

CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR ANDREA JACKSON

POLICE COMMISSIONER ROBERT HAAS

FIRE CHIEF GERALD REARDON

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

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

DATE: Tuesday, July 21, 2015

TIME: 6:04 p.m.

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P R O C E E D I N G S

July 21, 2015

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, and the back door is to remain open and clear at all times.

It is the License Commission general hearing Tuesday, July 21, 2015 at 6:04 p.m. we are in the Michael J. Lombardi Building, 831 Mass. Ave, basement conference room.

Before you are Commissioners Chair Andrea Jackson, Chief Gerald Reardon, Commissioner Robert Haas.

If anyone is here for the matter of Kaya inactive license status, that has continued to August 11.

And the application of Suvaai has been

continued to August 11.

And the informational hearing for Basha Cafe has also been continued to August 11.

APPLICATION: SIDNEY GROVE, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Sidney Grove, LLC has applied for a garage license at 240 Sidney Street for 106 vehicles an 1,060 gallons of gasoline in the tanks of autos only.

CHAIR ANDREA JACKSON: Is there anyone here for that application?

JOHN FELIX: Good evening.

CHAIR ANDREA JACKSON: Good evening.

If you could please state your name for the record spelling first and last name please.

JOHN FELIX: John, J-O-H-N, Felix,
F-E-L-I-X.

CHAIR ANDREA JACKSON: If you could tell us about the application and the project please.

JOHN FELIX: This is a new apartment property. There will be 96 units. At the request of the neighborhood, we have one parking space per unit and ten additional spaces for gases. It is a four-story property under construction presently due to be delivered September/October of this year.

Rental, it is a rental property.

CHAIR ANDREA JACKSON: Rental property?

JOHN FELIX: Yes.

CHAIR ANDREA JACKSON: And I'm sorry, when is it slated to be completed?

JOHN FELIX: September/October.

FIRE CHIEF GERALD REARDON: The garage all above ground?

JOHN FELIX: The garage is all below ground, all concrete and steel frame. We had a

walk through with Lieutenant Towski (phonetic) two weeks ago, the second time he's visited the property.

FIRE CHIEF GERALD REARDON: Do you have a regular bidirectional amplifier slated to go in there?

JOHN FELIX: Yes.

FIRE CHIEF GERALD REARDON: Is there a -- not the height, so you don't need a back-up generator for the facility?

JOHN FELIX: No.

FIRE CHIEF GERALD REARDON: Thank you.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR ANDREA JACKSON: Are there any members of the public that wish to be heard in this matter?

EXECUTIVE DIRECTOR ELIZABETH LINT: We do

have the abutter notifications this time.

CHAIR ANDREA JACKSON: Perfect.

I make a motion that we approve the application for Sidney Grove, LLC for a garage license at 240 Sidney Street for 106 vehicles of 1060 gallons of gasoline in the tanks of auto only.

Is there a second.

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.

JOHN FELIX: Thank you very much.

APPLICATION: P.F CHANG'S CHINA BISTRO, INC.

D/B/A P.F CHANG'S BISTRO:

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: P.F. Chang's China Bistro, Inc.,
doing business as P.F. Chang's China Bistro,
Danielle Sainsbury, manager holder of an all
alcoholic beverages restaurant license to 100
Cambridgeside Place, has applied for a change of
officers and directors to a change of manager to
Tachung Chang.

CHAIR ANDREA JACKSON: Good evening.

ATTY MICHAEL BRANGWYNNE: Good evening
Commissioners. Michael Brangwynne on behalf of
P.F. Chang's.

CHAIR ANDREA JACKSON: If you could spell
your first name and last name, please.

MICHAEL BRANGWYNNE: It's Michael,
M-I-C-H-A-E-L. My last name is Brangwynne
B-R-A-N-G-W-Y-N-N-E.

CHAIR ANDREA JACKSON: And with you,
counsel?

