## COMMONWEALTH OF MASSACHUSETTS

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CITY OF CAMBRIDGE
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IN RE: LICENSE COMMISSION GENERAL HEARING

LICENSE COMMISSION BOARD MEMBERS:

Michael P. Gardner, Chairman
Superintendent Christopher Burke
Gerald Reardon, Fire Chief

STAFF: Elizabeth Y. Lint, Executive Director Corey Pilz

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

DATE: Tuesday, March 19, 2013

TIME: 6:07 p.m.

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## PROCEEDINGS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Before we get started, if anyone has a cell phone on, we would appreciate it if you turned it off.

This is the License Commission General

Hearing, Tuesday, March 19, 2013 at 6:07 p.m.
We're in the Michael J. Lombardi

Municipal Building, 831 Massachusetts Ave,
basement conference room.

Before you are the Commissioners:

Chairman Michael Gardner, Superintendent

Christopher Burke and Fire Chief Gerald Reardon.

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    If anyone is here for the matter of Delta
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Kappa Epsilon, that's been continued to April 19
and Classic Cab has also been continued to

April 19.
matter this evening is disciplinary, the Vijeta
Corporation doing business as Prospect Liquors,
Dhiru Patel, Manager, holder of an all alcoholic
beverages as a package store license at 1226
Cambridge Street due to violation of the License
Commission's disciplinary and revocation hearing
decisions on January 10, 2012 and October 9,
2012, respectively. On February 27 and March 6
of 2013, Prospect Liquors sold alcoholic
beverages before their allowable opening time of
11:00 a.m.
COMMISSIONER MICHAEL GARDNER: If anybody
is here for this matter, please come forward and
have a seat, and then I'll ask you to state and
spell your last names for the record, and also,
to indicate your affiliation.

Ms. Boyer, why don't you begin?

ANDREA BOYER: Thank you, sir.

CHAIRMAN MICHAEL GARDNER: State and
spell your name for the record and just give us a chance to...

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

DAVID HAGEMEYER: David Hagemeyer. I'm
an attorney and $I$ represent Mr. Patel. And my
last name is spelled $H-A-G-E-M-E-Y-E-R$.

DHIRU PATEL: Dhiru Patel, owner of

Prospect Liquors.

COMMISSIONER MICHAEL GARDNER: Ms. Boyer.

ANDREA BOYER: Thank you, sir. Please be advised that I've been requested to periodically check Prospect Liquors to be sure that they're not violating the disciplinary decision which was not to open for business before 11:00 a.m.

During a few checks the door had been
unlocked as the owner stated that deliveries were being made which he's allowed to accept in
accordance with the disciplinary decision.

I asked Mr. Chris O'Neil from the License

Commission Office to assist me in an
investigation to be sure that the owner,

Mr. Patel, was not selling alcoholic beverages while opening for deliveries before 11:00 a.m. Mr. O'Neil and I arrived in the area of Prospect Liquors at approximately 10:13 a.m. on Wednesday, February 27 of 2003.
Mr. O'Neil was able to buy a bottle of

Kahlua priced at $\$ 19.99$ from the owner,

Mr. Patel, at approximately 10:16 a.m. I have
the bottles if anyone wants to see them after we adjourn the hearing.

Another investigation of Prospect Liquors
took place on March 6, 2003 at approximately

9:12 a.m.

During the investigation, Mr. O'Neil was able to purchase 24 ounces of Red Stripe Lager. Mr. O'Neil requested a receipt for the transaction and was given one.

It was attached to the report that I
submitted for you today. Also, the bottle has
the price tag and the packaging is being kept if you would like to see it.

COMMISSIONER MICHAEL GARDNER: Okay. Do
you have those things?

ANDREA BOYER: I do.

COMMISSIONER MICHAEL GARDNER: Why don't you both show them to Mr . Hagemeyer and show them to us.

ANDREA BOYER: This is the bag that was placed and the receipt is attached. I put them in plastic because they tend to lose the ink if you don't put them in the plastic.

And here is the bottle of Red Stripe with
the tag. That was the second purchase that was made.

COMMISSIONER MICHAEL GARDNER: And this was approximately at 9:12 a.m.?

ANDREA BOYER: Yes, sir. The first
purchase was put in the brown/black bag and then
the brown bag and has the green price tag also.

COMMISSIONER MICHAEL GARDNER: Is that
the original packaging, the bags?

ANDREA BOYER: Correct.

COMMISSIONER MICHAEL GARDNER: And tell
us where you were at the time.

