Commission that the reasons why that would not be possible for you.

And I think the intent of that is if you reach a satisfactory accomodation, then from our point of view, you could open then.

If you decided what was being asked was too much or too unreasonable, then I would say

you need to report back to the Commission and have the Commission address that matter at its next hearing.

FIRE CHIEF GERALD REARDON: Seconded.

POLICE CHIEF ROBERT HAAS: Wait. Wait.

So I think what the Chairman is suggesting is that we can go ahead and give you a contingent approval providing you are willing to go meet with Mr. Muehe and then try and make arrangements, but we are saying to you if you can't reach an agreement, that you need to come back to us, which would delay your opening.

In other words, if you go ahead and work this out with Mr. Muehe, you can go ahead and open right way.

Or there's an issue, if it gets too expensive, or there's a problem, then we would ask you not to open but come back to us and report on what the issues are.

RENEE MCLEOD: I understand now.

CHAIRMAN MICHAEL GARDNER: Thank you, sir. That's right.

The motion has been made and seconded.

POLICE CHIEF ROBERT HAAS: I want to make sure that's agreeable to you.

RENEE MCLEOD: That's agreeable to me and I'll call Mr. Muehe right away.

FIRE CHIEF GERALD REARDON: I will assert my seconded.

CHAIRMAN MICHAEL GARDNER: Motion made and seconded, all in favor signify saying aye?

POLICE CHIEF ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed. I hope this is not a difficult barrier for you, but having an accessible place is an important priority for the City and Commission and we wish you well.

APPLICATION: CRYSTAL GEORGE

EXECUTIVE DIRECTOR ELIZABETH LINT: Crystal George d/b/a Porter Square Psychic Studio has applied for a fortune teller's license at 1925 Mass Ave.

CHAIRMAN MICHAEL GARDNER: Good evening.

Be so kind as to state and spell your last name for the record and identify your affiliation with the application.

CRYSTAL GEORGE: Crystal George G-E-O-R-G-E.

POLICE CHIEF ROBERT HAAS: You are the can't.

CRYSTAL GEORGE: Yes.

CHAIRMAN MICHAEL GARDNER: Tell us a little about your plan for this and also any experience you've had in the business.

CRYSTAL GEORGE: Palm reading tarot card readings, crystal readings. They range from $10

to $35. I have been doing it a few years now. I had another place in Boston, and then I had this place for about a year or two. So I'm just getting another license for the same exact place.

CHAIRMAN MICHAEL GARDNER: So you have been actually operating the business without a license?

CRYSTAL GEORGE: I didn't know I didn't have a license. I came here, I applied for it, and it was approved. I thought my fiance picked it up at some point. He never did. And I called two months ago and they told me I didn't have a license.

CHAIRMAN MICHAEL GARDNER: Okay, were you before the Commission previously? Did you meet with the Commission?

CRYSTAL GEORGE: I met with you.

CHAIRMAN MICHAEL GARDNER: So I remember

one. How long ago was that?

CRYSTAL GEORGE: A year and a half, two years ago.

EXECUTIVE DIRECTOR ELIZABETH LINT: It was a little over a year ago.

CHAIRMAN MICHAEL GARDNER: So I think that was my first --

CRYSTAL GEORGE: I'm sorry. I had no like idea.

CHAIRMAN MICHAEL GARDNER: Quite all right.

Could you clarify, Ms. Lint, what the properly history of this?

EXECUTIVE DIRECTOR ELIZABETH LINT: She applied, she had a hearing. It was approved. Never picked up the license. We was operating. We received a phone call there was somebody operating without a license and it just started the whole procedure.

CRYSTAL GEORGE: I was the person who called.

EXECUTIVE DIRECTOR ELIZABETH LINT: It started the whole thing.

CHAIRMAN MICHAEL GARDNER: So the gap here, the failure, was they never picked up the license?

EXECUTIVE DIRECTOR ELIZABETH LINT: They never picked it up.

CHAIRMAN MICHAEL GARDNER: They never got notice of the fees, so they never paid the renewal fee?

EXECUTIVE DIRECTOR ELIZABETH LINT: It lapsed.

CHAIRMAN MICHAEL GARDNER: Okay.

CRYSTAL GEORGE: They told me if you don't pick it up within six months, you don't have a license. When I heard that, I came very fast and I applied and did everything I needed to

do.

CHAIRMAN MICHAEL GARDNER: I think we talked to you before some of our concerns about the potential for abuse in this line of business.

And I take it, Ms. Lint, we have not had complaints, not aware of any?

EXECUTIVE DIRECTOR ELIZABETH LINT: I'm not aware of any.

CHAIRMAN MICHAEL GARDNER: Are there any other questions?

FIRE CHIEF GERALD REARDON: No questions.

CHAIRMAN MICHAEL GARDNER: My memory is when I asked you about sort've your qualifications for the business, you had said that you -- it had been something your family had done and your grandmother.

CRYSTAL GEORGE: My grandmother, she was in that area a long time, and I took over the

business because she passed away.

CHAIRMAN MICHAEL GARDNER: No other questions?

(No response.)

CHAIRMAN MICHAEL GARDNER: Any members of the public that would like to be heard on this matter?

Seeing none, I will make the motion to approve the application for the fortune teller's license at the location stated and the other information that's provided in the application.

FIRE CHIEF GERALD REARDON: Seconded.

CHAIRMAN MICHAEL GARDNER: Motion having been made and seconded, all in favor signify saying aye?

POLICE CHIEF ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed.

CRYSTAL GEORGE: I'll pick up the license tomorrow.

EXECUTIVE DIRECTOR ELIZABETH LINT: It may not be ready tomorrow.

CRYSTAL GEORGE: When will it be ready?

EXECUTIVE DIRECTOR ELIZABETH LINT: Call before you come in. It is renewal time.

CHAIRMAN MICHAEL GARDNER: Good luck.

CRYSTAL GEORGE: Good night.

APPLICATION: BOURBON COFFEE

EXECUTIVE DIRECTOR ELIZABETH LINT: Application: Continued from October 22, 2013, Bourbon Lesley, LLC, d/b/b Bourbon Coffee, Stacey Manley, manager, holder of a common victualer license and entertainment license at 1815 Mass Ave has applied to amend the entertainment license to include: Reading poetry and other works, live musical instruments and/or vocalists

with or without amplification, and an audio machine which may play music below, at, or above conversation level.

CHAIRMAN MICHAEL GARDNER: Good evening.

If you could be so kind as to state and spell your last name for the record and identify your affiliation with the application.

STACEY MANLEY: I'm Stacey Manley M-A-N-L-E-Y. I'm the operations director for Bourbon Coffee. Tell us a little about the establishment and also about this plan.

But, I'm sorry, before you do that, this is the one -- I knew there was one on the agenda that had been a continuation. Has there been testimony on this?

EXECUTIVE DIRECTOR ELIZABETH LINT: There has not.

CHAIRMAN MICHAEL GARDNER: Go ahead.

STACEY MANLEY: So we have been open for

almost two years now. We are a coffee shop and we do in-house baked goods. And then we started to do some sandwiches and wraps and try get a little more of the late night crowd. And this was one the ideas we had to try to get people to stay a little later.

CHAIRMAN MICHAEL GARDNER: And you are proposing no change in the closing hours which you have which is 10:30?

STACEY MANLEY: No. We don't close at 10:30 on most nights and most nights at 9:00.

There's a tavern across the hall, so there's a lot of people in there and wandering around the whole Lesley campus at that hour and they don't want coffee at that hour. And we are trying to get something else to bring them in.

CHAIRMAN MICHAEL GARDNER: Other questions?

FIRE CHIEF GERALD REARDON: No other

questions.

CHAIRMAN MICHAEL GARDNER: I apologize for being confused.

I'm not sure what the requested change is with respect to the servicing of food and alcohol beverages.

STACEY MANLEY: Just an entertainment license. We want to have poetry readings and a acoustic guitar or something.

CHAIRMAN MICHAEL GARDNER: So in terms of what -- when you say people don't want coffee at that hour, so you want to do something else to bring them in. It is the entertainment? It is not a change in the food or the beverage?

STACEY MANLEY: No. I don't think we could ever compete with the tavern on that anyway.

CHAIRMAN MICHAEL GARDNER: Any members of the public that would like to be heard on this

matter?

Seeing none, I make the motion to approve the entertainment license to include background music below conversation level and the TV. And is this -- you mentioned poetry readings, is this broad enough for that this application?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIRMAN MICHAEL GARDNER: And so essentially that's a live entertainment issue?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIRMAN MICHAEL GARDNER: Okay. Well, as -- I'm sorry. Maybe I'm not reading it right but I'm not seeing -- oh, okay. Now I'm seeing it. I apologize. Wrong page.

FIRE CHIEF GERALD REARDON: Read the right page.

CHAIRMAN MICHAEL GARDNER: At least I have an explanation for my confusion.

FIRE CHIEF GERALD REARDON: That's

reassuring.

CHAIRMAN MICHAEL GARDNER: I'll the make the motion to approve the application as stated in the agenda.

FIRE CHIEF GERALD REARDON: Seconded.

CHAIRMAN MICHAEL GARDNER: All in favor, signify by saying aye?

FIRE CHIEF GERALD REARDON: Aye.

POLICE CHIEF ROBERT HAAS: So you will go back to the hours you've advertised that you are going to operate, though, that's your plan?

STACEY MANLEY: Well, we are open Monday through Thursday 10:00 but --

POLICE CHIEF ROBERT HAAS: But you indicated that your license allows you to open later or be open later?

STACEY MANLEY: But probably not enough this is a huge success, so --

POLICE CHIEF ROBERT HAAS: Your license

has to reflect the hours that you are actually operating.

You can't amend them on your own.

The one piece you need to fix is that's what your operating hours are and have you have to amend your application that these are the hours you are operating.

STACEY MANLEY: The one I sent in, the application I put in the for live entertainment license has the correct hours.

POLICE CHIEF ROBERT HAAS: What you have to do is two things: One to amend your operating hours since you've changed them on your entertainment license. And then also your amended entertainment license.

And then you need to stick to those hours.

STACEY MANLEY: So we have to change our business license?

POLICE CHIEF ROBERT HAAS: No, no.

What I think we need to do, since you are not operating the hours you initially applied for, you modified them with the new entertainment license, I think we can do that in two steps, right?

EXECUTIVE DIRECTOR ELIZABETH LINT: You can amend that application because it is not increasing the hours, it is decreasing hours.

FIRE CHIEF GERALD REARDON: The other question will be is if she's successful doing it, do you want those hours?

POLICE CHIEF ROBERT HAAS: But then if you are successful. You have to come back and reapply for now hours.

STACEY MANLEY: I would say that's probably at least six or seven months in the offering.

FIRE CHIEF GERALD REARDON: Just throwing

it out for you, that's all.

CHAIRMAN MICHAEL GARDNER: So I will amend my motion to include the change that the hours of operation for the business be adjusted to conform with, or be the same as, the hours requested for the entertainment license.

Can I have a second?

FIRE CHIEF GERALD REARDON: I second that.

CHAIRMAN MICHAEL GARDNER: Thank you, Commissioner.

Motion having been made and seconded as amended all in favor signify saying aye?

POLICE CHIEF ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed.

Good luck with your new entertainment.

STACEY MANLEY: Thank you.

APPEAL: ROMUALD CHERY

EXECUTIVE DIRECTOR ELIZABETH LINT: Appeal: Hackney appeal, Romuald Chery, previous holder of a Cambridge Hackney License, due to the decision of the Executive Director, Elizabeth Lint, upholding the decision of the Cambridge Police Hackney Officer Benny Szeto to not renew this license based on his background check.

CHAIRMAN MICHAEL GARDNER: Good evening.

Have a seat if you like, sir, please ask you to state and spell your last name for the record and tell us why you are appealing this decision.

ROMUARD CHERY: Good evening, Commissioner, and my name is Romuard Chery, R-O-M-U-A-R-D. Last name C-H-E-R-Y.

CHAIRMAN MICHAEL GARDNER: How long have you had a Hackney license in the City?

ROMUARD CHERY: 22 years.

CHAIRMAN MICHAEL GARDNER: Ms. Lint, can you tell us the basis for the decision to deny a renewal?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

It was Officer Szeto that denied Mr. Chery's application to go back to the taxi school.

His license has -- had not been renewed because, he -- without wanting to put too much of the matter on the record, it was based on an arrest in 2012 that had a guilty verdict and that was a felony matter where he's on a suspended sentence.

The rules and regulations of the Hackey division of Cambridge License Commission clearly state anyone who has had a conviction of a criminal offense, particularly a felony, within the past seven years is not eligible to hold a Hackney license in the City.

CHAIRMAN MICHAEL GARDNER: So, sir, we have a rule that if you are convicted of a felony, a crime, within the last seven years, you can't have a Hackney license, taxi license in the city.

If this is mistake, if you have not, in fact, been convicted of a crime or felony, you can tell us that.

If you have been convicted of such a crime, we're not ourselves put on the record what the matter was, but leave it to you to say anything you want to us about why we should make an exception to our rule here to deny you the license because of the conviction.

ROMUARD CHERY: Okay.

CHAIRMAN MICHAEL GARDNER: Am I clear -- have I made myself clear with respect to what I'm asking?

ROMUARD CHERY: Yes.

I think there were a letter of -- listed on my conviction, and then it wasn't a felony. And then, the rules assault and battery on a police officer and it wasn't a police officer.

It was on -- (forwarding paper) it was a public employee.

CHAIRMAN MICHAEL GARDNER: So just for the record, the applicant has passed forward a criminal docket sheet.

ROMUARD CHERY: That was a mistake on a police officer. But it wasn't on a police officer. There were no police officer.

CHAIRMAN MICHAEL GARDNER: So this record says that the charge was A&B on a police officer by hand written notation. It is has been changed to say "public employee." And there was a finding of guilty based on an admission to sufficient facts accepted after a colloquy and 278 Section 29 D1.

EXECUTIVE DIRECTOR ELIZABETH LINT: There was a police report from the Cambridge Police Department that what the reporting officer indicated was that it was an assault and battery on a public employee, trespassing, and resisting arrest after striking a hospital police officer.

CHAIRMAN MICHAEL GARDNER: So if you care to answer, sir, was the individual who was assaulted a security officer at the hospital?

ROMUARD CHERY: Yes.

CHAIRMAN MICHAEL GARDNER: Yes?

ROMUARD CHERY: Yes.

CHAIRMAN MICHAEL GARDNER: Thank you.

POLICE CHIEF ROBERT HAAS: Did the court amend the charges or do -- when they found --

ROMUARD CHERY: They didn't find me guilty.

My lawyer always -- I was wrongfully

advised by my lawyer to pled guilty. So I checked with another lawyer and he say actually not pled guilty because I have -- it was a misdemeanor charge and I should not pled guilty to it and I should go forward with trial. She was -- advised me the wrong advise that I take.

CHAIRMAN MICHAEL GARDNER: I'm sorry. I didn't get the last part of what you said. She advised you what?

ROMUARD CHERY: She advised me to plead guilty, that would be good for me, and then actually, I have a private lawyer and she said you shouldn't plead guilty at all because there's a law criminal case. It is -- it is a minor case. I shouldn't plead guilty to it.

EXECUTIVE DIRECTOR ELIZABETH LINT: If you look at the bottom of the page, the -- what is circled down the bottom is the reason why his Hackney license originally was not renewed.

CHAIRMAN MICHAEL GARDNER: This is from an incident in 2007?

POLICE CHIEF ROBERT HAAS: 2005. At least he was a rained in 2005. It didn't go to trial until 2006. It was a guilty finding. It was continued to 2007.

EXECUTIVE DIRECTOR ELIZABETH LINT: That was the basis for the nonrenewal.

POLICE CHIEF ROBERT HAAS: Initially?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

POLICE CHIEF ROBERT HAAS: It doesn't look like from the documents they downgraded the charges from a felony to a misdemeanor.

EXECUTIVE DIRECTOR ELIZABETH LINT: It does not.

In any event, the original would be sufficient to not allow him to drive in the city.

POLICE CHIEF ROBERT HAAS: Right. Won't that show up on his prior application? How long

is the license good for?

EXECUTIVE DIRECTOR ELIZABETH LINT: Hackney license?

POLICE CHIEF ROBERT HAAS: Yes.

EXECUTIVE DIRECTOR ELIZABETH LINT: Three years. One year or three years.

POLICE CHIEF ROBERT HAAS: I image that would have been on his record the last time he applied for his license, right?

EXECUTIVE DIRECTOR ELIZABETH LINT: The first incident?

POLICE CHIEF ROBERT HAAS: Yes.

EXECUTIVE DIRECTOR ELIZABETH LINT: That's why Officer Szeto didn't renew his license.

He applied to go back to taxi school but this came up.

CHAIRMAN MICHAEL GARDNER: This is not actually an appeal of a nonrenewal because the

license wasn't renewed.

EXECUTIVE DIRECTOR ELIZABETH LINT: It was not renewed.

CHAIRMAN MICHAEL GARDNER: This is an appeal of the decision not to allow him to go to taxi school?

EXECUTIVE DIRECTOR ELIZABETH LINT: To apply for a new license.

POLICE CHIEF ROBERT HAAS: So his license wasn't taken away from him, he didn't hasn't had an opportunity to get a license?

CHAIRMAN MICHAEL GARDNER: Right.

I'll make the motion to approve the -- uphold Ms. Lint's actions in denying the opportunity to obtain the new license based on the most recent conviction.

POLICE CHIEF ROBERT HAAS: Second the motion.

CHAIRMAN MICHAEL GARDNER: Motion made

and seconded. All in favor signify saying aye?

FIRE CHIEF GERALD REARDON: Aye.

POLICE CHIEF ROBERT HAAS: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed.

So I'm sorry to tell you that we have turned you down.

I think we regard the matter, whether it was a police officer or not, as being a very serious issue and contrary to the best interests of the City to allow you to have a license at this time.