ATTY MICHAEL BRANGWYNNE: Is Tachung

Change, who is part of the application for a new manager to replace Danielle Sainsbury.

CHAIR ANDREA JACKSON: So if you can tell us about the application.

This is for a change of officers and directors?

ATTY MICHAEL BRANGWYNNE: Yes, I will begin with the officers and directors.

So we've applied -- this is the parent company. Both the licensee, the parent company of the licensee, and the parent company of the parent company, or for lack of a better term, the grandparent company, all have the same officers and board of directors. Michael Ozenlou (phonetic), we're applying for him to take over the role of CEO at all levels. He will be replacing Mr. Federico as a CEO, who will remain on as a director, and also Mr. Laun (phonetic) has left the company. That's reflected in our

application.

There's an attachment that shows the previously-approved officers and directors of the licensee of the parent companies and the proposed officers and directors, and we have submitted the appropriate documentation for -- to perform a CORI check, and all the other personal information necessary for Mr. Ozenlou (phonetic).

This will not affect the location in Cambridge in any way. It is simply a change at the corporate level and will have no affect on the restaurant in Cambridge. And if you would like, I don't know if the Board or the Commission would like to act on the matters separately, or if they are combined, I can address the manager change as well.

CHAIR ANDREA JACKSON: If you can address the manager change as well, please.

ATTY MICHAEL BRANGWYNNE: We applied to

change Danielle Sainsbury with Tachung Chang, who is sitting next to me.

Mr. Chang is the official name on the documents and he has a background in the service industry.

This will be the first time he's been the manger of record but he has been TIPS certified in the past.

He has signed up to take Cambridge's Proof 21 training, I believe it is this coming Thursday, and he meets all the requirements to be the manager of record on a liquor license under the general laws and he's here with me today and happy to answer any questions the Commission might have as to his eligibility.

CHAIR ANDREA JACKSON: If you can tell us about your background, please.

TACHUNG CHANG: I am from Taiwan.

CHAIR ANDREA JACKSON: Speak up.

TACHUNG CHANG: I am from Taiwan. I have been in the States for like 19 years now. And US citizen.

Got my US passport in 2006.

Was with P.F. Chang's for eight years, been the manager for three years for the location, took over as an officer in February, so try to replace Danielle Sainsbury, who left the company as the name on the license.

CHAIR ANDREA JACKSON: So you have been with P.F. Chang's for eight years and you have been a manager for three?

TACHUNG CHANG: Yes.

CHAIR ANDREA JACKSON: And you have never had a liquor license in your name before?

TACHUNG CHANG: No.

CHAIR ANDREA JACKSON: Do you foresee any challenges with having a liquor license in your name?

TACHUNG CHANG: No.

CHAIR ANDREA JACKSON: You said you already registered, as counsel said, you registered for 21 Proof training.

TACHUNG CHANG: Yeah, this Thursday.

And I used to be TIPS certified as well and I know Cambridge have their own, Proof 21, so I sign up for that on Thursday as well.

FIRE CHIEF GERALD REARDON: Have you been at the Cambridgeside location for all eight years?

TACHUNG CHANG: No. I started with Natick first, and then I go to Prudential for almost two years back and forth. Natick for two-and-a-half years, three years. And then Cambridge location for three years.

CHAIR ANDREA JACKSON: The Cambridge location for three years?

TACHUNG CHANG: Yes.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Backgrounds are okay.

CHAIR ANDREA JACKSON: Backgrounds are
okay.

Any questions?

FIRE CHIEF GERALD REARDON: All set.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No
questions.

CHAIR ANDREA JACKSON: Are there any
members of the public that wish to be heard in
this matter?

Seeing none --

EXECUTIVE DIRECTOR ELIZABETH LINT: I
have a little paperwork.

So we have an extra hearing advertising
check because you only really needed one, but we
do need the second \$10 check for the CORI.

ATTY MICHAEL BRANGWYNNE: Okay, I can

either FedEx that.