I think our advice would be the same as it would be to anyone, it is important for you to maintain a good, clean record without any repeat of any of the kinds of issues which caused you trouble here, both in 2005 and also more recently, and for you to apply again at some point in the future. I think this was a 2012

incident.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIRMAN MICHAEL GARDNER: It would be some time before we probably would be prepared to reconsider you for this job. And I'm sorry for that, but I wish you well.

ROMUARD CHERY: So how long?

CHAIRMAN MICHAEL GARDNER: Well, it is a seven-year process.

EXECUTIVE DIRECTOR ELIZABETH LINT: Seven years.

CHAIRMAN MICHAEL GARDNER: So that is 2018 or '19 probably.

And that's our rule, whether or not we ever --

ROMUARD CHERY: But my case is still open.

CHAIRMAN MICHAEL GARDNER: I couldn't hear you.

ROMUARD CHERY: The case is still open. It is still open.

POLICE CHIEF ROBERT HAAS: I don't know what you mean.

EXECUTIVE DIRECTOR ELIZABETH LINT: He's on probation.

CHAIRMAN MICHAEL GARDNER: Well, you've been found guilty.

ROMUARD CHERY: No.

CHAIRMAN MICHAEL GARDNER: Well, those records say you are guilty.

If you want to submit additional records which show that, in fact, you've not been found guilty, then the Commission can review that matter in the future.

But the document you gave us show you guilty because of admission to sufficient facts.

I'm sorry for the confusion, but that's what is in the record you gave to us.

Did we take your only copy or do you got it back?

EXECUTIVE DIRECTOR ELIZABETH LINT: I gave it to him.

CHAIRMAN MICHAEL GARDNER: I'm sorry. And I wish you well.

ROMUARD CHERY: Yeah. I think -- I don't think it is fair because I know people out there driving who would fail on this. And because of the -- because they are white they are driving. So I know that for a fact. I know people with triple things out there driving.

CHAIRMAN MICHAEL GARDNER: If you have any information about Hackney operations in the City which you believe to inappropriate, or if you think other people have been treated inconsistently from the way you have been treated, we very much encourage you to bring that information to the attention of the License

Commission so they can look into it.

If you are uncomfortable in bringing it to the License Commission, I would advise you to bring it to the attention of the Police Commissioner.

ROMUARD CHERY: I will talk about it with my lawyer.

CHAIRMAN MICHAEL GARDNER: Thank you very much.

Good luck to you, sir.

Do we have any other business before us, Ms. Lint?

EXECUTIVE DIRECTOR ELIZABETH LINT: No, we do not.

CHAIRMAN MICHAEL GARDNER: No minutes to approve?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes, we do.

October 8th.

CHAIRMAN MICHAEL GARDNER: All three of us, right?

EXECUTIVE DIRECTOR ELIZABETH LINT: All three of you and Chris Burke.

POLICE CHIEF ROBERT HAAS: That's correct.

CHAIRMAN MICHAEL GARDNER: I'll make a motion to approve the minutes from October the 8th.

POLICE CHIEF ROBERT HAAS: Seconded.

CHAIRMAN MICHAEL GARDNER: Motion having made and seconded, all in favor signify saying aye?

FIRE CHIEF GERALD REARDON: Aye.

POLICE CHIEF ROBERT HAAS: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed.

EXECUTIVE DIRECTOR ELIZABETH LINT: The other one is October 22 and we need Chris for

that.

CHAIRMAN MICHAEL GARDNER: Motion to adjourn is always in order.

POLICE CHIEF ROBERT HAAS: Make a motion adjourn.

FIRE CHIEF GERALD REARDON: Seconded.

CHAIRMAN MICHAEL GARDNER: Motion having been made and seconded, all signify by saying aye?

FIRE CHIEF GERALD REARDON: Aye.

POLICE CHIEF ROBERT HAAS: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed. We have adjourned.

CERTIFICATE

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 18th day of November 2013.

_____

Jill Kourafas
Certified Shorthand Reporter
License No. 14903
Notary Public
My Commission expires:
February 2, 2017

$10 [1] - 1:91:19
$35 [1] - 1:92:1
'19 [1] - 1:116:13
02139 [1] - 1:1:14
1 [1] - 1:12:16
104 [1] - 1:7:7
10:00 [2] - 1:52:9; 1:102:13
10:30 [2] - 1:99:9, 11
11 [2] - 1:2:18; 1:80:11
1105 [1] - 1:26:18
1172-1178 [1] - 1:72:3
11:00 [2] - 1:14:17; 1:27:2
12 [3] - 1:1:15; 1:3:9; 1:10:2
14903 [1] - 1:122:15
15 [1] - 1:79:13
17 [1] - 1:73:14
1815 [1] - 1:97:16
18th [1] - 1:122:12
1920 [1] - 1:59:10
1925 [1] - 1:91:5
1935 [1] - 1:59:12
1965 [3] - 1:59:14, 17; 1:60:13
1990s [1] - 1:5:1
1:00 [3] - 1:14:19; 1:19:19; 1:27:3
1:30 [3] - 1:14:17; 1:15:3; 1:20:2
2 [2] - 1:12:18; 1:122:17
20 [6] - 1:30:15; 1:48:19; 1:49:4, 6; 1:79:13
2005 [3] - 1:112:3; 1:115:17
2006 [1] - 1:112:5
2007 [2] - 1:112:2, 6
2010 [1] - 1:4:4
2012 [2] - 1:107:11; 1:115:19
2013 [4] - 1:1:15; 1:3:9; 1:97:13; 1:122:12
2014 [3] - 1:62:8; 1:67:14; 1:81:2
2017 [1] - 1:122:17
2018 [1] - 1:116:13
21 [1] - 1:73:10
22 [3] - 1:97:13; 1:106:19; 1:120:19
250 [1] - 1:6:5
26 [3] - 1:62:8; 1:66:11; 1:67:14
26th [1] - 1:87:16
278 [1] - 1:109:19
29 [1] - 1:109:19
2:00 [1] - 1:14:17
4 [3] - 1:62:7; 1:66:10; 1:67:14
40 [2] - 1:73:4; 1:75:6
441 [3] - 1:79:9; 1:80:7; 1:84:11
5 [5] - 1:52:1, 10; 1:62:7; 1:67:13
50/50 [1] - 1:21:16
5:00 [1] - 1:13:10
600 [1] - 1:57:13
617.786.7783 [1] - 1:1:19
62 [1] - 1:34:7
6:00 [2] - 1:1:16; 1:42:17
6:03 [1] - 1:3:9
7:00 [2] - 1:79:14
8.3 [1] - 1:85:13
800 [1] - 1:60:18
831 [2] - 1:1:14; 1:3:10
88-years-old [1] - 1:58:3
8th [2] - 1:119:19; 1:120:9
90 [1] - 1:48:6
9:00 [1] - 1:99:11
9th [1] - 1:4:12
A&B [1] - 1:109:14
A-N-D-Y [1] - 1:62:13
A-R-A-G-U-R [1] - 1:45:9
a.m [7] - 1:12:16, 18; 1:14:17; 1:20:1; 1:27:3; 1:52:9; 1:79:14
able [7] - 1:14:8; 1:17:9, 13; 1:44:9, 13; 1:49:14; 1:86:3
absolutely [2] - 1:14:7; 1:66:3
abuse [1] - 1:95:4
accepted [3] - 1:4:14; 1:5:6; 1:109:18
accessible [1] - 1:90:18
accessory [1] - 1:17:6
accomodation [1] - 1:88:16
accurate [1] - 1:122:10
acknowledgment [1] - 1:3:19
acoustic [1] - 1:100:9
actions [1] - 1:114:14
actively [1] - 1:23:14
add [3] - 1:8:11; 1:14:2; 1:25:1
addition [3] - 1:41:9; 1:46:7; 1:84:12
additional [5] - 1:9:12; 1:17:17; 1:51:10; 1:58:5; 1:117:12
address [4] - 1:27:1; 1:81:14; 1:88:11; 1:89:2
adjourn [2] - 1:121:3, 5
adjourned [1] - 1:121:13
adjusted [1] - 1:105:4

admission [2] - 1:109:17; 1:117:17
admit [1] - 1:77:12
advantages [1] - 1:68:18
advertised [1] - 1:102:10
advice [1] - 1:115:13
advise [2] - 1:111:6; 1:119:3
advised [5] - 1:73:15; 1:111:1, 6, 9
Advocate [3] - 1:45:15; 1:48:3; 1:49:5
affiliated [1] - 1:18:10
affiliation [5] - 1:7:16; 1:27:7; 1:72:7; 1:91:9; 1:98:7
afternoons [1] - 1:26:1
age [3] - 1:53:9; 1:65:14; 1:69:2
AGENDA [2] - 1:2:1
agenda [4] - 1:3:16; 1:25:9; 1:98:13; 1:102:4
Agent [1] - 1:5:3
ago [11] - 1:35:3; 1:39:7, 9; 1:60:3; 1:80:12; 1:92:13; 1:93:1, 3, 5
agree [1] - 1:37:9
agreeable [2] - 1:90:6
agreed [1] - 1:5:10
agreement [1] - 1:89:11
ahead [5] - 1:83:19; 1:89:7, 13-14; 1:98:18
alcohol [24] - 1:11:2; 1:16:1; 1:19:8; 1:22:9; 1:28:9; 1:29:6; 1:31:16; 1:32:17; 1:34:11, 13, 17; 1:36:10, 15, 19; 1:37:19; 1:39:7; 1:46:6; 1:55:11, 13, 15; 1:56:4; 1:70:4; 1:74:19; 1:100:5
alcoholic [6] - 1:6:4; 1:7:6; 1:26:19; 1:47:8; 1:57:12; 1:72:2
Alex [1] - 1:84:8
allow [4] - 1:79:11; 1:112:17; 1:114:5; 1:115:11
allowed [2] - 1:46:6, 14
allows [1] - 1:102:15
alluded [1] - 1:22:2
almost [2] - 1:22:4; 1:99:1
ambassadors [1] - 1:23:13
ambience [2] - 1:49:15; 1:50:3
amenable [1] - 1:83:10
amend [8] - 1:7:8; 1:97:17; 1:103:3, 6, 12; 1:104:8; 1:105:3; 1:110:16
amended [3] - 1:10:7; 1:103:15; 1:105:13
amendment [2] - 1:8:11; 1:25:7
amenity [4] - 1:9:8; 1:10:15; 1:12:1; 1:24:5
American [3] - 1:41:3; 1:48:9, 13
AMP [1] - 1:17:17
amplification [3] - 1:7:10; 1:8:12; 1:98:1
amplified [1] - 1:17:19
amplifier [1] - 1:18:2
Andrea [2] - 1:4:13; 1:5:3
Andrea's [1] - 1:4:16
ANDY [14] - 1:62:13, 16; 1:63:1, 7, 10, 13; 1:64:6, 13; 1:65:1, 9, 12, 15; 1:66:3, 13
Andy [1] - 1:62:15
answer [1] - 1:110:9
Antonio [1] - 1:48:8
anyway [2] - 1:73:4; 1:100:17
apart [3] - 1:38:13; 1:39:17; 1:40:3
apologize [3] - 1:83:16; 1:100:2; 1:101:14
APPEAL [2] - 1:2:19; 1:106:1
Appeal [1] - 1:106:3
appeal [3] - 1:106:3; 1:113:19; 1:114:5
appealing [1] - 1:106:12
apple [1] - 1:68:2
applicant [7] - 1:7:11; 1:31:14; 1:51:11, 17; 1:53:1, 6; 1:109:8
applicants [2] - 1:9:3; 1:36:14
Application [2] - 1:79:7; 1:97:13
APPLICATION [20] - 1:2:2, 5, 7-8, 10-11, 13-14, 16-17; 1:6:1; 1:7:1; 1:26:12; 1:57:7; 1:61:19; 1:67:7; 1:71:16; 1:79:5; 1:91:1; 1:97:11
application [39] - 1:2:4;

1:6:3; 1:7:4, 16; 1:9:7, 17; 1:10:6; 1:24:12; 1:26:15; 1:27:7; 1:32:9; 1:53:7; 1:54:7; 1:57:10, 18; 1:58:2; 1:61:8; 1:62:3, 12; 1:66:12; 1:67:10; 1:71:4, 19; 1:78:7; 1:84:10; 1:88:8; 1:91:9; 1:96:9, 11; 1:98:7; 1:101:6; 1:102:3; 1:103:6, 9; 1:104:8; 1:107:6; 1:112:19

applied [17] - 1:6:6; 1:7:8; 1:26:18; 1:29:16; 1:57:13; 1:62:5; 1:67:12; 1:72:3; 1:79:8; 1:91:4; 1:92:10; 1:93:15; 1:94:19; 1:97:17; 1:104:3; 1:113:9, 16

apply [3] - 1:29:7; 1:114:8; 1:115:18

applying [1] - 1:7:11

appreciate [2] - 1:3:5; 1:57:2

approaching [1] - 1:23:16

appropriate [1] - 1:83:12

approval [4] - 1:36:15; 1:87:17; 1:88:1; 1:89:8

approve [13] - 1:25:5, 7; 1:61:6; 1:66:9; 1:71:2; 1:78:6; 1:88:7; 1:96:9; 1:101:2; 1:102:3; 1:114:13; 1:119:16; 1:120:8

approved [6] - 1:62:5; 1:67:11; 1:68:8; 1:72:19; 1:92:11; 1:93:15

April [3] - 1:62:8; 1:66:11; 1:67:14

area [6] - 1:13:12; 1:21:9; 1:36:19; 1:50:19; 1:64:11; 1:95:19

Areli [1] - 1:26:16

ARELI [16] - 1:27:8, 18; 1:29:17; 1:30:11; 1:32:10; 1:33:15; 1:34:2, 7; 1:37:11; 1:38:13; 1:40:2, 10; 1:53:16; 1:56:3; 1:57:4

arrangements [1] - 1:89:10

arrest [2] - 1:107:11; 1:110:6

article [2] - 1:29:17; 1:43:4

aside [1] - 1:34:10

aspect [2] - 1:8:17; 1:19:4

assault [2] - 1:109:3; 1:110:4

assaulted [1] - 1:110:10

assert [1] - 1:90:9

assess [1] - 1:39:12

assistant [1] - 1:63:1

Association [4] - 1:23:3, 7; 1:42:11; 1:84:9

assumed [2] - 1:65:3; 1:85:5

assuming [1] - 1:87:17

AT [1] - 1:1:13

Atlanta [1] - 1:5:4

attached [1] - 1:30:2

attempt [1] - 1:38:17

attention [2] - 1:118:19; 1:119:4

attest [1] - 1:45:16

Attorney [1] - 1:7:19

attorney [1] - 1:72:9

attract [1] - 1:15:4

attraction [2] - 1:64:18; 1:65:4

ATTY [15] - 1:7:17; 1:8:10; 1:10:3; 1:12:16; 1:13:8; 1:16:12; 1:17:15; 1:20:17; 1:25:3; 1:26:3; 1:72:8, 17; 1:73:13; 1:76:3, 18

Auburn [1] - 1:7:7

audience [3] - 1:5:9; 1:37:12; 1:47:16

audio [1] - 1:98:1

authentic [2] - 1:43:5; 1:48:16

available [1] - 1:53:4

Ave [2] - 1:91:5; 1:97:17

Avenue [7] - 1:1:14; 1:3:11; 1:26:18; 1:57:13; 1:80:13; 1:81:1, 14

average [1] - 1:75:10

avoid [1] - 1:20:18

aware [4] - 1:20:8; 1:82:18; 1:95:7, 9

awhile [2] - 1:5:6; 1:74:10

aye [50] - 1:25:14-17; 1:54:18; 1:55:1; 1:61:11-14; 1:66:18;

1:67:1; 1:71:9-12; 1:78:10-13; 1:90:12-15; 1:96:15-18; 1:102:7; 1:105:13-16; 1:115:1-4; 1:120:13-16; 1:121:9

background [3] - 1:30:6; 1:101:3; 1:106:8

bad [1] - 1:65:2

baked [1] - 1:99:2

balanced [1] - 1:78:18

band [1] - 1:17:19

bands [1] - 1:17:7

bankrupt [2] - 1:35:12; 1:39:15

bar [20] - 1:9:18; 1:10:1; 1:11:1; 1:15:4, 8-10, 19; 1:16:2; 1:19:4, 11; 1:20:2; 1:21:6, 16, 18; 1:29:8; 1:73:18; 1:75:15, 19

Bar [2] - 1:7:12; 1:19:15

barrier [2] - 1:82:14; 1:90:17

bars [3] - 1:15:12; 1:19:6; 1:21:14

bartender [1] - 1:31:7

based [8] - 1:41:5; 1:49:13; 1:68:14; 1:75:19; 1:106:8; 1:107:10; 1:109:17; 1:114:15

Basement [2] - 1:1:13; 1:3:11

basis [2] - 1:107:2; 1:112:8

Bastille [1] - 1:23:11

battery [2] - 1:109:3; 1:110:4

became [7] - 1:22:3; 1:23:7, 10; 1:42:10; 1:59:19; 1:60:1; 1:77:3

becomes [1] - 1:24:9

begin [2] - 1:3:18; 1:5:19

beginning [3] - 1:31:17; 1:32:3, 9

behalf [5] - 1:5:15; 1:8:2; 1:41:8; 1:45:12; 1:53:5

behind [1] - 1:10:9

bell [2] - 1:86:2, 4

below [2] - 1:98:2; 1:101:4

benefits [1] - 1:56:8

Benny [1] - 1:106:7

Berkshires [2] - 1:68:5, 14

best [2] - 1:48:19; 1:115:10

better [4] - 1:18:16; 1:40:12; 1:65:17; 1:73:3

between [1] - 1:28:5

beverage [1] - 1:100:14

beverages [10] - 1:6:4; 1:7:6; 1:26:19; 1:46:6, 15; 1:47:8; 1:57:12; 1:72:2; 1:79:11; 1:100:6

big [3] - 1:5:4; 1:48:8; 1:76:6

bill [1] - 1:86:17

bit [2] - 1:22:7; 1:48:7

Blount [4] - 1:72:1, 15, 19; 1:73:12

BLUM [11] - 1:67:7, 15; 1:68:1, 12, 15; 1:69:4; 1:70:1, 7, 10, 13

Blum [1] - 1:67:10

BOARD [1] - 1:1:6

Board [2] - 1:36:18; 1:52:5

board [2] - 1:21:11; 1:73:15

boisterous [2] - 1:49:3, 17

boisterousness [1] - 1:50:4

booze [1] - 1:35:17

Border [1] - 1:49:2

boss [1] - 1:80:16

Boston [6] - 1:18:11; 1:29:18; 1:30:17; 1:49:13; 1:76:7; 1:92:2

Boston-based [1] - 1:49:13

bottles [1] - 1:20:1

bottom [2] - 1:111:17

bought [2] - 1:59:10, 13

bound [1] - 1:82:16

BOURBON [2] - 1:2:18; 1:97:11

Bourbon [3] - 1:97:14; 1:98:10

box [1] - 1:11:4

branching [1] - 1:64:16

branding/ marketing [1] - 1:21:3

break [1] - 1:31:11

bring [8] - 1:12:2; 1:15:16; 1:21:18; 1:36:9; 1:99:16; 1:100:13; 1:118:18; 1:119:4

bringing [2] - 1:17:13; 1:119:2

British [1] - 1:76:11

broad [1] - 1:101:6

brothers [1] - 1:58:10

brought [2] - 1:11:18; 1:13:18

brunch [1] - 1:24:6
brunches [1] - 1:10:10
build [1] - 1:86:10
Building [2] - 1:1:13; 1:3:10
building [5] - 1:8:17; 1:16:9; 1:59:10, 13; 1:60:2
bunches [1] - 1:13:4
Burke [1] - 1:120:4
BURKE [1] - 1:1:8
burned [1] - 1:39:6
burritos [1] - 1:42:16
business [37] - 1:15:6; 1:18:9; 1:25:6; 1:27:15; 1:29:4; 1:30:12, 15; 1:32:19; 1:33:1; 1:35:1, 8-9, 11, 13; 1:39:1, 4-5, 14; 1:40:4, 11; 1:42:8; 1:43:1; 1:56:7; 1:59:7; 1:63:12; 1:68:3; 1:77:14; 1:84:15; 1:91:17; 1:92:7; 1:95:5, 15; 1:96:1; 1:103:19; 1:105:4; 1:119:11
Business [3] - 1:23:3, 7; 1:84:9
businesses [3] - 1:11:10; 1:36:2
busy [1] - 1:6:17
C-H-E-R-Y [1] - 1:106:16
C-I-F-R-I-N-O [1] - 1:58:1
C-R-O-W-L-E-Y [1] - 1:41:2
Cafe [3] - 1:43:10; 1:49:2; 1:87:11
Calendar [1] - 1:76:7
Callendar [2] - 1:62:7; 1:67:13
calories [1] - 1:81:18
CAMBRIDGE [2] - 1:1:2
Cambridge [30] - 1:1:14; 1:8:1; 1:16:13; 1:62:6; 1:63:3, 15; 1:64:4, 12, 16, 19; 1:65:5; 1:66:10; 1:67:13, 19; 1:68:7, 11-12; 1:71:3, 14; 1:72:3; 1:79:10; 1:80:7, 13; 1:84:9, 15; 1:85:2; 1:106:4, 6; 1:107:15; 1:110:2
campus [1] - 1:99:14
Canada [1] - 1:31:3
Cancun [6] - 1:26:15; 1:32:11; 1:41:6; 1:48:6, 11
CANCUN [3] - 1:2:6; 1:26:12
capacity [2] - 1:4:3; 1:79:13
CAPE [1] - 1:61:19
Cape [4] - 1:62:3; 1:64:11, 16, 18
captured [1] - 1:55:5
CAPTURING [1] - 1:1:18
card [3] - 1:65:15; 1:69:11; 1:91:18
carded [2] - 1:66:1; 1:75:5
carding [2] - 1:75:7, 11
cards [1] - 1:69:12
care [1] - 1:110:8
career [2] - 1:5:2
careful [1] - 1:21:18
Carr's [4] - 1:67:10, 16, 18; 1:68:13
CARR'S [2] - 1:2:10; 1:67:7
carry [1] - 1:56:5
case [5] - 1:83:17; 1:111:14; 1:116:16; 1:117:1
catering [1] - 1:49:7
caused [1] - 1:115:16
cautious [1] - 1:75:6
CDM [3] - 1:7:1, 4; 1:8:2
cell [1] - 1:3:4
center [1] - 1:42:13
central [1] - 1:39:19
cert [1] - 1:69:11
certain [3] - 1:11:11; 1:17:1; 1:44:4
certainly [4] - 1:24:7; 1:43:17; 1:44:18; 1:74:17
CERTIFICATE [1] - 1:122:1
certification [1] - 1:66:4
Certified [1] - 1:122:15
certify [1] - 1:122:8
Cervza [1] - 1:43:17
Chair [3] - 1:4:2, 11, 14
chair [3] - 1:19:17; 1:51:15; 1:72:9
CHAIRMAN [179] - 1:1:7; 1:3:17; 1:6:7, 11; 1:7:13; 1:8:9; 1:12:14; 1:13:1; 1:14:11; 1:15:18; 1:16:5; 1:17:18; 1:18:3; 1:19:2; 1:20:11, 15; 1:22:13; 1:24:16; 1:25:4, 12, 17; 1:26:10;

1:27:4, 14; 1:31:13; 1:33:11, 16; 1:34:5, 8; 1:38:5; 1:39:11; 1:40:7, 14; 1:41:19; 1:45:1; 1:47:10; 1:50:5; 1:51:3; 1:52:7, 16; 1:53:17; 1:54:3, 12, 16; 1:55:2, 18; 1:56:16; 1:58:6; 1:59:1, 6, 16; 1:60:11, 14, 19; 1:61:2, 10, 14; 1:62:9, 14, 17; 1:63:5, 8, 11; 1:64:3, 7; 1:65:3, 10, 13, 19; 1:66:5, 14, 16; 1:67:2, 17; 1:68:10, 13, 16; 1:70:5, 14, 17; 1:71:7, 12; 1:72:5, 14; 1:73:11; 1:74:7, 12; 1:75:12; 1:76:14; 1:77:1, 19; 1:78:2, 9, 13; 1:79:16; 1:80:2, 9, 17; 1:81:3, 6, 13, 19; 1:82:6, 8; 1:83:5, 8, 14; 1:84:5; 1:87:14; 1:90:2, 11, 15; 1:91:6, 15; 1:92:6, 15, 19; 1:93:6, 10; 1:94:5, 10, 15; 1:95:2, 10, 13; 1:96:2, 5, 13, 18; 1:97:8; 1:98:4, 18; 1:99:7, 17; 1:100:2, 10, 18; 1:101:8, 11, 17; 1:102:2, 6; 1:105:2, 10, 16; 1:106:9, 17; 1:107:1; 1:108:1, 16; 1:109:7, 13; 1:110:8, 12, 14; 1:111:7; 1:112:1; 1:113:18; 1:114:4, 12, 19; 1:115:4; 1:116:3, 8, 12, 18; 1:117:7, 10; 1:118:5, 13; 1:119:8, 15; 1:120:1, 7, 11, 16; 1:121:2, 7, 12

chairman [1] - 1:7:18

Chairman [4] - 1:3:12; 1:26:4; 1:35:2; 1:89:6

challenges [1] - 1:74:13

challenging [1] - 1:8:16

change [24] - 1:6:6, 14; 1:7:12; 1:8:13; 1:12:10; 1:18:9, 16; 1:20:17; 1:21:11; 1:25:6; 1:34:19; 1:35:4; 1:43:2; 1:57:13; 1:58:12; 1:61:6; 1:72:4, 15; 1:78:6; 1:99:8; 1:100:4, 14; 1:103:18; 1:105:3

changed [4] - 1:40:3; 1:45:17; 1:103:13; 1:109:15

changeling [1] - 1:23:19

changing [2] - 1:19:3; 1:22:7

charge [3] - 1:18:6; 1:109:14; 1:111:4

charges [2] - 1:110:16; 1:112:13

Charlie's [2] - 1:16:15

check [1] - 1:106:8

checked [1] - 1:111:2

chef [4] - 1:72:19; 1:77:2

CHERY [17] - 1:2:19; 1:106:1, 14, 19; 1:108:15, 19; 1:109:10; 1:110:11, 13, 17; 1:111:10; 1:116:7, 16; 1:117:1, 9; 1:118:7; 1:119:6

Chery [2] - 1:106:3, 15

Chery's [1] - 1:107:6

CHIEF [103] - 1:1:8; 1:15:7, 11; 1:18:5, 8, 17; 1:22:1; 1:25:10, 15-16; 1:30:9; 1:34:10; 1:36:13; 1:37:7, 13; 1:38:7, 14; 1:47:5; 1:51:15; 1:52:2, 14-15; 1:54:19; 1:55:1; 1:61:1, 9, 12-13; 1:64:9, 17; 1:65:6; 1:66:15, 19; 1:67:1; 1:69:17; 1:70:8, 12, 16; 1:71:6, 10-11; 1:77:5, 8, 15; 1:78:1, 8, 11-12; 1:85:11; 1:86:9, 13; 1:87:4, 9, 13; 1:89:4; 1:90:5, 9, 13-14; 1:91:12; 1:95:12; 1:96:12, 16-17; 1:99:19; 1:101:15, 19; 1:102:5, 8-9, 14, 19; 1:103:11; 1:104:1, 10, 13, 19; 1:105:8, 14-15; 1:110:15; 1:112:3, 9, 11, 18; 1:113:4, 7, 12; 1:114:9, 17; 1:115:2; 1:117:3; 1:120:5, 10, 14-15; 1:121:4, 6,

10
Chief [1] - 1:3:13
Chinese [1] - 1:39:3
Chipotle [1] - 1:60:9
chips [1] - 1:32:14
Chris [3] - 1:54:10; 1:120:4, 19
Christophe [2] - 1:8:5; 1:23:6
CHRISTOPHE [17] - 1:8:6; 1:10:1; 1:14:4, 18; 1:15:9, 13; 1:16:3, 10; 1:17:12; 1:18:1, 7, 12; 1:19:1; 1:20:9; 1:21:17; 1:22:10
CHRISTOPHE R [1] - 1:1:8
cider [2] - 1:68:1
CIDERHOUSE [2] - 1:2:10; 1:67:8
Ciderhouse [4] - 1:67:11, 16, 18; 1:68:14
CIFRINO [8] - 1:57:19; 1:58:8, 17; 1:59:9, 18; 1:60:6, 13, 17
circled [1] - 1:111:18
cite [1] - 1:31:19
CITY [1] - 1:1:3
city [4] - 1:19:10; 1:86:2; 1:108:5; 1:112:17
City [10] - 1:4:4, 17; 1:5:3; 1:16:6; 1:82:11; 1:90:19; 1:106:18; 1:107:19; 1:115:11; 1:118:15
clarification [1] - 1:53:1
clarified [1] - 1:54:8
clarify [2] - 1:19:18; 1:93:12
class [1] - 1:51:2
clean [2] - 1:74:16; 1:115:15
clear [3] - 1:5:11; 1:108:16
clearly [2] - 1:30:5; 1:107:15
clientele [1] - 1:65:5
clients [1] - 1:32:13
close [3] - 1:81:16; 1:86:14; 1:99:10
closed [3] - 1:17:4; 1:18:13, 15
closer [1] - 1:76:1
closing [2] - 1:12:15; 1:99:8
club [1] - 1:12:5
CNN [1] - 1:76:11
co [3] - 1:67:16; 1:72:11, 17
co-owner [3] - 1:67:16; 1:72:11, 17
Coast [1] - 1:31:11
COD [1] - 1:62:1
Cod [1] - 1:62:3
COFFEE [1] - 1:97:11
Coffee [2] - 1:97:14; 1:98:10
coffee [3] - 1:99:1, 15; 1:100:11
coincidentally [1] - 1:19:7
colada [1] - 1:29:13
cold [1] - 1:83:16
colloquy [1] - 1:109:18
coming [4] - 1:13:16; 1:37:18; 1:48:9; 1:69:4
comment [1] - 1:25:5
commenting [1] - 1:82:11
comments [2] - 1:38:6; 1:82:1
COMMISSION [3] - 1:1:2, 5
Commission [24] - 1:3:8; 1:4:11, 15; 1:5:13; 1:7:18; 1:8:14; 1:9:15; 1:12:3, 8; 1:26:5, 8; 1:51:8; 1:82:10; 1:88:13; 1:89:1; 1:90:19; 1:92:16; 1:107:15; 1:117:14; 1:119:1, 3; 1:122:16
COMMISSIONER [3] - 1:1:8; 1:57:15; 1:58:15
Commissioner [7] - 1:3:14; 1:4:10; 1:38:9; 1:70:15; 1:105:11; 1:106:15; 1:119:5
commissioners [1] - 1:3:12
Committee [1] - 1:23:15
committee [1] - 1:23:17
common [7] - 1:26:17; 1:27:2; 1:31:15; 1:79:8; 1:84:11; 1:88:8; 1:97:15
Commonwealth [4] - 1:5:6; 1:6:6; 1:122:3, 7
communication [1] - 1:73:10
communities [1] - 1:45:14
community [7] - 1:28:12; 1:33:1; 1:45:11; 1:50:18; 1:51:13; 1:53:10; 1:85:2
company [1] - 1:73:2
compete [4] - 1:9:13; 1:14:9; 1:44:13; 1:100:16
competing [1] - 1:43:9

complaining [1] - 1:81:17
complaints [2] - 1:75:1; 1:95:7
complement [1] - 1:44:12
completely [1] - 1:23:17
complying [1] - 1:26:7
component [1] - 1:43:19
concept [4] - 1:28:1; 1:34:3; 1:40:3; 1:75:16
concerned [2] - 1:35:6; 1:69:1
concerns [3] - 1:31:14; 1:88:11; 1:95:3
concierge [1] - 1:23:12
concrete [1] - 1:53:12
conditions [1] - 1:36:14
condone [1] - 1:24:9
Conference [2] - 1:1:13; 1:3:11
conform [1] - 1:105:5
confused [1] - 1:100:3
confusion [2] - 1:101:18; 1:117:18
Conga's [1] - 1:8:19
connected [1] - 1:62:18
consideration [1] - 1:47:2
considers [1] - 1:36:18
consistent [2] - 1:12:18; 1:16:13
constant [1] - 1:24:13
consume [1] - 1:47:8
consumed [1] - 1:79:12
consumption [1] - 1:15:8
contingent [4] - 1:87:17; 1:88:1; 1:89:8
continuation [1] - 1:98:14
continue [4] - 1:24:12; 1:46:4; 1:58:13
continued [2] - 1:80:3; 1:112:6
Continued [1] - 1:97:13
CONTINUED [1] - 1:2:16
contrary [1] - 1:115:10
control [1] - 1:65:14
conversation [3] - 1:17:8; 1:98:3; 1:101:4
convicted [3] - 1:108:2, 7, 9
conviction [4] - 1:107:16; 1:108:14; 1:109:2; 1:114:16
copy [2] - 1:56:19; 1:118:1
cordially [1] - 1:5:18
corner [1] - 1:43:14
corporate [2] - 1:11:9; 1:54:5
correct [3] - 1:13:8; 1:103:10; 1:120:6
cost [1] - 1:85:10
Councillor [1] - 1:84:18
counter [1] - 1:78:18
counter-balanced [1] - 1:78:18
country [1] - 1:56:5
couple [3] - 1:42:19; 1:53:12, 19
course [3] - 1:19:5; 1:73:7; 1:74:9
court [1] - 1:110:15
cover [1] - 1:18:6
cricket [1] - 1:75:15
cricket-themed [1] - 1:75:15
crime [3] - 1:108:3, 7, 10
criminal [3] - 1:107:17; 1:109:9; 1:111:14
criteria [1] - 1:52:4
critical [1] - 1:39:18
crowd [4] - 1:15:4; 1:16:1; 1:21:18; 1:99:4
CROWLEY [1] - 1:41:1
CRYSTAL [14] - 1:91:1, 10, 14, 18; 1:92:9, 18; 1:93:2, 8; 1:94:1, 16; 1:95:18; 1:97:1, 5, 9
crystal [3] - 1:91:3, 10, 19
cuisine [1] - 1:48:9
cultural [1] - 1:32:1
culture [2] - 1:28:7; 1:49:13
curb [1] - 1:86:7
current [3] - 1:9:3, 18; 1:27:2
CURRY [1] - 1:2:16
Curry [1] - 1:3:15
customer [1] - 1:29:6
customers [9] - 1:15:15, 17; 1:28:5, 8; 1:29:18; 1:32:16; 1:34:11; 1:37:17; 1:40:13
cut [1] - 1:86:8
d/b/a [11] - 1:6:6, 14; 1:7:5, 12; 1:26:16; 1:58:2; 1:62:4; 1:67:10; 1:71:19; 1:79:7; 1:91:3
D/B/A [5] - 1:7:2; 1:26:13; 1:62:1; 1:67:7; 1:71:16
d/b/b [1] - 1:97:14
D1 [1] - 1:109:19
dancing [2] - 1:9:16; 1:10:5
DATE [1] - 1:1:15