EXECUTIVE DIRECTOR ELIZABETH LINT: You can just send it, that's fine.

CHAIR ANDREA JACKSON: So I make a motion that we approve the change of officers/directors and change of manager to Tachung Chang.

TACHUNG CHANG: Yeah, pretty good.

CHAIR ANDREA JACKSON: Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.

TACHUNG CHANG: Thank you very much.

APPLICATION: SPUS 7 150 CAMBRIDGEPARK, LP

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: SPUS 7, 150 Cambridge Park, LP has

applied for a garage license with additional flammables storage at 140 Cambridgepark Drive for 456 parking spaces with 4,560 gallons of gasoline in the tanks of vehicles only; 100 gallons of diesel fuel and a fuel tank and 80 gallons of diesel in a day tank.

KEVIN MURRAY: Good evening.

CHAIR ANDREA JACKSON: Good evening.

If you could please state your name for the record saying and spelling your first and last name, please.

KEVIN MURRAY: First name is Kevin, K-E-V-I-N. Last name is Murray, M-U-R-R-A-Y.

CHAIR ANDREA JACKSON: If you can tell us about the application please.

KEVIN MURRAY: The application is for a six-level parking garage, open parking garage located at 140 Cambridgepark Drive. It is being built for the 150 Cambridgepark Drive office

building. We'll have 456 spaces, and 4,560 gallons of gasoline and we'll have a back-up generator for the elevator located on the sixth level with a day tank of 80 gallons of diesel fuel and a fuel storage room located on the ground level with 100 gallons of diesel.

FIRE CHIEF GERALD REARDON: So this generator just does the elevator?

KEVIN MURRAY: Yes.

FIRE CHIEF GERALD REARDON: It is an unusually small tank.

KEVIN MURRAY: Yes.

Everything else is on battery back-up, all the other life safety, but the elevator we are required to put the generator on.

FIRE CHIEF GERALD REARDON: And the battery back-up you are using, is that a 48-volt system or is it a --

KEVIN MURRAY: 277, I believe.

FIRE CHIEF GERALD REARDON: With the battery back-up 277 UPS?

KEVIN MURRAY: I'm not sure.

FIRE CHIEF GERALD REARDON: Okay, I was just curious. And this garage is all above ground?

KEVIN MURRAY: That's correct.

We do have a two-foot flat storage area, which is below grade but that's not accessible by people.

FIRE CHIEF GERALD REARDON: Does this one have a rated VDA plan as well?

KEVIN MURRAY: VDA, I'm not sure. I know we have the fire alarm control panel and so forth.

FIRE CHIEF GERALD REARDON: I'm all set.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR ANDREA JACKSON: Are there any members of the public that wish to be heard in that matter?

Seeing none, I make a motion that approve the application for SPUS 7 at 150 Cambridgepark Drive, LP for a garage license with additional flammable storage at 140 Cambridgepark Drive for 456 parking spaces with 4,560 gallons of gasoline in tanks of vehicle only, 100 gallons of diesel fuel in a fuel tank and 80 gallons of diesel in a day tank.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.

KEVIN MURRAY: Ms. Lint, did you want

these?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes,
please.

APPLICATION: SG RESTAURANT, INC. D/B/A VILLAGE

GRILL & SEAFOOD

Application: SG Restaurant, Inc., doing
business as Village Grill & Seafood, Stavroula
Fotopoulos, manager, has applied for a common
victualer license to be exercised at 114 Magazine
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 20.

Applicant is seeking to operate 7 a.m. to
10 p.m. seven days per week.

CHAIR ANDREA JACKSON: Good evening.

If you could both state your name for the
record and saying and both spelling your first

and last name, please.

STAVROULA FOTOPOULOS: Stavroula
Fotopoulos.

CHAIR ANDREA JACKSON: If you could speak
up.

STAVROULA FOTOPOLOUS: Stavroula
Fotopoulos.

CHAIR ANDREA JACKSON: And if you could
spell that, both names, please.