dates [1] - 1:71:3
days [2] - 1:27:3; 1:79:15
de [1] - 1:74:8
deal [1] - 1:4:5
December [6] - 1:4:12; 1:5:14; 1:52:1, 9; 1:81:2
decibels [1] - 1:16:11
decided [3] - 1:28:14; 1:29:7; 1:88:18
Decision [3] - 1:51:9; 1:52:9, 11
decision [6] - 1:52:6; 1:106:5, 13; 1:107:2; 1:114:5
decreasing [1] - 1:104:9
defer [5] - 1:6:12; 1:51:8, 16; 1:52:8; 1:87:15
definitely [2] - 1:14:4; 1:47:3
delay [1] - 1:89:12
deliberations [1] - 1:5:13
demand [5] - 1:34:13; 1:35:15; 1:36:8; 1:46:19; 1:47:3
demonstrate [2] - 1:34:12; 1:52:3
denied [1] - 1:107:5
DENISE [3] - 1:22:19; 1:23:1; 1:42:6
Denise [1] - 1:22:19
deny [2] - 1:107:2; 1:108:13
denying [1] - 1:114:14
Department [1] - 1:110:3
department [1] - 1:60:8
derelict [1] - 1:41:11
described [2] - 1:66:11; 1:88:9
describing [1] - 1:33:19
desired [1] - 1:85:1
detailed [1] - 1:71:4
developed [1] - 1:33:14
different [4] - 1:21:9; 1:23:17; 1:33:8; 1:46:2
differently [1] - 1:34:4
difficult [3] - 1:46:9, 13; 1:90:17
difficulties [1] - 1:68:17
digital [1] - 1:11:8
dine [1] - 1:29:2
dine-in [1] - 1:29:2
dining [5] - 1:9:9; 1:12:13; 1:17:6; 1:43:19; 1:44:14
dinner [4] - 1:13:10; 1:32:18; 1:48:19; 1:49:4
dinners [3] - 1:15:2; 1:49:5, 7
dire [1] - 1:39:13
direction [3] - 1:22:5; 1:24:8
DIRECTOR [68] - 1:1:9; 1:3:2; 1:6:2, 13; 1:7:3; 1:19:13; 1:20:13; 1:26:14; 1:36:17; 1:51:19; 1:54:1, 4, 14; 1:57:9; 1:59:4; 1:60:4; 1:62:2; 1:67:9; 1:71:18; 1:76:12, 16; 1:79:6; 1:80:5; 1:81:15; 1:82:4; 1:83:3, 7, 9; 1:84:3, 7; 1:85:19; 1:86:15; 1:87:1; 1:91:2; 1:93:4, 14; 1:94:3, 8, 13; 1:95:8; 1:97:3, 6, 12; 1:98:16; 1:101:7, 10; 1:104:7; 1:106:2; 1:107:4; 1:110:1; 1:111:16; 1:112:7, 10, 14; 1:113:2, 5, 10, 13; 1:114:2, 7; 1:116:2, 10; 1:117:5; 1:118:3; 1:119:13, 17; 1:120:3, 18
Director [4] - 1:23:2; 1:82:9; 1:84:8; 1:106:5
director [3] - 1:8:4; 1:58:18; 1:98:9
directors [2] - 1:61:6
Disabilities [1] - 1:82:10
disabilities [1] - 1:82:15
disability [1] - 1:85:8
disconcerting [1] - 1:35:5
dispensing [1] - 1:65:11
dispose [1] - 1:51:14
distribution [1] - 1:31:3
divest [1] - 1:58:4
division [1] - 1:107:15
DJ [11] - 1:7:11; 1:8:12; 1:10:8, 17-18; 1:11:3, 6, 12, 15; 1:13:15
docket [1] - 1:109:9
document [1] - 1:117:16
documents [1] - 1:112:12
dollars [1] - 1:28:18
Dolphin [1] - 1:43:11
done [6] - 1:44:3; 1:45:19; 1:63:15; 1:68:6; 1:87:10;

1:95:17
door [2] - 1:3:6; 1:32:5
doors [2] - 1:13:12; 1:17:2
down [12] - 1:28:11; 1:29:2; 1:32:12; 1:33:19; 1:39:6; 1:40:9; 1:43:16; 1:48:15, 19; 1:111:18; 1:115:7
downgraded [1] - 1:112:12
drastically [1] - 1:35:4
drinking [1] - 1:53:9
drinks [4] - 1:15:8; 1:50:2; 1:51:2; 1:55:8
drive [3] - 1:21:9; 1:65:1; 1:112:17
driving [3] - 1:118:9, 12
due [1] - 1:106:4
during [1] - 1:14:1
East [1] - 1:84:9
eat [2] - 1:17:9; 1:45:19
eat-in [1] - 1:45:19
effects [1] - 1:19:3
eight [2] - 1:60:3; 1:80:12
either [8] - 1:32:2; 1:34:17; 1:37:16; 1:54:10; 1:68:17; 1:69:2; 1:88:2, 10
elaborate [2] - 1:56:2; 1:85:18
eligible [1] - 1:107:18
ELIZABETH [68] - 1:1:9; 1:3:2; 1:6:2, 13; 1:7:3; 1:19:13; 1:20:13; 1:26:14; 1:36:17; 1:51:19; 1:54:1, 4, 14; 1:57:9; 1:59:4; 1:60:4; 1:62:2; 1:67:9; 1:71:18; 1:76:12, 16; 1:79:6; 1:80:5; 1:81:15; 1:82:4; 1:83:3, 7, 9; 1:84:3, 7; 1:85:19; 1:86:15; 1:87:1; 1:91:2; 1:93:4, 14; 1:94:3, 8, 13; 1:95:8; 1:97:3, 6, 12; 1:98:16; 1:101:7, 10; 1:104:7; 1:106:2; 1:107:4; 1:110:1; 1:111:16; 1:112:7, 10, 14; 1:113:2, 5, 10, 13; 1:114:2, 7; 1:116:2, 10; 1:117:5; 1:118:3; 1:119:13, 17; 1:120:3, 18
Elizabeth [1] - 1:106:5
elsewhere [2] - 1:53:10; 1:87:10
email [2] - 1:30:3
emphasis [1] - 1:19:4
employed [1] - 1:73:2
employee [6] - 1:4:3; 1:41:3; 1:75:10; 1:109:6, 16; 1:110:5
Employee [1] - 1:4:18
employees [1] - 1:74:4
empty [1] - 1:41:10
encourage [1] - 1:118:18
end [1] - 1:22:11
endeavors [1] - 1:47:6
endorsement [1] - 1:82:2
enhance [2] - 1:12:12; 1:16:4
enjoy [3] - 1:17:9; 1:49:14
enjoyed [2] - 1:4:5; 1:26:4
enlarged [1] - 1:60:10
ensemble [1] - 1:13:12
ENTERPRISES [1] - 1:7:2
Enterprises [1] - 1:7:4
entertainment [22] - 1:7:7, 9; 1:8:11; 1:9:8, 12, 17; 1:10:8; 1:13:2, 9; 1:25:8; 1:97:16; 1:100:7, 13; 1:101:3, 9; 1:103:9, 14-15; 1:104:4; 1:105:6, 18
entrenched [1] - 1:49:12
environment [1] - 1:48:15
equipment [1] - 1:11:19
especially [1] - 1:69:13
essentially [1] - 1:101:9
establish [1] - 1:12:9
establishment [7] - 1:12:13; 1:15:16; 1:20:4; 1:21:4; 1:55:11; 1:59:2; 1:98:11
establishments [3] - 1:12:19; 1:14:9; 1:19:10
estate [1] - 1:58:4
evening [21] - 1:3:18; 1:5:10; 1:7:13, 17; 1:8:6; 1:10:11; 1:13:6; 1:22:19; 1:27:4, 10; 1:51:14; 1:57:3, 16; 1:62:9; 1:72:5, 8; 1:79:16; 1:91:6; 1:98:4; 1:106:9, 14
event [4] -

1:11:8; 1:23:12; 1:46:16; 1:112:16
events [2] - 1:31:1; 1:41:15
everyday [1] - 1:28:8
evidence [6] - 1:34:15; 1:37:8; 1:51:11; 1:53:13; 1:88:4, 12
exact [2] - 1:16:11; 1:92:4
exactly [2] - 1:54:9; 1:85:6
example [3] - 1:36:7; 1:48:17; 1:49:9
exceed [1] - 1:16:14
except [1] - 1:81:16
exception [1] - 1:108:13
excited [1] - 1:76:10
EXECUTIVE [68] - 1:1:9; 1:3:2; 1:6:2, 13; 1:7:3; 1:19:13; 1:20:13; 1:26:14; 1:36:17; 1:51:19; 1:54:1, 4, 14; 1:57:9; 1:59:4; 1:60:4; 1:62:2; 1:67:9; 1:71:18; 1:76:12, 16; 1:79:6; 1:80:5; 1:81:15; 1:82:4; 1:83:3, 7, 9; 1:84:3, 7; 1:85:19; 1:86:15; 1:87:1; 1:91:2; 1:93:4, 14; 1:94:3, 8, 13; 1:95:8; 1:97:3, 6, 12; 1:98:16; 1:101:7, 10; 1:104:7; 1:106:2; 1:107:4; 1:110:1; 1:111:16; 1:112:7, 10, 14; 1:113:2, 5, 10, 13; 1:114:2, 7; 1:116:2, 10; 1:117:5; 1:118:3; 1:119:13, 17; 1:120:3, 18
Executive [4] - 1:23:2; 1:82:9; 1:84:8; 1:106:5
exercised [1] - 1:79:9
existing [3] - 1:7:8; 1:8:17; 1:25:8
expand [1] - 1:84:16
expectation [1] - 1:37:18
expectations [1] - 1:32:1
expected [1] - 1:66:1
expensive [1] - 1:89:17
experience [22] - 1:9:9; 1:10:16; 1:12:13; 1:30:6, 10; 1:31:1, 4, 6, 19; 1:44:1, 14; 1:55:5; 1:56:1, 3, 13; 1:67:18; 1:73:19; 1:77:9, 13; 1:78:16; 1:80:10; 1:91:17
experiences [1] - 1:46:1
expires [1] - 1:122:16
explain [1] - 1:36:14
explanation [2] - 1:52:18; 1:101:18
express [1] - 1:84:10
extent [2] - 1:53:7; 1:56:18
extra [1] - 1:75:6
extremely [1] - 1:26:6
F-A-R-N-S-W-O-R-T-H [1] - 1:72:9
facial [1] - 1:82:1
facing [1] - 1:13:13
fact [8] - 1:22:2; 1:32:3; 1:33:18; 1:38:9; 1:78:16; 1:108:7; 1:117:13; 1:118:11
facto [1] - 1:74:8
facts [2] - 1:109:18; 1:117:17
fail [1] - 1:118:9
failure [1] - 1:94:6
fair [2] - 1:74:7; 1:118:8
familiar [2] - 1:16:6, 10
family [5] - 1:30:14; 1:55:14; 1:64:14; 1:95:16
fan [1] - 1:48:9
fantastic [1] - 1:69:9
far [5] - 1:35:10, 15; 1:36:11; 1:55:16; 1:74:15
farmer [4] - 1:62:5; 1:66:9; 1:67:11; 1:71:2
Farmers' [6] - 1:62:6; 1:63:4, 16; 1:66:10; 1:67:13; 1:71:3
farmers' [6] - 1:63:2, 14; 1:68:4, 18; 1:69:5; 1:70:2
FARNSWORTH [5] - 1:72:8, 17; 1:73:13; 1:76:3, 18
fast [2] - 1:28:1; 1:94:19
father [3] - 1:58:3, 16; 1:59:13
favor [12] - 1:25:13; 1:54:17; 1:61:10; 1:66:17; 1:71:8; 1:78:10; 1:90:12; 1:96:14; 1:102:6; 1:105:13; 1:115:1; 1:120:12

features [1] - 1:9:18
February [1] - 1:122:17
fee [1] - 1:94:12
feedback [1] - 1:76:19
fees [1] - 1:94:11
feet [1] - 1:60:18
FELIX [9] - 1:27:10; 1:29:1; 1:31:6; 1:35:10; 1:39:1; 1:53:15; 1:55:12; 1:57:5
Felix [1] - 1:27:11
fell [3] - 1:38:13; 1:39:17; 1:40:2
felony [6] - 1:107:12, 17; 1:108:3, 7; 1:109:2; 1:112:13
felt [1] - 1:5:18
few [2] - 1:44:16; 1:92:1
fiance [1] - 1:92:11
figure [2] - 1:39:12; 1:64:18
figured [1] - 1:18:15
figuring [1] - 1:83:11
filling [1] - 1:84:13
Fillipe's [1] - 1:48:17
film [1] - 1:40:18
FIRE [41] - 1:1:8; 1:18:5; 1:25:10, 15; 1:38:7, 14; 1:52:14; 1:54:19; 1:61:13; 1:67:1; 1:69:17; 1:70:8, 12; 1:71:6, 11; 1:78:1, 8, 12; 1:86:13; 1:87:4, 9, 13; 1:89:4; 1:90:9, 14; 1:95:12; 1:96:12, 17; 1:99:19; 1:101:15, 19; 1:102:5, 8; 1:104:10, 19; 1:105:8, 15; 1:115:2; 1:120:14; 1:121:6, 10
first [8] - 1:4:17; 1:8:7; 1:18:14; 1:29:11; 1:32:5; 1:63:15; 1:93:7; 1:113:11
five [2] - 1:75:14; 1:77:11
fix [1] - 1:103:4
flexibility [2] - 1:13:15; 1:14:14
flip [1] - 1:40:8
folks [1] - 1:23:18
follow [1] - 1:38:16
followed [1] - 1:79:1
food [19] - 1:14:18; 1:15:8; 1:17:9; 1:21:19; 1:22:9; 1:28:2, 6; 1:29:7, 13; 1:32:12; 1:43:5; 1:48:16; 1:49:14; 1:50:16; 1:75:1; 1:79:11; 1:82:3; 1:100:5, 14
foot [1] - 1:32:5
foreseen [1] - 1:46:3
former [1] - 1:18:13
forth [3] - 1:35:18; 1:69:18; 1:122:9
fortune [2] - 1:91:4; 1:96:9
forward [8] - 1:22:16; 1:40:17; 1:42:4; 1:45:5; 1:47:14; 1:50:8; 1:109:8; 1:111:5
forwarding [1] - 1:109:5
frankly [1] - 1:12:6
Friday [2] - 1:6:15; 1:12:17
front [3] - 1:41:11; 1:42:13; 1:60:17
fulfills [1] - 1:48:12
full [9] - 1:4:10; 1:9:5; 1:11:2; 1:12:11; 1:28:11; 1:32:14; 1:33:5; 1:40:9; 1:44:11
full-service [3] - 1:9:5; 1:12:11; 1:28:11
full-time [1] - 1:4:10
fully [1] - 1:16:16
future [2] - 1:115:19; 1:117:15
G-E-O-R-G-E [1] - 1:91:11
gaining [1] - 1:32:19
gap [1] - 1:94:5
GARDNER [181] - 1:1:7; 1:3:17; 1:6:7, 11; 1:7:13; 1:8:9; 1:12:14; 1:13:1; 1:14:11; 1:15:18; 1:16:5; 1:17:18; 1:18:3; 1:19:2; 1:20:11, 15; 1:22:13; 1:24:16; 1:25:4, 12, 17; 1:26:10; 1:27:4, 14; 1:31:13; 1:33:11, 16; 1:34:5, 8; 1:38:5; 1:39:11; 1:40:7, 14; 1:41:19; 1:45:1; 1:47:10; 1:50:5; 1:51:3; 1:52:7, 16; 1:53:17; 1:54:3, 12, 16; 1:55:2, 18; 1:56:16; 1:57:15; 1:58:6, 15;

1:59:1, 6, 16; 1:60:11, 14, 19; 1:61:2, 10, 14; 1:62:9, 14, 17; 1:63:5, 8, 11; 1:64:3, 7; 1:65:3, 10, 13, 19; 1:66:5, 14, 16; 1:67:2, 17; 1:68:10, 13, 16; 1:70:5, 14, 17; 1:71:7, 12; 1:72:5, 14; 1:73:11; 1:74:7, 12; 1:75:12; 1:76:14; 1:77:1, 19; 1:78:2, 9, 13; 1:79:16; 1:80:2, 9, 17; 1:81:3, 6, 13, 19; 1:82:6, 8; 1:83:5, 8, 14; 1:84:5; 1:87:14; 1:90:2, 11, 15; 1:91:6, 15; 1:92:6, 15, 19; 1:93:6, 10; 1:94:5, 10, 15; 1:95:2, 10, 13; 1:96:2, 5, 13, 18; 1:97:8; 1:98:4, 18; 1:99:7, 17; 1:100:2, 10, 18; 1:101:8, 11, 17; 1:102:2, 6; 1:105:2, 10, 16; 1:106:9, 17; 1:107:1; 1:108:1, 16; 1:109:7, 13; 1:110:8, 12, 14; 1:111:7; 1:112:1; 1:113:18; 1:114:4, 12, 19; 1:115:4; 1:116:3, 8, 12, 18; 1:117:7, 10; 1:118:5, 13; 1:119:8, 15; 1:120:1, 7, 11, 16; 1:121:2, 7, 12

Gardner [1] - 1:3:13

gas [1] - 1:8:18

general [1] - 1:19:5

General [1] - 1:3:8

GENERAL [1] - 1:1:5

generally [1] - 1:69:12

generates [1] - 1:69:19

GEORGE [14] - 1:91:1, 10, 14, 18; 1:92:9, 18; 1:93:2, 8; 1:94:1, 16; 1:95:18; 1:97:1, 5, 9

George [2] - 1:91:3, 10

GERALD [40] - 1:18:5; 1:25:10, 15; 1:38:7, 14; 1:52:14; 1:54:19; 1:61:13; 1:67:1; 1:69:17; 1:70:8, 12; 1:71:6, 11; 1:78:1, 8, 12; 1:86:13; 1:87:4, 9, 13; 1:89:4; 1:90:9, 14; 1:95:12; 1:96:12, 17; 1:99:19; 1:101:15, 19; 1:102:5, 8; 1:104:10, 19; 1:105:8, 15; 1:115:2; 1:120:14; 1:121:6, 10

Gerald [1] - 1:3:13

gesturing [1] - 1:82:2

glass [1] - 1:43:17

glasses [1] - 1:20:1

Globe [3] - 1:29:18; 1:43:4; 1:76:7

go-to [1] - 1:49:9

gonna [3] - 1:21:12; 1:24:10; 1:85:6

goods [1] - 1:99:2

Gourmet [2] - 1:80:7; 1:83:2

grade [1] - 1:85:13

grandfather [1] - 1:59:9

grandmother [2] - 1:95:17

granted [1] - 1:79:10

great [6] - 1:4:5; 1:29:19; 1:47:1; 1:49:14; 1:69:5; 1:76:5

greater [1] - 1:85:13

greatly [1] - 1:85:1

grew [2] - 1:30:11; 1:56:7

Grill [1] - 1:26:15

GRILL [2] - 1:2:6; 1:26:12

grocery [2] - 1:60:1, 15

GROUP [1] - 1:71:16

Group [1] - 1:71:19

growing [3] - 1:9:6; 1:29:4; 1:35:8

guess [4] - 1:33:6; 1:38:14; 1:48:7, 16

guests [1] - 1:49:8

guilty [14] - 1:107:11; 1:109:17; 1:110:18; 1:111:1, 3-4, 11, 13, 15; 1:112:5; 1:117:8, 11, 14, 17

guitar [1] - 1:100:9

guy [1] - 1:76:11

guys [4] - 1:24:11; 1:28:3; 1:36:9; 1:79:3

H-E-R-E-D-I-A [2] - 1:72:11, 13

Haas [1] - 1:3:14

HAAS [63] - 1:1:8; 1:15:7, 11; 1:18:8, 17; 1:22:1; 1:25:11, 16; 1:30:9; 1:34:10; 1:36:13; 1:37:7, 13; 1:47:5; 1:51:15; 1:52:2, 15;

1:55:1; 1:61:1, 9, 12; 1:64:9, 17; 1:65:6; 1:66:15, 19; 1:70:16; 1:71:10; 1:77:5, 8, 15; 1:78:11; 1:85:11; 1:86:9; 1:89:5; 1:90:5, 13; 1:91:12; 1:96:16; 1:102:9, 14, 19; 1:103:11; 1:104:1, 13; 1:105:14; 1:110:15; 1:112:3, 9, 11, 18; 1:113:4, 7, 12; 1:114:9, 17; 1:115:3; 1:117:3; 1:120:5, 10, 15; 1:121:4, 11

Hackey [1] - 1:107:14

Hackney [9] - 1:106:3, 7, 18; 1:107:19; 1:108:4; 1:111:19; 1:113:3; 1:118:14

HACKNEY [1] - 1:2:19

Hadley [1] - 1:68:15

half [2] - 1:28:18; 1:93:2

hall [1] - 1:99:12

hand [4] - 1:12:6; 1:35:7; 1:109:15; 1:122:11

handle [1] - 1:85:9

handling [1] - 1:31:4

happy [2] - 1:46:17; 1:84:16

hard [1] - 1:68:1

harm [1] - 1:37:3

Harvard [12] - 1:11:10; 1:23:3, 7; 1:33:4; 1:45:10, 15-16; 1:48:1-3; 1:53:10

Harvard's [1] - 1:48:3

head [1] - 1:77:4

hear [2] - 1:47:17; 1:116:19

HEARD [1] - 1:2:16

heard [21] - 1:6:9; 1:12:7; 1:22:14; 1:24:19; 1:39:14, 16; 1:40:16; 1:42:3; 1:45:4; 1:47:13; 1:50:7; 1:51:6; 1:61:3; 1:63:18; 1:66:7; 1:70:18; 1:78:3; 1:84:2; 1:94:18; 1:96:6; 1:100:19

hearing [7] - 1:4:1, 7; 1:51:18; 1:87:15; 1:89:3; 1:93:15; 1:122:9

Hearing [4] - 1:3:9; 1:51:9; 1:52:9, 11

HEARING [2] - 1:1:2, 5

hearings [1] - 1:52:19

held [2] - 1:52:10; 1:77:5

help [2] - 1:41:14; 1:53:12

helpful [4] - 1:26:6; 1:52:4; 1:63:17; 1:86:6

helping [1] - 1:83:11

hereby [1] - 1:122:7

Heredia [1] - 1:72:4

HEREDIA [12] - 1:72:10, 12; 1:74:11, 15; 1:75:3, 8, 14; 1:77:3, 7, 10, 17; 1:79:2

herein [1] - 1:122:9

hereunto [1] - 1:122:11

highlight [1] - 1:50:1

hired [1] - 1:72:18

hiring [1] - 1:73:17

history [1] - 1:93:13

hit [1] - 1:83:16

Hit [2] - 1:71:19; 1:72:11

HIT [2] - 1:2:12; 1:71:17

hold [1] - 1:107:18

holder [9] - 1:6:4; 1:7:5; 1:26:17; 1:57:11; 1:62:4; 1:67:11; 1:72:1; 1:97:15; 1:106:4

home [2] - 1:5:5; 1:76:1

hope [6] - 1:5:16; 1:8:9; 1:22:1; 1:44:15; 1:79:3; 1:90:16

HOPE [11] - 1:7:17, 19; 1:8:10; 1:10:3; 1:12:16; 1:13:8; 1:16:12; 1:17:15; 1:20:17; 1:25:3; 1:26:3

Hope [3] - 1:7:19; 1:8:1; 1:25:2

hopefully [6] - 1:35:17; 1:38:19; 1:68:7; 1:69:15; 1:78:17, 19

hospital [2] - 1:110:6, 10

Hospitality [1] - 1:23:15

hosting [2] - 1:10:14; 1:11:8

hour [4] - 1:65:1; 1:99:14; 1:100:12

hours [21] - 1:12:15; 1:13:14; 1:14:12; 1:27:1; 1:73:4; 1:79:14; 1:99:8;

1:102:10; 1:103:1, 5, 7, 10, 13, 17; 1:104:3, 9, 12, 15; 1:105:4
house [1] - 1:99:2
housekeeping [1] - 1:54:2
huge [1] - 1:102:18
hurdle [1] - 1:38:1
hurt [1] - 1:40:11
husband [1] - 1:72:18
husband's [1] - 1:30:14
ice [1] - 1:31:12
idea [3] - 1:18:16; 1:64:13; 1:93:9
ideas [1] - 1:99:5
identify [7] - 1:7:15; 1:27:6; 1:57:17; 1:62:11; 1:72:7; 1:91:8; 1:98:6
iffy [1] - 1:36:3
image [1] - 1:113:7
immediate [2] - 1:23:10; 1:50:18
immediately [3] - 1:23:6; 1:42:10; 1:73:15
important [4] - 1:43:19; 1:56:11; 1:90:18; 1:115:14
IN [2] - 1:1:5; 1:122:11
in-house [1] - 1:99:2
inappropriate [1] - 1:118:15
inaudible [1] - 1:49:10
INC [4] - 1:1:18; 1:57:7; 1:62:1; 1:79:5
Inc [3] - 1:57:10; 1:62:3; 1:79:7
inch [1] - 1:82:13
incident [3] - 1:112:2; 1:113:11; 1:116:1
inclined [1] - 1:51:16
include [4] - 1:7:9; 1:97:18; 1:101:3; 1:105:3
including [1] - 1:82:16
inconsistently [1] - 1:118:17
increase [1] - 1:9:7
increasing [2] - 1:24:3; 1:104:9
INDEX [1] - 1:2:1
indicate [1] - 1:37:17
indicated [4] - 1:19:19; 1:35:2; 1:102:15; 1:110:4
individual [1] - 1:110:9
information [3] - 1:96:11; 1:118:14, 19
infrastructure [1] - 1:9:1
Inman's [1] - 1:80:15
inquire [1] - 1:6:18
inquiry [1] - 1:53:3
installation [1] - 1:82:17
instead [1] - 1:32:19
institution [2] - 1:48:5, 18
instruments [2] - 1:7:10; 1:97:19
intend [1] - 1:14:19
intended [1] - 1:32:4
intending [1] - 1:17:12
intent [1] - 1:88:15
intention [8] - 1:10:8, 13; 1:13:11, 16; 1:16:12; 1:17:5; 1:18:5; 1:22:12
interest [1] - 1:53:9
interested [2] - 1:14:13; 1:33:18
interesting [1] - 1:42:7
interests [1] - 1:115:10
INTERNATIONAL [1] - 1:7:1
international [3] - 1:30:18; 1:75:18
International [2] - 1:7:4; 1:8:3
international-based [1] - 1:75:19
interrupt [1] - 1:76:4
involved [2] - 1:18:14; 1:55:7
iPod [2] - 1:11:5; 1:17:15
island [1] - 1:10:19
issue [6] - 1:12:3; 1:51:12; 1:69:10; 1:89:16; 1:101:9; 1:115:10
issues [18] - 1:9:2; 1:20:19; 1:54:2, 5; 1:56:8; 1:59:2; 1:63:8; 1:69:2, 15; 1:74:13, 16-18; 1:81:13; 1:82:15; 1:86:16; 1:89:19; 1:115:16
itself [4] - 1:10:1; 1:21:4, 8; 1:40:4
J-I-L-L-S-O-N [1] - 1:23:1
Jackson [1] - 1:4:13
January [3] - 1:62:7; 1:66:10; 1:67:14
Jason [1] - 1:84:8
jazz [4] - 1:10:10; 1:13:11; 1:17:18; 1:25:19
jeopardize [1] - 1:50:3
JFK [1] - 1:13:13
Jill [2] - 1:122:6, 14
Jillson [1] - 1:42:5

JILLSON [2] - 1:22:19; 1:42:6
job [6] - 1:4:5, 14, 17; 1:5:8, 14; 1:116:5
jobs [1] - 1:5:4
juke [1] - 1:11:4
K-R-I-T-H-I-K-A [1] - 1:45:8
keen [1] - 1:73:19
keep [3] - 1:14:19; 1:16:13; 1:69:9
Kendall [1] - 1:6:5
KENNETH [1] - 1:50:10
Kenneth [1] - 1:50:11
kept [1] - 1:16:19
kind [8] - 1:11:15; 1:27:5; 1:46:17; 1:57:16; 1:74:8; 1:79:17; 1:91:7; 1:98:5
kind've [4] - 1:36:3; 1:68:18; 1:73:5
kinda [1] - 1:22:7
kinds [1] - 1:115:16
Kitchen [1] - 1:16:16
known [1] - 1:9:11
Kourafas [2] - 1:122:6, 14
Krithika [1] - 1:48:1
KRITHIKA [2] - 1:45:8; 1:47:9
L-I-S-L-E [1] - 1:62:13
Lamone [1] - 1:44:9
Lampoon [1] - 1:45:16
lapsed [1] - 1:94:14
large [2] - 1:9:18; 1:14:1
last [28] - 1:4:1; 1:7:14; 1:8:7; 1:18:13; 1:22:17; 1:27:5; 1:30:3; 1:40:18; 1:45:6, 8; 1:47:15; 1:50:9; 1:62:10; 1:63:3, 9, 16; 1:65:6; 1:72:6; 1:73:14; 1:80:4; 1:91:8; 1:98:6; 1:106:11, 16; 1:108:3; 1:111:8; 1:113:8
late [4] - 1:4:19; 1:13:6; 1:26:1; 1:99:4
Latin [2] - 1:48:9, 13
latter [1] - 1:46:1
Law [1] - 1:8:1
law [1] - 1:111:14
laws [2] - 1:33:9; 1:56:12
lawyer [5] - 1:110:19; 1:111:1, 12; 1:119:7
layout [2] - 1:9:18; 1:21:3
lead [1] - 1:50:4
lease [1] - 1:80:19
least [8] - 1:4:8; 1:14:15; 1:51:10; 1:52:5; 1:73:4; 1:101:17; 1:104:17; 1:112:4
leave [4] - 1:32:12; 1:34:17; 1:36:12; 1:108:11
left [2] - 1:5:3; 1:84:13
Legal [1] - 1:8:1
LEO [1] - 1:41:1
Leo [1] - 1:41:1
Lesley [2] - 1:97:14; 1:99:14
LESLEY [1] - 1:2:18
less [2] - 1:10:12; 1:44:10
letter [6] - 1:73:15; 1:82:9, 19; 1:83:6; 1:84:17; 1:109:1
letters [3] - 1:36:9; 1:53:13; 1:84:4
level [3] - 1:17:1; 1:98:3; 1:101:4
liability [1] - 1:74:2
License [8] - 1:3:8; 1:4:11; 1:12:8; 1:106:4; 1:107:15; 1:118:19; 1:119:3; 1:122:15
LICENSE [4] - 1:1:2, 5-6; 1:2:19
license [91] - 1:4:11; 1:6:5; 1:7:6, 9; 1:8:11; 1:9:2, 12; 1:11:2; 1:20:1; 1:25:8; 1:26:17, 19; 1:27:2; 1:28:14, 19; 1:29:8, 16; 1:30:4, 8; 1:31:15; 1:32:2, 4; 1:34:13; 1:36:10, 16, 19; 1:39:3, 19; 1:55:11, 13; 1:56:6, 9, 15; 1:57:12; 1:62:5; 1:65:18; 1:66:9; 1:67:12; 1:71:2; 1:72:2; 1:73:1; 1:74:6; 1:76:1; 1:77:6; 1:79:9; 1:84:11; 1:88:8; 1:91:4; 1:92:4, 8, 10, 14; 1:93:16, 18; 1:94:7, 18; 1:96:10; 1:97:1, 16, 18; 1:100:8; 1:101:3; 1:102:15, 19; 1:103:10, 14-15, 19; 1:104:5;

1:105:6; 1:106:8, 18; 1:107:8, 19; 1:108:4, 14; 1:111:19; 1:113:1, 3, 9, 15; 1:114:1, 8-9, 11, 15; 1:115:11
licensee [2] - 1:8:18; 1:12:3
licensees [1] - 1:26:7
licenses [2] - 1:55:15; 1:77:9
licensing [1] - 1:5:16
life [1] - 1:11:16
line [3] - 1:69:18; 1:70:4; 1:95:4
LINT [68] - 1:1:9; 1:3:2; 1:6:2, 13; 1:7:3; 1:19:13; 1:20:13; 1:26:14; 1:36:17; 1:51:19; 1:54:1, 4, 14; 1:57:9; 1:59:4; 1:60:4; 1:62:2; 1:67:9; 1:71:18; 1:76:12, 16; 1:79:6; 1:80:5; 1:81:15; 1:82:4; 1:83:3, 7, 9; 1:84:3, 7; 1:85:19; 1:86:15; 1:87:1; 1:91:2; 1:93:4, 14; 1:94:3, 8, 13; 1:95:8; 1:97:3, 6, 12; 1:98:16; 1:101:7, 10; 1:104:7; 1:106:2; 1:107:4; 1:110:1; 1:111:16; 1:112:7, 10, 14; 1:113:2, 5, 10, 13; 1:114:2, 7; 1:116:2, 10; 1:117:5; 1:118:3; 1:119:13, 17; 1:120:3, 18
Lint [12] - 1:3:18; 1:19:10; 1:54:13; 1:59:3; 1:73:14; 1:81:14; 1:86:11; 1:93:12; 1:95:6; 1:106:6; 1:107:1; 1:119:12
Lint's [1] - 1:114:14
liquor [16] - 1:28:14, 18; 1:30:4, 8; 1:31:2; 1:32:2, 4; 1:36:16; 1:56:5, 9, 15; 1:59:17; 1:60:12, 16; 1:77:6, 9
Liquors [2] - 1:57:11; 1:58:2
LIQUORS [2] - 1:2:7; 1:57:8
LISLE [14] - 1:62:13, 16; 1:63:1, 7, 10, 13; 1:64:6, 13; 1:65:1, 9, 12, 15; 1:66:3, 13
Lisle [1] - 1:62:16
list [1] - 1:13:14
listed [5] - 1:54:6; 1:61:7; 1:72:15; 1:78:6; 1:109:1
literary [1] - 1:48:3
live [16] - 1:7:9; 1:8:12; 1:9:7, 16; 1:10:5, 8, 10, 12; 1:13:9; 1:16:17; 1:17:6; 1:50:12; 1:68:5; 1:97:19; 1:101:9; 1:103:9
lively [1] - 1:49:3
LLC [9] - 1:6:3; 1:7:2, 4; 1:8:4; 1:26:12, 15; 1:62:1, 4; 1:97:14
locally [1] - 1:84:16
location [12] - 1:8:16; 1:18:14; 1:33:4; 1:38:7; 1:46:9; 1:81:9; 1:82:11; 1:84:14; 1:87:6; 1:96:10
locations [3] - 1:33:7; 1:80:18; 1:86:1
Lombardi [2] - 1:1:13; 1:3:10
look [10] - 1:28:14; 1:35:16; 1:36:15; 1:65:16; 1:69:13; 1:75:6; 1:111:17; 1:112:12; 1:119:1
looked [1] - 1:41:11
looking [1] - 1:51:18
looks [1] - 1:38:10
losing [5] - 1:23:4; 1:28:8; 1:32:19; 1:35:9; 1:40:13
louder [1] - 1:17:14
lounge [1] - 1:12:5
love [1] - 1:63:13
loved [2] - 1:42:14; 1:64:1
lovely [3] - 1:24:5; 1:42:17; 1:48:18
luck [6] - 1:25:19; 1:67:5; 1:78:15; 1:97:8; 1:105:18; 1:119:10
lucrative [1] - 1:22:9
lunch [1] - 1:14:1
M-A-N-L-E-Y [1] - 1:98:9
M-C-L-E-O-D [1] - 1:79:19
M-U-L-L-E-R [1] - 1:8:8
ma'am [1] - 1:55:19