STAVROULA FOTOPOULOS: S-T-A-V-R-O-U-L-A
F-O-T-O-P-O-U-L-O-S.

CHAIR ANDREA JACKSON: And your name?

ELENI SARIDIS: Eleni Saridis, E-L-E-N-I
S-A-R-I-D-I-S.

CHAIR ANDREA JACKSON: If you could tell
us about the application.

Are you looking to take over?

STAVROULA FOTOPOULOS: Yes.

CHAIR ANDREA JACKSON: Were you the

previous owner at one time?

STAVROULA FOTOPOULOS: Yes.

CHAIR ANDREA JACKSON: Explain to us the history of that.

STAVROULA FOTOPOULOS: I used to own it and my sister bought it from me and now she's tired and wish to sell it back and I decide to buy back.

CHAIR ANDREA JACKSON: So sisters? Still keeping it in the family?

STAVROULA FOTOPOULOS: Yes.

CHAIR ANDREA JACKSON: Nothing else is changing? CV not changing? The hours are not changing?

EXECUTIVE DIRECTOR ELIZABETH LINT: The hours are changing.

CHAIR ANDREA JACKSON: The hours are changing?

EXECUTIVE DIRECTOR ELIZABETH LINT: We

have the current hours as --

STAVROULA FOTOPOULOS: I think it is the same.

EXECUTIVE DIRECTOR ELIZABETH LINT: We have 8 p.m. to 10 p.m., and you are looking for 7 a.m. to 10 p.m.

STAVROULA FOTOPOULOS: Could I have --

EXECUTIVE DIRECTOR ELIZABETH LINT: Interestingly enough, it says 7 but the folder said eight, so I guess it is the same.

CHAIR ANDREA JACKSON: You are looking to open at 7 or 8?

STAVROULA FOTOPOULOS: 7.

CHAIR ANDREA JACKSON: 7 a.m.?

STAVROULA FOTOPOULOS: Yes.

CHAIR ANDREA JACKSON: Cosmetic change to the restaurant?

STAVROULA FOTOPOULOS: No.

CHAIR ANDREA JACKSON: Nothing?

You are just taking over?

STAVROULA FOTOPOULOS: Yes.

CHAIR ANDREA JACKSON: Are you going to help her?

ELENI SARIDIS: Yes, when she needs me.

CHAIR ANDREA JACKSON: How long has the restaurant been in the family?

ELENI SARIDIS: I'm 16 years there. So she was like --

STAVROULA FOTOPOULOS: Over 25 years.

CHAIR ANDREA JACKSON: Over 25 years?

STAVROULA FOTOPOULOS: Yeah. More than that. It was like 1980. 1985, I think. I don't remember. It goes by so --

FIRE CHIEF GERALD REARDON: 30 years?

ELENI SARIDIS: Around there, yeah.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No questions.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR ANDREA JACKSON: Are there any members of the public that wish to be heard in this matter?

Seeing none, I make a motion that we approve the CV license to be exercised at 114 Magazine Street for SG Restaurant, Inc., doing business as Village Grill & Seafood.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.

Congratulations again.

DISCIPLINARY: (CONTINUED FROM JULY 7, 2015)

SHALIMAR, INC. D/B/A DOSA FACTORY:

EXECUTIVE DIRECTOR ELIZABETH LINT:

Disciplinary: Continued from July 7, 2015.

Shalimar, Inc., doing business as Dosa Factory, Amrik Pabla manager, holder of a common victualer license at 571 Massachusetts Avenue due to a report received by the License Commission from the Inspectional Service Department.

CHAIR ANDREA JACKSON: Is there anyone here that wants to be heard in this matter?

(No response.)

CHAIR ANDREA JACKSON: So they received notice?

EXECUTIVE DIRECTOR ELIZABETH LINT: They did.

CHAIR ANDREA JACKSON: At the last minute they asked for a postponement?

EXECUTIVE DIRECTOR ELIZABETH LINT: For

the last hearing.