machine [1] - 1:98:2
magazine [1] - 1:48:4
main [2] - 1:29:15; 1:42:14
maintain [1] - 1:115:15
majority [1] - 1:32:16
manage [2] - 1:80:15; 1:81:7
managed [2] - 1:55:16; 1:80:14
management [1] - 1:58:12
Manager [1] - 1:4:18
manager [21] - 1:6:4; 1:7:5; 1:26:17; 1:27:9, 12; 1:30:19; 1:41:4; 1:55:10; 1:57:11; 1:58:13; 1:72:1, 4, 16; 1:73:1, 9, 18; 1:74:1; 1:78:6; 1:79:8; 1:81:8; 1:97:15
managing [3] - 1:31:7; 1:55:12, 17
Manhattan [1] - 1:59:11
Manley [2] - 1:97:15; 1:98:8
MANLEY [11] - 1:98:8, 19; 1:99:10; 1:100:7, 15; 1:102:12, 17; 1:103:8, 18; 1:104:16; 1:105:19
margarita [2] - 1:29:12; 1:50:15
margaritas [5] - 1:28:6; 1:30:1; 1:33:8; 1:43:18
market [5] - 1:44:13; 1:59:11; 1:64:1, 4; 1:68:18
Market [7] - 1:59:18; 1:62:7; 1:63:4, 16; 1:66:10; 1:67:13; 1:71:3
markets [7] - 1:63:2, 14; 1:64:10; 1:68:4; 1:69:5; 1:70:3
married [1] - 1:75:9
MAS [1] - 1:26:13
Mas [3] - 1:26:16; 1:41:7; 1:48:12
mass [1] - 1:68:5
Mass [3] - 1:68:15; 1:91:5; 1:97:16
Massachusetts [9] - 1:1:14; 1:3:11; 1:26:18; 1:33:10; 1:57:13; 1:69:7; 1:122:3, 7
materials [1] - 1:53:5
matter [28] - 1:3:15; 1:4:9; 1:6:9, 17; 1:22:15; 1:24:19; 1:40:16; 1:42:3; 1:51:6, 8, 14, 16; 1:52:8; 1:61:4; 1:66:7; 1:70:19; 1:74:9; 1:78:4; 1:84:2; 1:87:15; 1:89:2; 1:96:7; 1:101:1; 1:107:10, 12; 1:108:11; 1:115:8; 1:117:15
MATTERS [1] - 1:2:2
maximum [1] - 1:14:13
McLeod [1] - 1:79:8
MCLEOD [18] - 1:79:19; 1:80:6, 11, 19; 1:81:5, 8, 17; 1:82:7; 1:83:1, 13; 1:85:3; 1:86:7, 18; 1:87:3, 7, 11; 1:90:1, 7
meal [1] - 1:43:18
mean [7] - 1:15:19; 1:35:11; 1:40:2; 1:69:4; 1:76:3, 13; 1:117:4
meaning [3] - 1:32:11; 1:35:14; 1:40:3
means [4] - 1:15:2; 1:20:1; 1:44:16; 1:55:9
meant [2] - 1:16:1; 1:40:5
measured [1] - 1:16:8
meet [5] - 1:38:4; 1:51:17; 1:83:10; 1:89:9; 1:92:16
meeting [4] - 1:52:10; 1:80:4; 1:88:2, 10
member [1] - 1:45:10
members [22] - 1:6:8; 1:8:4; 1:22:14; 1:23:7; 1:24:18; 1:40:15; 1:42:2, 10; 1:45:3; 1:47:12, 16; 1:49:6; 1:50:6, 18; 1:51:5; 1:61:2; 1:66:6; 1:70:17; 1:78:2; 1:84:1; 1:96:5; 1:100:18
MEMBERS [1] - 1:1:6
Members [1] - 1:7:18
memory [2] - 1:60:15; 1:95:13
mention [2] - 1:20:6; 1:50:16
mentioned [3] - 1:13:4; 1:29:19; 1:101:5
menu [3] - 1:28:12; 1:75:18
met [1] - 1:92:18

MEXICAN [2] - 1:2:6; 1:26:12
Mexican [10] - 1:26:15; 1:28:2, 6; 1:29:12; 1:33:3; 1:43:18; 1:48:13, 16; 1:49:17; 1:51:1
Mexico [1] - 1:31:2
MICHAEL [181] - 1:1:7; 1:3:17; 1:6:7, 11; 1:7:13; 1:8:9; 1:12:14; 1:13:1; 1:14:11; 1:15:18; 1:16:5; 1:17:18; 1:18:3; 1:19:2; 1:20:11, 15; 1:22:13; 1:24:16; 1:25:4, 12, 17; 1:26:10; 1:27:4, 14; 1:31:13; 1:33:11, 16; 1:34:5, 8; 1:38:5; 1:39:11; 1:40:7, 14; 1:41:19; 1:45:1; 1:47:10; 1:50:5; 1:51:3; 1:52:7, 16; 1:53:17; 1:54:3, 12, 16; 1:55:2, 18; 1:56:16; 1:57:15; 1:58:6, 15; 1:59:1, 6, 16; 1:60:11, 14, 19; 1:61:2, 10, 14; 1:62:9, 14, 17; 1:63:5, 8, 11; 1:64:3, 7; 1:65:3, 10, 13, 19; 1:66:5, 14, 16; 1:67:2, 17; 1:68:10, 13, 16; 1:70:5, 14, 17; 1:71:7, 12; 1:72:5, 14; 1:73:11; 1:74:7, 12; 1:75:12; 1:76:14; 1:77:1, 19; 1:78:2, 9, 13; 1:79:16; 1:80:2, 9, 17; 1:81:3, 6, 13, 19; 1:82:6, 8; 1:83:5, 8, 14; 1:84:5; 1:87:14; 1:90:2, 11, 15; 1:91:6, 15; 1:92:6, 15, 19; 1:93:6, 10; 1:94:5, 10, 15; 1:95:2, 10, 13; 1:96:2, 5, 13, 18; 1:97:8; 1:98:4, 18; 1:99:7, 17; 1:100:2, 10, 18; 1:101:8, 11, 17; 1:102:2, 6; 1:105:2, 10, 16; 1:106:9, 17; 1:107:1; 1:108:1, 16; 1:109:7, 13; 1:110:8, 12, 14; 1:111:7; 1:112:1; 1:113:18; 1:114:4, 12, 19; 1:115:4; 1:116:3, 8, 12, 18; 1:117:7, 10; 1:118:5, 13; 1:119:8, 15; 1:120:1, 7, 11, 16; 1:121:2, 7, 12
Michael [3] - 1:1:13; 1:3:10, 13
middle [1] - 1:10:19
might [4] - 1:46:13; 1:51:11; 1:56:18; 1:85:15
million [1] - 1:28:18
mind [1] - 1:38:3
minor [1] - 1:111:14
minute [1] - 1:83:18
minutes [2] - 1:119:15; 1:120:8
misdemeanor [2] - 1:111:4; 1:112:13
missed [1] - 1:85:2
missing [1] - 1:30:1
mistake [2] - 1:108:6; 1:109:10
misunderstood [1] - 1:20:12
MIT [1] - 1:49:10
mobility [1] - 1:82:15
model [5] - 1:39:17; 1:43:2; 1:63:12; 1:68:4, 19
modern [1] - 1:11:4
modified [1] - 1:104:4
Monday [1] - 1:102:12
monitored [1] - 1:16:19
months [16] - 1:8:15; 1:9:4; 1:27:19; 1:28:5; 1:32:7; 1:35:3; 1:38:10; 1:42:9; 1:44:17; 1:45:17; 1:75:15; 1:77:11; 1:92:13; 1:94:17; 1:104:17
Morgan [2] - 1:76:9, 11
morning [1] - 1:14:19
mornings [1] - 1:26:1
most [3] - 1:99:11; 1:114:16
mostly [1] - 1:69:7
motion [32] - 1:25:5, 12; 1:52:8, 12-13, 16; 1:54:16; 1:61:5; 1:66:8, 16; 1:67:4; 1:71:1, 7; 1:78:5, 9; 1:88:6; 1:90:4, 11; 1:96:8, 13; 1:101:2; 1:102:3; 1:105:3, 12; 1:114:13, 18-19; 1:120:8, 11; 1:121:2, 4, 7
Mount [1] - 1:7:7

moved [1] - 1:31:11
moving [1] - 1:81:1
Muehe [4] - 1:83:10; 1:88:2, 10; 1:90:8
muehe [2] - 1:89:9, 14
Muller [3] - 1:8:5; 1:19:18; 1:20:18
MULLER [16] - 1:8:6; 1:10:1; 1:14:4, 18; 1:15:9, 13; 1:16:3, 10; 1:17:12; 1:18:1, 7, 12; 1:19:1; 1:20:9; 1:21:17; 1:22:10
multiple [1] - 1:18:19
music [14] - 1:7:9; 1:8:12; 1:10:12; 1:11:5, 12; 1:14:8; 1:15:14; 1:16:17; 1:17:10, 15; 1:24:5; 1:98:2; 1:101:4
musical [1] - 1:97:19
NADA [5] - 1:72:10; 1:75:3, 14; 1:77:3
Nada [3] - 1:72:10, 17; 1:73:6
name [35] - 1:6:16; 1:7:15; 1:8:7, 13; 1:18:9, 16, 18; 1:19:3, 5, 12; 1:20:18; 1:21:8, 11; 1:22:18; 1:25:6; 1:27:11; 1:41:1; 1:45:6, 9; 1:47:15, 18; 1:50:9; 1:57:16, 19; 1:62:11; 1:76:8; 1:77:6; 1:79:18; 1:91:8; 1:98:6; 1:106:11, 15
named [1] - 1:32:10
names [1] - 1:27:6
nasty [1] - 1:76:17
Natick [2] - 1:68:6, 8
national [3] - 1:30:19; 1:49:12; 1:76:10
national-wide [1] - 1:76:10
necessarily [1] - 1:17:10
necessary [1] - 1:32:8
need [18] - 1:13:19; 1:14:1; 1:34:13; 1:36:10, 18; 1:37:1, 8, 14; 1:53:10; 1:54:8; 1:57:1; 1:78:19; 1:89:1, 11; 1:103:4, 16; 1:104:2; 1:120:19
needed [2] - 1:86:3; 1:94:19
needs [1] - 1:37:1
negotiate [1] - 1:28:17
neighbor [1] - 1:61:17
neighborhood [9] - 1:14:10; 1:37:1, 4, 6; 1:41:10, 18; 1:44:6; 1:50:12; 1:84:13
never [10] - 1:21:4; 1:55:9; 1:69:10, 15; 1:92:12; 1:93:16; 1:94:6, 9
new [9] - 1:4:10; 1:6:16; 1:15:16; 1:26:18; 1:77:2; 1:104:4; 1:105:18; 1:114:8, 15
next [7] - 1:4:1, 6; 1:51:9, 18; 1:53:11; 1:87:15; 1:89:3
next-to-last [1] - 1:4:1
nice [3] - 1:41:12; 1:48:15; 1:85:3
NICOLE [11] - 1:67:7, 15; 1:68:1, 12, 15; 1:69:4; 1:70:1, 7, 10, 13
Nicole [1] - 1:67:10
night [4] - 1:11:15; 1:17:14; 1:97:9; 1:99:4
nightclub [3] - 1:14:8; 1:22:4; 1:24:10
nights [2] - 1:99:11
NO [1] - 1:2:3
noise [4] - 1:16:6, 8, 14; 1:49:17
nonalcoholic [2] - 1:68:2; 1:79:11
nondescript [1] - 1:60:1
none [20] - 1:25:18; 1:51:7; 1:55:3; 1:59:4; 1:61:5, 15; 1:66:8; 1:67:3; 1:71:1, 13; 1:78:5, 14; 1:90:16; 1:96:8, 19; 1:101:2; 1:105:17; 1:115:5; 1:120:17; 1:121:13
nonrenewal [2] - 1:112:8; 1:113:19
Nookie [2] - 1:6:3
NOOKIE [2] - 1:2:3; 1:6:1
noon [1] - 1:42:16
Norfolk [1] - 1:122:4
NOT [1] - 1:2:16
Notary [2] - 1:122:6, 16
notation [1] - 1:109:15
note [3] - 1:9:16; 1:42:5; 1:68:17
nothing [1] - 1:70:9
notice [2] -

1:6:12; 1:94:11
noticed [1] - 1:28:4
notified [1] - 1:73:13
November [5] - 1:1:15; 1:3:9; 1:4:4; 1:87:16; 1:122:12
number [3] - 1:44:5; 1:50:13; 1:59:11
numbers [1] - 1:48:5
O-B-E-R-N [1] - 1:41:5
Obern [1] - 1:41:5
observed [1] - 1:16:8
observer [2] - 1:5:10, 12
obtain [1] - 1:114:15
obviously [1] - 1:38:15
occasionally [2] - 1:34:11; 1:75:1
occupancy [2] - 1:21:13; 1:79:13
occupants [1] - 1:23:9
October [4] - 1:97:13; 1:119:19; 1:120:8, 19
Octoberfest [2] - 1:23:11; 1:42:12
OF [3] - 1:1:3; 1:2:1; 1:61:19
offense [1] - 1:107:17
offer [4] - 1:42:15; 1:43:16; 1:48:14; 1:69:12
offered [1] - 1:4:13
offering [3] - 1:11:15; 1:44:11; 1:104:18
Office [1] - 1:4:19
office [3] - 1:54:11; 1:56:19; 1:81:16
Officer [3] - 1:106:7; 1:107:5; 1:113:14
officer [10] - 1:109:4, 11-12, 14; 1:110:3, 7, 10; 1:115:9
officers [1] - 1:61:6
officers/ directors [1] - 1:57:14
Offices [1] - 1:8:1
OFFICIAL [1] - 1:1:18
official [1] - 1:19:12
often [1] - 1:31:14
oftentimes [1] - 1:37:15
old [1] - 1:47:7
on-line [2] - 1:69:18; 1:70:4
once [1] - 1:69:17
one [29] - 1:8:3, 16; 1:18:13; 1:19:2; 1:28:15; 1:31:13; 1:35:2, 7; 1:36:7; 1:37:19; 1:38:17; 1:39:2, 11; 1:41:13; 1:45:13; 1:48:11; 1:63:10; 1:75:9; 1:83:14; 1:93:1; 1:98:13; 1:99:5; 1:103:4, 8, 12; 1:113:6; 1:120:19
ones [1] - 1:32:17
open [18] - 1:3:6; 1:8:15; 1:9:4; 1:16:16; 1:17:2; 1:27:18; 1:75:14; 1:87:7; 1:88:17; 1:89:15, 18; 1:98:19; 1:102:12, 15-16; 1:116:17; 1:117:1
opened [4] - 1:6:15, 17; 1:23:8; 1:80:11
opening [1] - 1:89:12
operate [4] - 1:62:6; 1:67:12; 1:81:4; 1:102:11
operated [2] - 1:60:12
operates [1] - 1:84:15
operating [9] - 1:74:6; 1:92:7; 1:93:16, 18; 1:103:2, 5, 7, 12; 1:104:3
operation [6] - 1:22:4; 1:27:16; 1:59:2; 1:79:14; 1:80:18; 1:105:4
operations [3] - 1:8:5; 1:98:9; 1:118:14
operator [1] - 1:84:14
opportunities [1] - 1:74:13
opportunity [6] - 1:43:3; 1:51:17; 1:52:3; 1:53:11; 1:114:11, 15
opposed [14] - 1:18:18; 1:25:18; 1:32:7; 1:55:3; 1:61:15; 1:67:3; 1:71:13; 1:78:14; 1:90:16; 1:96:19; 1:105:17; 1:115:5; 1:120:17; 1:121:13
opposition [1] - 1:53:6
order [2] - 1:32:11; 1:121:3
ordinance [1] - 1:16:14
ordinances [1] - 1:16:6
organizations [1] - 1:45:15
original [2] - 1:38:11; 1:112:16
originally [6] - 1:28:1; 1:32:10; 1:33:12; 1:34:3; 1:75:17; 1:111:19
Orleans [1] -

1:63:2
otherwise [1] - 1:74:19
ought [1] - 1:44:7
ourselves [1] - 1:108:10
out-of-hand [1] - 1:12:6
outside [2] - 1:13:18; 1:16:8
outstanding [1] - 1:86:16
over-serving [1] - 1:69:2
overall [2] - 1:30:11; 1:34:12
overcome [1] - 1:82:18
overly [1] - 1:6:17
overwhelmed [1] - 1:49:16
overwhelming [2] - 1:37:5; 1:51:12
own [3] - 1:18:1; 1:80:14; 1:103:3
owned [1] - 1:55:14
owner [6] - 1:27:9; 1:54:6; 1:67:16; 1:72:11, 17; 1:80:1
owners [1] - 1:75:9
ownership [1] - 1:78:18
p.m [4] - 1:1:16; 1:3:9; 1:14:17; 1:79:15
package [2] - 1:57:12; 1:60:12
page [3] - 1:101:14, 16; 1:111:17
PAGE [1] - 1:2:2
paid [1] - 1:94:11
palm [1] - 1:91:18
paper [1] - 1:109:5
papers [1] - 1:54:5
parents [2] - 1:30:12; 1:31:8
Park [1] - 1:7:5
PARKINGWAY [1] - 1:57:7
Parkingway [1] - 1:57:10
Parkway [1] - 1:58:1
part [12] - 1:4:3; 1:9:6, 11, 17; 1:19:11; 1:28:7; 1:31:16; 1:32:8; 1:44:14; 1:58:4; 1:68:3; 1:111:8
part-time [1] - 1:4:3
participate [4] - 1:5:16; 1:23:14; 1:64:4; 1:65:11
participated [2] - 1:42:11; 1:64:10
participating [2] - 1:5:12; 1:23:11
participation [2] - 1:57:3; 1:61:16
particular [3] - 1:14:12; 1:59:1; 1:87:6
particularly [4] - 1:4:16; 1:9:15; 1:69:1; 1:107:17
parties [1] - 1:11:9
partner [2] - 1:18:13; 1:23:6
partnered [1] - 1:41:14
partners [2] - 1:23:10; 1:24:13
passed [2] - 1:96:1; 1:109:8
past [2] - 1:37:16; 1:107:18
patio [1] - 1:16:16
patron [1] - 1:21:9
patrons [4] - 1:17:9; 1:20:3; 1:21:13; 1:24:4
Paul [4] - 1:72:4, 12, 18; 1:75:4
PAUL [9] - 1:72:12; 1:74:11, 15; 1:75:8; 1:77:7, 10, 17; 1:79:2
Paul's [1] - 1:73:4
pay [1] - 1:36:4
people [32] - 1:10:2; 1:33:18; 1:34:17; 1:36:11; 1:37:11, 16; 1:39:8; 1:41:17; 1:42:14; 1:43:2, 16; 1:47:7; 1:48:6; 1:49:1, 4, 6, 12; 1:56:14; 1:63:17; 1:69:5, 7, 11; 1:70:2; 1:74:1; 1:83:10; 1:99:5, 13; 1:100:11; 1:118:8, 11, 16
per [2] - 1:27:3; 1:79:15
percent [1] - 1:85:14
performance [1] - 1:17:7
performances [2] - 1:10:13
perhaps [1] - 1:44:3
person [5] - 1:29:11; 1:30:3; 1:81:11; 1:86:3; 1:94:1
personal [1] - 1:74:2
Personnel [1] - 1:4:18
Persons [1] - 1:82:10
persons [1] - 1:82:14
perspective [1] - 1:37:15
persuasive [1] - 1:88:3
petition [4] - 1:44:3; 1:46:17; 1:47:7; 1:85:4
petitions [4] - 1:34:18; 1:37:16; 1:44:17; 1:53:13
PETSI [2] - 1:2:13; 1:79:5
Petsi [6] - 1:79:7;