CHAIR ANDREA JACKSON: Do we know what the status is of the repairs?

EXECUTIVE DIRECTOR ELIZABETH LINT: I do. My understanding from Captain Cahill is that there was a leak in the gas fitting and the plumber was going to be going out.

FIRE CHIEF GERALD REARDON: That's --

CHAIR ANDREA JACKSON: No.

EXECUTIVE DIRECTOR ELIZABETH LINT: 2278.

CHAIR ANDREA JACKSON: It was from ISD?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes. There's an inspection on Thursday. And ISD said they will give us a report.

CHAIR ANDREA JACKSON: Do we know if the work was ever completed or this is what they are going back out to --

EXECUTIVE DIRECTOR ELIZABETH LINT: That's what they are going to determine.

CHAIR ANDREA JACKSON: Part of me says that we can go ahead and continue this until our next hearing, but at the same time the fact that they didn't show is concerning to me. They had notice that the hearing was on for today.

That has been a problem that goes back to 2014 that we have been waiting for them to correct.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes, since December.

CHAIR ANDREA JACKSON: So I would like to make a motion that we issue them a warning. And then pending what we hear back from ISD, we may need to put them back on the agenda again.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

POLICY: NIP POLICY DISCUSSION:

EXECUTIVE DIRECTOR ELIZABETH LINT:

Policy: The Board of License Commissions will discuss whether to adopt a policy requiring all package stores to place any bottles either behind the counter or on the counter in a protective case so they must be requested.

Such policy will prevent easy access to the bottles and help reduce the possibility of underage sales.

CHAIR ANDREA JACKSON: So this issue came up as a result of, I believe, it was earlier this month with we had the hearing for Inman Wine and Spirits and we heard lots of testimony from neighbors who were in opposition to them opening but there was a concern expressed about nip bottles.

I know when the investigators have gone out, they looked at the two liquor stores on Mass. Ave in this area and their nip bottles are located behind the counter, behind Plexiglass, on the counter behind Plexiglass, so I think as a policy, I don't think we have any ability to say you can't have nip bottles, nor do I think that's our jurisdiction. But I think we should make a policy in terms of making nip bottles less accessible, so either requiring that they be placed behind the counter, or on the counter behind the Plexiglass, so that when customers come in, they have to ask for it instead of being easily accessible. I don't know if either of you have any thoughts about that.

FIRE CHIEF GERALD REARDON: I think that's consistent with several other locations we have had over the years that have had some issues in terms of making them available but not making

them readily available, so someone can't take those. So those people in getting them, they can see them and have access to them only through the agents of the store as opposed to themselves, I think it's a good policy.

CHAIR ANDREA JACKSON: Are there any members of the public that wish to be heard?

Sure.

Please come forward. Please have a seat.

BEN WEINER: My name is Ben Weiner, W-E-I-N-E-R, and I represent Sav-Mor Spirits, a liquor store at Fresh Pond, my son Michael is the owner, and we have been in business for over 30 years at that location. Before it was called Cappy's, and I recently attended a hearing such as this in Somerville, and my store in Somerville, actually both our stores in Somerville, have adopted the nonaccess rule.

However, there was a number of other

liquor stores in Somerville that were a little upset with this particular proposal because they felt that the problem was, I hate to say, overstated, but when minors -- and I assume that this is what you are talking about, minor access to 50 notes (phonetic) is what part of that notice was. And minors when they come into a liquor store, we are on guard. If anything, our sense is tuned up a notch to the fact that somebody is coming in the store that looks young, and believe me, the first thing that happens is they near the counter, it's not, "I'll have..."; it's "Let me see your ID, please." They don't get a chance to get to the counter and put their money down without the cashier asking the youth for an ID.

And there's no more secure area in the store than at the register. It is manned every hour -- every minute of every hour, so the

ability for someone to sneak up and steal nips and run out is extremely remote.

And my concern, and other retailers in the area concern, is that sometimes regulations get passed and it may not be necessary to control the situation.