1:80:1, 8, 11; 1:84:11
phone [2] - 1:3:4; 1:93:17
phonetic [1] - 1:44:10
photograph [1] - 1:65:16
physical [1] - 1:82:11
pick [2] - 1:94:17; 1:97:1
picked [4] - 1:92:11; 1:93:16; 1:94:6, 9
piece [3] - 1:10:10; 1:13:11; 1:103:4
pierce [2] - 1:76:9
PIES [2] - 1:2:13; 1:79:5
Pies [6] - 1:79:7; 1:80:1, 8, 11; 1:84:12
pina [1] - 1:29:13
place [9] - 1:21:16; 1:29:3; 1:39:3; 1:48:19; 1:49:9; 1:90:18; 1:92:2, 5
places [1] - 1:33:6
plan [14] - 1:10:7; 1:13:2, 6; 1:31:17; 1:35:1, 3, 5; 1:38:11; 1:58:4; 1:62:19; 1:87:4; 1:91:16; 1:98:11; 1:102:11
planned [1] - 1:33:12
planning [1] - 1:82:12
play [5] - 1:11:11, 13; 1:17:13, 15; 1:98:2
playing [3] - 1:11:5; 1:15:14; 1:17:7
plays [1] - 1:15:14
plead [3] - 1:111:10, 13, 15
pleased [3] - 1:4:8, 16; 1:5:7
pled [3] - 1:111:1, 3
plug [1] - 1:11:19
plugs [1] - 1:17:16
poetry [3] - 1:97:18; 1:100:8; 1:101:5
point [7] - 1:22:3; 1:51:10; 1:70:6; 1:88:17; 1:92:12; 1:115:19
pointing [1] - 1:20:16
points [1] - 1:53:2
POLICE [63] - 1:1:8; 1:15:7, 11; 1:18:8, 17; 1:22:1; 1:25:11, 16; 1:30:9; 1:34:10; 1:36:13; 1:37:7, 13; 1:47:5; 1:51:15; 1:52:2, 15; 1:55:1; 1:61:1, 9, 12; 1:64:9, 17; 1:65:6; 1:66:15, 19; 1:70:16; 1:71:10; 1:77:5, 8, 15; 1:78:11; 1:85:11; 1:86:9; 1:89:5; 1:90:5, 13; 1:91:12; 1:96:16; 1:102:9, 14, 19; 1:103:11; 1:104:1, 13; 1:105:14; 1:110:15; 1:112:3, 9, 11, 18; 1:113:4, 7, 12; 1:114:9, 17; 1:115:3; 1:117:3; 1:120:5, 10, 15; 1:121:4, 11
police [9] - 1:109:4, 11-12, 14; 1:110:2, 6; 1:115:9
Police [3] - 1:106:7; 1:110:2; 1:119:4
population [1] - 1:47:3
PORTER [1] - 1:2:15
Porter [1] - 1:91:3
position [1] - 1:5:7
possibilities [1] - 1:28:19
possible [2] - 1:88:4, 14
postal [1] - 1:6:3
potential [1] - 1:95:4
practice [1] - 1:19:5
prefer [1] - 1:51:13
preferred [1] - 1:32:4
premises [1] - 1:79:12
preparation/ cooking [1] - 1:87:10
prepared [1] - 1:116:4
presence [1] - 1:41:12
presenting [1] - 1:88:3
president [2] - 1:48:2; 1:58:1
presume [1] - 1:87:19
pretty [6] - 1:29:1; 1:33:12; 1:65:17; 1:76:17; 1:77:11
previous [6] - 1:8:18; 1:12:2; 1:23:9, 18; 1:84:14; 1:106:3
previously [2] - 1:21:1; 1:92:16
Price [1] - 1:49:11
price [3] - 1:28:16; 1:30:5
primarily [1] - 1:12:12
principally [1] - 1:64:11
print [1] - 1:36:1
priority [1] - 1:90:18
private [1] - 1:111:12
privatize [1] -

1:14:5
probation [1] - 1:117:6
problem [2] - 1:85:15; 1:89:17
procedure [1] - 1:93:19
proceedings [1] - 1:122:10
process [2] - 1:10:9; 1:116:9
products [2] - 1:68:2; 1:69:8
professionally [1] - 1:5:17
program [1] - 1:26:2
promise [1] - 1:46:19
Proof [1] - 1:73:10
properly [1] - 1:93:13
property [1] - 1:86:16
proposing [1] - 1:99:8
proposition [1] - 1:53:14
provide [2] - 1:33:8; 1:85:1
provided [2] - 1:13:3; 1:96:11
providing [3] - 1:37:8; 1:88:12; 1:89:8
PSYCHIC [1] - 1:2:15
Psychic [1] - 1:91:3
public [23] - 1:3:19; 1:4:9; 1:6:8; 1:22:14; 1:24:18; 1:40:15; 1:42:2; 1:45:3; 1:47:12; 1:50:6; 1:51:5; 1:52:19; 1:61:3; 1:66:6; 1:70:18; 1:78:3; 1:84:2; 1:96:6; 1:100:19; 1:109:6, 16; 1:110:5
Public [2] - 1:122:6, 16
Pulitzer [1] - 1:49:11
purchase [1] - 1:28:15
purchased [1] - 1:80:6
purchases [1] - 1:69:19
Purchasing [1] - 1:5:3
purchasing [1] - 1:70:2
Purity [1] - 1:59:19
put [9] - 1:36:4; 1:73:8; 1:74:1; 1:76:1; 1:85:14; 1:86:10; 1:103:9; 1:107:9; 1:108:10
Putnam [4] - 1:80:13; 1:81:1, 14; 1:87:2
puts [1] - 1:19:3
qualifications [1] - 1:95:15
qualitatively [1] - 1:46:2
quality [4] - 1:43:4; 1:46:12; 1:65:4; 1:82:3
quarter [3] - 1:15:3; 1:20:4, 7
questions [13] - 1:18:4; 1:34:9; 1:38:6; 1:53:19; 1:60:19; 1:61:1; 1:64:8; 1:78:1; 1:95:11; 1:96:3; 1:99:18; 1:100:1
quite [1] - 1:93:10
R-I-C-H-A-R-D [1] - 1:47:19
R-O-M-U-A-R-D [1] - 1:106:16
R.J [2] - 1:80:6; 1:83:2
rained [1] - 1:112:4
rally [1] - 1:46:18
ramp [7] - 1:43:14; 1:82:17; 1:85:13; 1:86:2, 4, 10
ran [2] - 1:59:10, 16
range [3] - 1:28:16; 1:30:5; 1:91:19
ratification [1] - 1:8:13
ratify [1] - 1:21:11
RE [1] - 1:1:5
reach [2] - 1:88:16; 1:89:11
reaction [1] - 1:32:6
reactivate [1] - 1:84:19
read [2] - 1:43:3; 1:101:15
reading [3] - 1:91:18; 1:97:18; 1:101:12
readings [4] - 1:91:19; 1:100:8; 1:101:5
ready [2] - 1:97:4
really [17] - 1:10:12; 1:11:19; 1:13:19; 1:23:12; 1:34:19; 1:39:9, 13; 1:42:17; 1:43:14; 1:44:9, 12; 1:46:2, 7; 1:70:3; 1:74:6; 1:82:5
reapply [1] - 1:104:15
rear [1] - 1:3:6
REARDON [40] - 1:18:5; 1:25:10, 15; 1:38:7, 14; 1:52:14; 1:54:19; 1:61:13; 1:67:1; 1:69:17; 1:70:8, 12; 1:71:6, 11; 1:78:1, 8, 12; 1:86:13; 1:87:4, 9, 13; 1:89:4; 1:90:9, 14; 1:95:12; 1:96:12, 17; 1:99:19; 1:101:15, 19; 1:102:5, 8; 1:104:10, 19; 1:105:8, 15; 1:115:2;

1:120:14; 1:121:6, 10
Reardon [1] - 1:3:13
reason [6] - 1:18:8; 1:27:16; 1:29:15; 1:32:18; 1:111:18
reasonably [1] - 1:65:7
reasons [2] - 1:33:17; 1:88:13
reassuring [1] - 1:102:1
receive [1] - 1:84:4
received [2] - 1:83:6; 1:93:17
recent [1] - 1:114:16
recently [1] - 1:115:18
recommended [1] - 1:86:1
recommending [2] - 1:82:12, 17
reconcile [1] - 1:35:9
reconsider [1] - 1:116:5
RECORD [1] - 1:1:18
record [27] - 1:4:9; 1:7:19; 1:12:7; 1:22:18; 1:26:3; 1:27:6; 1:40:19; 1:42:5; 1:45:6; 1:47:15; 1:50:9; 1:53:5; 1:57:17; 1:62:11; 1:72:7; 1:79:18; 1:91:8; 1:98:6; 1:106:12; 1:107:10; 1:108:10; 1:109:8, 13; 1:113:8; 1:115:15; 1:117:19; 1:122:10
records [4] - 1:7:15; 1:11:7; 1:117:11
reflect [1] - 1:103:1
regard [1] - 1:115:8
regarding [1] - 1:10:17
regulations [3] - 1:16:7; 1:38:16; 1:107:14
Relations [1] - 1:4:18
relationship [3] - 1:48:5; 1:57:17; 1:62:12
relevant [1] - 1:56:18
remain [2] - 1:3:6; 1:27:1
remember [3] - 1:8:14; 1:60:2; 1:92:19
remind [1] - 1:75:3
reminds [1] - 1:75:4
removable [1] - 1:86:2
RENE [1] - 1:79:19
Rene [1] - 1:84:14
Renee [1] - 1:79:8
RENEE [18] - 1:79:19; 1:80:6, 11, 19; 1:81:5, 8, 17; 1:82:7; 1:83:1, 13; 1:85:3; 1:86:7, 18; 1:87:3, 7, 11; 1:90:1, 7
renew [2] - 1:106:7; 1:113:14
renewal [3] - 1:94:12; 1:97:7; 1:107:3
renewed [4] - 1:107:8; 1:111:19; 1:114:1, 3
renovation [1] - 1:87:5
repeat [1] - 1:115:15
Repertory [1] - 1:41:4
report [4] - 1:87:15; 1:89:1, 19; 1:110:2
Reporter [1] - 1:122:15
REPORTERS [1] - 1:1:18
reporting [1] - 1:110:3
representations [2] - 1:38:2; 1:53:8
reputation [1] - 1:24:2
request [3] - 1:11:12; 1:27:17; 1:32:16
requested [4] - 1:9:16; 1:32:14; 1:100:4; 1:105:6
requesting [2] - 1:8:10; 1:28:6
require [1] - 1:81:12
required [2] - 1:44:5; 1:77:18
reserve [1] - 1:53:2
resisting [1] - 1:110:6
respect [6] - 1:13:2; 1:14:16; 1:16:7; 1:51:12; 1:100:5; 1:108:17
response [3] - 1:6:10; 1:34:4; 1:96:4
responsibilities [1] - 1:30:7
responsibility [1] - 1:56:11
responsible [2] - 1:24:13; 1:41:16
responsibly [1] - 1:31:5
responsive [1] - 1:41:17
rest [2] - 1:14:9; 1:26:1
restaurant [53] - 1:6:5; 1:7:6; 1:9:1, 5, 8; 1:10:16; 1:12:4, 8, 11; 1:14:5; 1:18:11, 18; 1:19:11; 1:21:10, 16; 1:22:3, 11; 1:23:8; 1:24:2; 1:26:19; 1:27:13; 1:28:2, 10-11; 1:29:12; 1:30:1, 12; 1:31:8; 1:32:11; 1:33:4; 1:34:14; 1:37:17; 1:40:3;

1:43:7, 10; 1:46:1, 5; 1:50:4, 13; 1:51:1; 1:55:10, 12; 1:56:4, 7; 1:60:7; 1:72:2; 1:75:13; 1:77:13; 1:80:14; 1:82:12

Restaurant [2] - 1:7:12; 1:9:11

restaurants [8] - 1:9:13; 1:16:19; 1:19:7; 1:30:15; 1:31:9; 1:48:13; 1:49:18; 1:55:14

retail [1] - 1:69:6

review [4] - 1:36:5; 1:51:10; 1:83:18; 1:117:14

reviews [4] - 1:35:16, 19; 1:76:5

Richard [1] - 1:60:6

RICHARD [1] - 1:47:18

ring [1] - 1:86:4

ROBERT [63] - 1:1:8; 1:15:7, 11; 1:18:8, 17; 1:22:1; 1:25:11, 16; 1:30:9; 1:34:10; 1:36:13; 1:37:7, 13; 1:47:5; 1:51:15; 1:52:2, 15; 1:55:1; 1:61:1, 9, 12; 1:64:9, 17; 1:65:6; 1:66:15, 19; 1:70:16; 1:71:10; 1:77:5, 8, 15; 1:78:11; 1:85:11; 1:86:9; 1:89:5; 1:90:5, 13; 1:91:12; 1:96:16; 1:102:9, 14, 19; 1:103:11; 1:104:1, 13; 1:105:14; 1:110:15; 1:112:3, 9, 11, 18; 1:113:4, 7, 12; 1:114:9, 17; 1:115:3; 1:117:3; 1:120:5, 10, 15; 1:121:4, 11

Robert [1] - 1:3:14

Roberts [1] - 1:64:14

role [4] - 1:48:12; 1:50:1; 1:73:5; 1:74:9

ROMUALD [2] - 1:2:19; 1:106:1

Romuald [1] - 1:106:3

ROMUARD [15] - 1:106:14, 19; 1:108:15, 19; 1:109:10; 1:110:11, 13, 17; 1:111:10; 1:116:7, 16; 1:117:1, 9; 1:118:7; 1:119:6

Romuard [1] - 1:106:15

Room [2] - 1:1:13; 1:3:11

room [2] - 1:10:4; 1:52:10

Row [1] - 1:9:11

rule [3] - 1:108:2, 13; 1:116:14

rules [3] - 1:33:9; 1:107:14; 1:109:3

run [1] - 1:59:14

running [1] - 1:74:6

S-A-H-A-G-U-N [1] - 1:27:8

S-A-N-T-A-N-A [1] - 1:27:12

Sahagun [1] - 1:26:16

SAHAGUN [15] - 1:27:8, 18; 1:29:17; 1:30:11; 1:32:10; 1:33:15; 1:34:2, 7; 1:37:11; 1:38:13; 1:40:2, 10; 1:53:16; 1:56:3; 1:57:4

sale [2] - 1:70:6

sales [3] - 1:30:19; 1:69:19; 1:70:4

saloon [1] - 1:21:5

salsa [1] - 1:32:15

salvage [1] - 1:38:18

sample [2] - 1:63:19; 1:66:2

San [1] - 1:48:8

sandwiches [1] - 1:99:3

SANTANA [8] - 1:27:10; 1:29:1; 1:31:6; 1:35:10; 1:39:1; 1:53:15; 1:55:12; 1:57:5

satisfaction [1] - 1:88:12

satisfactorily [1] - 1:88:2

satisfactory [1] - 1:88:16

Saturday [4] - 1:10:10; 1:12:18; 1:13:4; 1:65:2

Scalli [1] - 1:60:6

scheduled [1] - 1:51:9

school [3] - 1:107:7; 1:113:16; 1:114:6

SEAN [11] - 1:7:17, 19; 1:8:10; 1:10:3; 1:12:16; 1:13:8; 1:16:12; 1:17:15; 1:20:17; 1:25:3; 1:26:3

Sean [1] - 1:7:19

season [3] - 1:63:6; 1:65:6, 8

seat [2] - 1:4:3; 1:106:10

seat-warming [1] - 1:4:3

seating [2] - 1:10:7;

1:79:13
seats [2] - 1:9:19; 1:34:5
second [6] - 1:52:13; 1:63:6; 1:70:10; 1:105:7; 1:114:17
seconded [27] - 1:25:10, 13; 1:52:14, 17; 1:54:17; 1:61:9; 1:66:15, 17; 1:71:6, 8; 1:78:8, 10; 1:89:4; 1:90:4, 10, 12; 1:96:12, 14; 1:102:5; 1:105:12; 1:115:1; 1:120:10, 12; 1:121:6, 8
Section [1] - 1:109:19
security [1] - 1:110:10
see [16] - 1:22:5; 1:24:4; 1:28:2; 1:37:15; 1:42:18; 1:43:14; 1:44:12; 1:54:10; 1:55:4; 1:69:8; 1:74:14; 1:79:3; 1:80:2; 1:83:1; 1:84:16; 1:88:6
seeing [10] - 1:25:4; 1:51:7; 1:61:5; 1:66:8; 1:71:1; 1:78:5; 1:96:8; 1:101:2, 13
seek [3] - 1:31:15; 1:32:2, 4
sell [1] - 1:22:9
selling [2] - 1:10:13; 1:12:4
senior [1] - 1:48:2
sense [3] - 1:11:14; 1:33:12; 1:75:8
sent [3] - 1:83:2, 4; 1:103:8
sentence [1] - 1:107:13
separate [1] - 1:15:12
September [1] - 1:73:14
serious [1] - 1:115:10
serve [7] - 1:14:18; 1:19:7; 1:28:9; 1:33:1; 1:46:6, 14; 1:48:14
served [3] - 1:37:19; 1:55:7; 1:79:12
serves [2] - 1:11:1; 1:51:2
service [7] - 1:9:5; 1:12:11; 1:28:11; 1:32:14; 1:33:5; 1:40:13; 1:85:1
servicing [1] - 1:100:5
serving [15] - 1:4:2, 19; 1:5:5; 1:16:1; 1:21:6; 1:31:1; 1:39:7; 1:42:16; 1:50:2; 1:55:8; 1:69:2; 1:74:8; 1:75:17
set [4] - 1:11:6, 16; 1:122:9, 11
seven [8] - 1:27:3; 1:79:15; 1:82:13; 1:104:17; 1:107:18; 1:108:3; 1:116:9
seven-inch [1] - 1:82:13
seven-year [1] - 1:116:9
several [1] - 1:50:17
shall [1] - 1:6:11
shareholder [2] - 1:58:16, 18
shareholders [1] - 1:58:11
shares [2] - 1:58:4, 7
Sharon [2] - 1:57:11; 1:58:13
sheet [1] - 1:109:9
shift [1] - 1:21:12
shop [1] - 1:99:1
Shorthand [1] - 1:122:15
show [4] - 1:69:12; 1:112:19; 1:117:13, 16
SHOW [1] - 1:2:3
shows [1] - 1:30:5
sidewalk [1] - 1:86:14
sign [1] - 1:47:7
signatures [1] - 1:44:5
significant [1] - 1:10:4
signify [13] - 1:25:13; 1:54:18; 1:61:11; 1:66:17; 1:71:8; 1:78:10; 1:90:12; 1:96:14; 1:102:7; 1:105:13; 1:115:1; 1:120:12; 1:121:8
similar [1] - 1:56:1
simpler [1] - 1:85:6
simply [1] - 1:43:8
single [3] - 1:63:10; 1:67:4; 1:85:12
sisters [1] - 1:58:10
sit [9] - 1:29:2; 1:32:12; 1:33:19; 1:40:9; 1:43:16; 1:45:7; 1:48:15, 19
sit-down [5] - 1:29:2; 1:40:9; 1:48:15, 19
sites [1] - 1:18:19
sitting [1] - 1:41:11
situated [1] - 1:86:12
situations [1] - 1:56:14
six [4] -

1:8:15; 1:9:4; 1:94:17; 1:104:17
skittish [1] - 1:74:2
Sleepy's [2] - 1:60:8
slippage [1] - 1:22:2
slowly [1] - 1:28:10
small [4] - 1:13:12; 1:63:19; 1:70:11; 1:81:12
smaller [1] - 1:49:7
sold [2] - 1:59:11; 1:79:11
sole [1] - 1:54:6
solve [1] - 1:85:15
someone [5] - 1:11:12, 18; 1:13:18; 1:73:17; 1:74:5
Somerville [3] - 1:68:6; 1:80:12
sometimes [3] - 1:15:3; 1:20:7; 1:29:5
song [1] - 1:11:12
soon [1] - 1:87:7
sorry [9] - 1:76:14; 1:93:8; 1:98:12; 1:101:12; 1:111:7; 1:115:6; 1:116:5; 1:117:18; 1:118:5
sort've [9] - 1:4:2; 1:5:15; 1:32:1; 1:43:13; 1:48:12; 1:49:13, 15; 1:50:1; 1:95:14
sought [1] - 1:12:9
sounds [1] - 1:39:4
sous [1] - 1:77:3
space [3] - 1:23:10, 18
speaker [1] - 1:17:16
speakers [1] - 1:17:17
Spears [1] - 1:4:13
specifically [1] - 1:13:14
specified [3] - 1:14:12; 1:25:8; 1:71:4
specifying [1] - 1:19:4
spell [14] - 1:7:14; 1:22:17; 1:27:5; 1:40:18; 1:45:6; 1:47:14; 1:50:9; 1:57:16; 1:62:10; 1:72:6; 1:79:18; 1:91:7; 1:98:6; 1:106:11
spelled [1] - 1:8:8
spilling [1] - 1:17:4
spin [1] - 1:11:7
sports [2] - 1:21:14; 1:75:15
spot [2] - 1:86:19
spread [1] - 1:76:7
spruced [1] - 1:41:12
square [2] - 1:48:18; 1:60:18
SQUARE [1] - 1:2:15
Square [9] - 1:11:10; 1:23:13; 1:24:14; 1:33:4; 1:45:11; 1:48:14; 1:49:18; 1:80:15; 1:91:3
ss [1] - 1:122:4
Stacey [2] - 1:97:14; 1:98:8
STACEY [11] - 1:98:8, 19; 1:99:10; 1:100:7, 15; 1:102:12, 17; 1:103:8, 18; 1:104:16; 1:105:19
Stacy [2] - 1:72:1, 15
STAFF [1] - 1:1:9
staff [3] - 1:49:5; 1:75:3
stage [1] - 1:42:14
stairway [1] - 1:85:15
stand [1] - 1:33:6
started [4] - 1:3:3; 1:93:18; 1:94:4; 1:99:2
starting [3] - 1:4:12; 1:13:10; 1:43:1
state [17] - 1:7:14; 1:22:17; 1:27:5; 1:40:18; 1:45:6; 1:47:14; 1:50:9; 1:57:16; 1:62:5, 10; 1:67:11; 1:72:6; 1:79:17; 1:91:7; 1:98:5; 1:106:11; 1:107:16
State [2] - 1:33:10; 1:56:12
state-approved [2] - 1:62:5; 1:67:11
statements [1] - 1:53:14
stating [1] - 1:36:9
station [2] - 1:10:18; 1:11:16
stay [3] - 1:15:5; 1:80:18; 1:99:6
staying [2] - 1:15:2, 15
steady [1] - 1:24:13
step [3] - 1:82:13; 1:86:11
Stephen [1] - 1:6:3
steps [3] - 1:83:12; 1:88:11; 1:104:5
stick [1] - 1:103:16
still [8] - 1:17:8; 1:20:3; 1:30:14; 1:60:6;

1:70:11; 1:116:16; 1:117:1
stock [3] - 1:57:14; 1:58:5; 1:61:7
stocked [2] - 1:69:6; 1:70:9
store [10] - 1:41:10; 1:57:12; 1:58:12; 1:59:17; 1:60:1, 8, 10, 12, 15
storefront [1] - 1:84:19
stores [1] - 1:69:7
straightened [1] - 1:54:11
straights [1] - 1:39:13
Street [11] - 1:6:5; 1:7:8; 1:9:10, 14; 1:17:3; 1:62:7; 1:67:14; 1:72:3; 1:79:10; 1:80:7; 1:84:15
street [3] - 1:29:19; 1:38:8; 1:41:6
stricter [1] - 1:75:10
strictly [2] - 1:6:14; 1:9:12
striking [1] - 1:110:6
structure [1] - 1:78:18
student [3] - 1:45:10, 14; 1:48:1
students [1] - 1:46:9
STUDIO [1] - 1:2:15
Studio [1] - 1:91:3
stuff [1] - 1:36:3
subdivided [1] - 1:60:2
subject [1] - 1:88:9
submit [2] - 1:56:19; 1:117:12
submitted [2] - 1:51:11; 1:53:5
substantial [1] - 1:33:13
success [3] - 1:9:6; 1:102:18
successful [4] - 1:29:5; 1:63:19; 1:104:11, 14
sufficient [3] - 1:109:18; 1:112:17; 1:117:17
suggest [1] - 1:34:19
suggesting [2] - 1:85:12; 1:89:7
suggests [1] - 1:88:3
summer [1] - 1:64:4
Sunday [3] - 1:10:11; 1:12:16; 1:13:5
Sunhee [1] - 1:7:5
SUPERINTENDENT [1] - 1:1:8
supermarket [1] - 1:59:19
support [16] - 1:24:12; 1:37:6, 9, 12; 1:44:6, 19; 1:46:11; 1:47:6; 1:49:19; 1:51:13; 1:53:14; 1:84:4, 10, 17; 1:87:18; 1:88:7
supporter [1] - 1:45:14
supporters [1] - 1:47:1
supporting [1] - 1:46:4
Supreme [4] - 1:57:10; 1:58:2; 1:59:18
SUPREME [2] - 1:2:7; 1:57:8
surrounding [1] - 1:54:5
survivability [1] - 1:39:19
survive [1] - 1:44:9
sushi [6] - 1:11:1; 1:15:10; 1:21:7, 10; 1:43:10
Sushi [4] - 1:7:5, 12; 1:8:15; 1:20:19
SUSHI [2] - 1:2:4; 1:7:2
suspended [1] - 1:107:12
sustain [1] - 1:46:14
Szeto [3] - 1:106:7; 1:107:5; 1:113:14
table [1] - 1:15:3
tables [1] - 1:31:7
take-out [5] - 1:28:12; 1:33:13; 1:39:18; 1:40:8; 1:45:19
TAQUEIRA [1] - 1:26:13
Taqueira [6] - 1:26:16; 1:32:11; 1:41:6; 1:45:13; 1:48:6, 12
tarot [1] - 1:91:18
tastes [1] - 1:78:17
tasting [1] - 1:69:18
tavern [2] - 1:99:12; 1:100:16
tax [1] - 1:86:17
taxi [4] - 1:107:6; 1:108:4; 1:113:16; 1:114:6
teller's [2] - 1:91:4; 1:96:9
Tello's [2] - 1:60:8
Temple [1] - 1:19:15
ten [2] - 1:30:13; 1:60:3
terms [5] - 1:26:7; 1:36:15; 1:68:17; 1:75:17; 1:100:10
terrific [2] - 1:23:12; 1:24:11
testimony [2] - 1:52:19; 1:98:15
Texas [1] - 1:48:10
THE [1] - 1:1:18
Theater [2] - 1:41:4
theater [1] - 1:41:5

themed [1] - 1:75:15
thin [1] - 1:78:17
thinking [2] - 1:19:14; 1:73:8
thinks [1] - 1:29:11
THOMAS [8] - 1:57:19; 1:58:8, 17; 1:59:9, 18; 1:60:6, 13, 17
Thomas [1] - 1:57:19
three [18] - 1:10:10; 1:13:11; 1:27:19; 1:28:5; 1:32:7; 1:35:3; 1:36:14; 1:38:10; 1:42:9; 1:45:17; 1:52:4; 1:65:19; 1:81:4; 1:113:5; 1:120:1, 4
three-piece [2] - 1:10:10; 1:13:11
threshold [2] - 1:38:3
thresholds [1] - 1:51:17
throughout [1] - 1:28:4
throwing [1] - 1:104:19
Thursday [2] - 1:12:17; 1:102:13
tickets [2] - 1:10:14; 1:12:5
TIME [1] - 1:1:16
TIPS [4] - 1:66:3; 1:69:11; 1:73:9; 1:77:17
today [3] - 1:11:3; 1:83:4, 6
together [1] - 1:64:15
tomorrow [2] - 1:97:2, 4
TON [2] - 1:71:16, 19
tone [1] - 1:82:1
tonight [3] - 1:5:11; 1:8:2
took [4] - 1:41:10; 1:60:9; 1:95:19
Toomey [1] - 1:84:18
top [2] - 1:86:10, 12
total [1] - 1:79:13
tough [1] - 1:38:8
town [1] - 1:5:5
trade [1] - 1:33:13
trademark [1] - 1:20:19
traditional [1] - 1:11:14
trained [1] - 1:73:9
training [1] - 1:77:16
transfer [2] - 1:57:14; 1:61:7
transferred [5] - 1:9:2; 1:58:7
traveling [1] - 1:31:2
treat [1] - 1:5:17
treated [3] - 1:5:18; 1:118:16, 18
trespassing [1] - 1:110:5
trial [2] - 1:111:5; 1:112:5
triple [1] - 1:118:12
TRISH [5] - 1:72:8, 17; 1:73:13; 1:76:3, 18
Trish [1] - 1:72:9
trouble [1] - 1:115:17
true [1] - 1:122:10
TRURO [3] - 1:2:9; 1:61:19; 1:62:1
Truro [4] - 1:62:3, 18; 1:63:3
try [8] - 1:15:4; 1:19:6; 1:63:18; 1:64:15; 1:69:6; 1:89:9; 1:99:3, 5
trying [5] - 1:35:9; 1:39:12, 18; 1:64:17; 1:99:16
tucked [1] - 1:43:12
Tuesday [1] - 1:3:9
tuesday [1] - 1:1:15
turn [3] - 1:38:15; 1:80:8; 1:87:12
turned [4] - 1:3:5; 1:28:10; 1:29:2; 1:115:7
turning [1] - 1:21:4
TV [1] - 1:101:4
TVs [1] - 1:21:14
tweeted [2] - 1:76:8
two [12] - 1:15:3, 12; 1:20:4, 7; 1:65:1; 1:84:4; 1:92:3, 13; 1:93:2; 1:99:1; 1:103:12; 1:104:5
two-hour [1] - 1:65:1
TYLER [1] - 1:47:18
Tyler [1] - 1:47:18
type [5] - 1:10:14; 1:11:11; 1:20:18; 1:21:9, 13
types [1] - 1:21:15
typically [2] - 1:52:18; 1:53:13
ultimately [1] - 1:5:4
uncle [1] - 1:59:13
uncles [1] - 1:31:8
uncomfortable [1] - 1:119:2
under [3] - 1:65:14; 1:69:2; 1:75:16
under-age [1] - 1:69:2
understood [2] - 1:15:19; 1:20:14
unique [2] - 1:50:1, 3
universities [1] - 1:11:10
university [2] - 1:46:10, 18

unlike [1] - 1:23:9
unreasonable [2] - 1:82:14; 1:88:19
up [20] - 1:11:6, 17; 1:12:2; 1:17:2; 1:30:11; 1:36:5; 1:41:12; 1:46:18; 1:47:2, 16; 1:56:7; 1:69:9; 1:92:12; 1:93:16; 1:94:6, 9, 17; 1:97:1; 1:112:19; 1:113:17
uphold [1] - 1:114:14
upholding [1] - 1:106:6
upstairs [1] - 1:43:11
VARAGUR [2] - 1:45:8; 1:47:9
VENTURE [1] - 1:71:16
Venture [1] - 1:71:19
venue [1] - 1:41:4
verdict [1] - 1:107:11
version [1] - 1:11:4
Victor [1] - 1:45:9
victualer [7] - 1:26:17; 1:27:2; 1:31:15; 1:79:9; 1:84:11; 1:88:8; 1:97:15
view [3] - 1:33:19; 1:40:1; 1:88:17
VINEYARDS [3] - 1:2:9; 1:61:19; 1:62:1
Vineyards [3] - 1:62:3, 18
violation [2] - 1:20:5, 8
visibility [1] - 1:63:14
vision [1] - 1:14:15
visited [1] - 1:38:8
vocalist [1] - 1:7:10
vocalists [1] - 1:97:19
voice [1] - 1:49:19
void [1] - 1:84:13
volume [3] - 1:14:1; 1:16:18; 1:45:16
vote [1] - 1:53:18
wait [3] - 1:66:14; 1:89:5
waited [1] - 1:32:15
waiter [1] - 1:55:7
waiting [1] - 1:31:7
Walsh [2] - 1:57:11; 1:58:13
wandering [1] - 1:99:13
wants [1] - 1:58:18
warming [1] - 1:4:3
Washington [1] - 1:56:6
watching [1] - 1:75:4
Wayland [1] - 1:68:7
Wednesday [1] - 1:12:17
week [7] - 1:13:17; 1:14:2; 1:18:13; 1:24:3; 1:27:3; 1:73:4; 1:79:15
weekend [1] - 1:20:10
weekends [1] - 1:14:2
weeks [2] - 1:28:4; 1:53:12
welcome [4] - 1:5:17; 1:41:9; 1:71:14; 1:84:12
Wendy [1] - 1:60:10
Wendy's [1] - 1:60:7
West [1] - 1:31:10
Western [1] - 1:68:5
western [2] - 1:68:15; 1:69:7
Westin [1] - 1:21:1
whatsoever [1] - 1:59:5
wheelchair [2] - 1:82:16; 1:86:3
wheelchair-bound [1] - 1:82:16
WHEREOF [1] - 1:122:11
white [1] - 1:118:10
whole [5] - 1:43:19; 1:76:6; 1:93:19; 1:94:4; 1:99:14
Wicket [2] - 1:72:1, 11
WICKET [2] - 1:2:12; 1:71:17
wide [1] - 1:76:10
wife [1] - 1:50:17
willing [2] - 1:44:18; 1:89:8
wine [2] - 1:31:2; 1:43:17
winemaker [1] - 1:63:1
winery [6] - 1:30:18; 1:62:5; 1:66:9; 1:67:12; 1:69:18; 1:71:2
WINES [1] - 1:57:7
wines [1] - 1:63:18
Wines [2] - 1:57:10; 1:58:2
winners [1] - 1:49:11
winter [1] - 1:68:8
Winter [6] - 1:62:6; 1:63:3, 16; 1:66:10; 1:67:13; 1:71:3
Winthrop [3] - 1:9:10, 14; 1:17:2
wisdom [1] - 1:56:14
wish [3] - 1:90:19; 1:116:6; 1:118:6
WITNESS [1] - 1:122:11
WOK [1] - 1:2:16
Wok [1] -

1:3:16
wonderful [1] - 1:46:7
wondering [3] - 1:6:16; 1:51:7; 1:82:18
words [2] - 1:34:15; 1:89:13
works [1] - 1:97:19
world [1] - 1:5:16
worried [1] - 1:22:6
Wow [1] - 1:65:17
wraps [1] - 1:99:3
written [4] - 1:36:8; 1:44:3; 1:53:5; 1:109:15
wrongfully [1] - 1:110:19
wrote [2] - 1:73:15; 1:84:9
www.reportersinc.com [1] - 1:1:19
year [12] - 1:17:3; 1:44:10; 1:63:3, 9, 16; 1:70:11; 1:92:3; 1:93:2, 5; 1:113:6; 1:116:9
years [18] - 1:30:13, 16; 1:59:11; 1:60:3; 1:73:18; 1:80:12; 1:92:1; 1:93:3; 1:99:1; 1:106:19; 1:107:18; 1:108:3; 1:113:6; 1:116:11
Yelp [1] - 1:35:16
young [2] - 1:42:19; 1:69:13
yourself [1] - 1:65:11
Z-O-L-O-N [1] - 1:50:10
Zebra [1] - 1:50:11
ZOLON [1] - 1:50:10