I'm not sure of the situation in Cambridge. I wasn't aware that there was a problem.

However, I'm not -- I guaranty you that most of the nips that the neighbors were complaining were purchased by adults of legal age, not stolen by minors. So what I would ask is that before a regulation such as this gets passed is, is it necessary?

Now, as a liquor store owner for over 40 years, I don't like things stolen from me, believe me, and we're more concerned about the big bottles being stolen by adults and minors,

obviously than the nips that are at the counter. For them to steal the nips at the counter means they have to distract the cashier, and reach in and grab nips, for the most part are 99 cents or less, so you talk about a minor heist.

I just don't think it is as big a problem as it seems to be presented to the public, and in Somerville what we agreed with Cory Mashburn of someone who cares about prevention, is that the liquor stores would get together and address the issue with his participation without first passing a regulation that may, in fact, not be necessary, so I don't have a problem with something similar here, is to ask the Cambridge people, and there's a very active Cambridge liquor store association here, which my son was the treasurer, and I'm sure your office is familiar with CLAB, it's just -- what I'm saying is what you are asking is good protection, but it

may not be necessary.

FIRE CHIEF GERALD REARDON: I would suggest that it levels the playing field, so that if some of the stores who do it and some of the stores don't, and if there's an economic advantage or something, or that someone feels that they would go to the store without it, whatever, and it's not just minors, there's other members of the population who are legally entitled, but --

BEN WEINER: It's more of a marketing thing, if you can imagine, and I hate to use the analogy of candy in the store, "I'll take one of these and two of these," and of course there's nothing to say the customer can't ask if it's behind the counter. But it's something to people handling something that acts as an intrinsic value when you are looking to market a product.

And I'm just saying that the -- were the

issue to continue and the Council pass an ordinance because you found that there is a big problem -- in Somerville we didn't have any problems.

FIRE CHIEF GERALD REARDON: I can tell you that as the longest person sitting here, this has been an ongoing problem that's been around for quite a number of years, and it seems like the fact that putting them either behind the counter or behind the Plexiglass, so they are not being not advertised, just a lot of stores have done it, and it is the biggest complaint we get.

We are not getting complaints up in your neck of the woods, but there's other places.

The thing is, that for business people, keeping them all on a level playing field so they're all dealing with the same issue is probably a little bit easier than singling out certain stores after there's a problem. That's

my opinion on it.

BEN WEINER: No, I understand that, and I appreciate it. And as a matter of fact, our store in Cambridge does not have self-service on the nips. The nips are facing the cashier.

But as a past president of the Massachusetts Package Store Association, I just felt sometimes I speak on behalf of people who are too busy in their own stores to speak, and I wanted you to hear the outside.

CHAIR ANDREA JACKSON: I appreciate it.

Does it present any type of economic hardship for the store owner by placing them behind the counter or in the Plexiglass?

BEN WEINER: The only thing I would say, it would vary from store to store depending how upon much counter space you would have available and how we merchandise it. So, for me, it was not a problem because we were able to do what we

wanted to do and I didn't care if I lost some sales, but there may be others that may care. And that's all I was just bringing up a point that there is --

FIRE CHIEF GERALD REARDON: Recognize I haven't taken a quantified survey, but I do think there's too many that have changed much in what they have doing now, but again, at least it levels the playing field with all the stores in Cambridge, so they are all dealing with the same set of rules, so in case one feels as though it's an unfair marketing advantage to have them out where they can get them versus someone who's being voluntarily compliant, this is -- I'm not a big regulation fan either, but I think it does level the playing field for the business owners.

BEN WEINER: I think that some would be against it and some would be for it, and that's

the way things are in our business but I certainly wanted to take the opportunity to present that side of the issue.

FIRE CHIEF GERALD REARDON: We appreciate you coming in.

CHAIR ANDREA JACKSON: Thank you. Thank you for coming in.

Is there anyone else that would like to be heard on this? No? Going once.

So I'm going to go ahead and make a motion that we adopt a policy that nip bottles will be required to be placed behind the counter, on the counter behind a Plexiglass.

I would like to be able to give establishments time to make it happen, so I'm thinking an effective date of October 1st.

BEN WEINER: Can I ask you one thing?

CHAIR ANDREA JACKSON: Sure.

BEN WEINER: This policy, many of these

nips are in cookie jars and the cookie jars, I don't know if you consider them your definition of Plexiglass.

FIRE CHIEF GERALD REARDON: Plexiglass or glass.

BEN WEINER: Yes, so I'm just saying if they are not accessible to the public, as opposed to having them behind Plexiglass, if that would be part of the regulation, so they would not be accessible to self-service because the cookie jars are great because they stack up and they are not accessible to the public.

CHAIR ANDREA JACKSON: If they are in a cookie jar behind the counter, again, as long as they are not accessible where somebody could reach in and grab it.

BEN WEINER: Ours are on the counter, but unaccessible, they'd have to jump over the counter, in which case I would have a lot more

problems with stolen nips.

GURINDER PABLA: And --

CHAIR ANDREA JACKSON: I'm sorry, if you can come forward. If you are going to speak, I need your name on the record.

Good evening.

GURINDER PABLA: Gurinder Pabla. I'm the --

CHAIR ANDREA JACKSON: You have to spell your first name and last.

CHAIR ANDREA JACKSON: G-U-R-I-N-D-E-R.
P-A-B-L-A. I'm the manager for the Martin Brothers, 1144 Cambridge Street.

Just a question about the cookie jars. Like, we have a cookie jars on the counter, and we have the nips behind the counter, and if the cookie jar is there facing towards the cashier and not towards the public, is it okay to have it, the new policy, or do we have to remove the

cookie jar from the counter? You know, the
cookie jar like has a face --

CHAIR ANDREA JACKSON: I see what you are
saying. So the opening is facing towards --

GURINDER PABLA: Towards the cashier and
not the public.

CHAIR ANDREA JACKSON: Board?

FIRE CHIEF GERALD REARDON: I personally
don't see a problem with it.

I'd point to it underneath and you take
it out, you'd take it out of the jar.

GURINDER PABLA: You point it out from
the jar it, we would we take it out from the jar
and we sell it.

CHAIR ANDREA JACKSON: So when you sell
it, are people reaching around to stick their
hand in or do they have to ask?

GURINDER PABLA: No. We are. The
cashier is taking it for them.

CHAIR ANDREA JACKSON: I'm fine with it as long as it's not self-service, as long as someone is not reaching into a basket and grabbing it themselves and it is sitting with a cookie part turned the other way where people can reach in. I just want to make it so people have to ask for it.

GURINDER PABLA: Okay, that's fine.

BEN WEINER: Sorry I interpreted. I just wanted to get that clarified.

CHAIR ANDREA JACKSON: Motion's been made. Is there a second?

FIRE CHIEF GERALD REARDON: Can we just say Plexiglass or glass to prevent self-service?

CHAIR ANDREA JACKSON: That's correct. That's fine.

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: With an effective date of October 1st.

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: I believe that's it on our agenda, is that correct?

EXECUTIVE DIRECTOR ELIZABETH LINT:
Minutes?

CHAIR ANDREA JACKSON: Sure.

Go ahead for it.

EXECUTIVE DIRECTOR ELIZABETH LINT: June 16, June 17, and July 7th.

CHAIR ANDREA JACKSON: I make a motion to approve said minutes.

Is there a second.

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: That's it.

I make a motion adjourn.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor
signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

(Hearing adjourned.)

ERRATA SHEET

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

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

CERTIFICATION

Commonwealth of Massachusetts

Norfolk, ss.

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

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

IN WITNESS WHEREOF, I have hereunto set
my hand this 25th day of July, 2015.

Jill Kourafas
Certified Shorthand Reporter
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