ANDREA BOYER: The first time $I$ was
around the corner because $I$ have investigated

Mr. Patel several times, and I didn't want him to
see my truck or myself to tip him off.

The second time $I$ was parked across the
street and watched Christopher go in and out.

COMMISSIONER MICHAEL GARDNER: HOW soon
after the sales did you have a conversation with Mr. O'Neil?

ANDREA BOYER: Just as soon as he was
done, within a couple minutes he was back in the car.

COMMISSIONER MICHAEL GARDNER: And tell
us what, if any, conversations you have had with Mr. Patel or anyone else affiliated with Prospect Liquors regarding the prohibition on opening or selling before 11:00 a.m.

ANDREA BOYER: Mr. Patel previously was given warnings for not abiding by the disciplinary decision for selling two Bud Lights -- two Bud Light cans of beer on November 21 st at approximately 10:07.

At that time the Executive Director

Elizabeth Lint clarified for Mr. Patel that if
any other sales took place after that, his

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package store license could be revoked.
    COMMISSIONER MICHAEL GARDNER: Did you
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have any conversations yourself?
ANDREA BOYER: I did. I don't have the
exact dates of those.
COMMISSIONER MICHAEL GARDNER: Give me a
summary of what you remember of those
conversations.
ANDREA BOYER: Just basically trying to
explain to him the rules and regulations of the
disciplinary decision stating that, you know,
you're not supposed to be open, and that's -- I
think -- I apologize -- but, Elizabeth, I think
that it's in the documents -- that $I$ had the
conversation with him during the prior violation
when he actually had someone in the back room
consuming alcoholic beverages on the premise.
So between that conversation, after that
and then with Elizabeth, it's been at least three
times that $I$ explained the rules and regulations to him --

COMMISSIONER MICHAEL GARDNER: Okay.

ANDREA BOYER: -- or the decision, I
should say.

COMMISSIONER MICHAEL GARDNER: And I note

Mr. O'Neil is present in the audience.

Why don't you just come forward,

Mr. O'Neil, and I'll have you identify yourself for the record. You can pull up a chair if you'd like.

CHRIS O'NEIL: Chris O'Neil,

O-apostrophe-N-E-I-L.

COMMISSIONER MICHAEL GARDNER: What is
your job with the License Commission?

CHRIS O'NEIL: Administrative assistant.

COMMISSIONER MICHAEL GARDNER: You were present here this evening when Ms. Boyer gave her
summary of the events?

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CHRIS O'NEIL: I was, sir.
COMMISSIONER MICHAEL GARDNER: Is there
``` anything in what she said that you regard as inaccurate or incomplete?

CHRIS O'NEIL: No, not at all.

COMMISSIONER MICHAEL GARDNER: So
describe to us, as best you remember, your interactions in Prospect Liquors.
CHRIS O'NEIL: The first time I went in
there was February 27, I believe. It was
raining. I walked in and kind've made small talk
because \(I\) walked -- the Kahlua bottle was right
to the left, right when you walked in the door.

I just kind've said, "It's horrible weather,"
grabbed a bottle, went up to the counter. He
rang it in. I didn't have to show my ID or
anything, which is good because he probably
would've recognized my name. I left.

COMMISSIONER MICHAEL GARDNER: And the
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"he," was it Mr. Patel who did the sale?
CHRIS O'NEIL: Did the sale both times.
COMMISSIONER MICHAEL GARDNER: All right.

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Go ahead.

CHRIS O'NEIL: Came out and gave the bottle to Andrea. She asked if I got a receipt.
I said no.
    And then we went back in on March 6. She
told me to get a receipt, if possible.
    That's when \(I\) went in and \(I\) walked
directly past Mr. Patel, who was behind the
counter, and kind've was perusing the cooler,
grabbed a bottle of Red Stripe, went to the
counter.

Again, I was not carded. Purchased the Red Stripe, and I asked for a receipt, and I was given one.

And then \(I\) came back out to Ms. Boyer's
car and gave her the bottle and the receipt.

COMMISSIONER MICHAEL GARDNER: And so
either of you -- during these two dates, did
either of you see any activity with respect to
deliveries or any other kind of transactions
going on that would have explained why the doors weren't locked and you were able to walk in?

CHRIS O'NEIL: I believe there was a
truck parked in front the second time we went
there, March 6, but I didn't see anyone else
inside.

COMMISSIONER MICHAEL GARDNER: So you saw no active deliveries going on?

CHRIS O'NEIL: No. No two-wheel cart or anything like that.

COMMISSIONER MICHAEL GARDNER: How about you, Ms. Boyer?

ANDREA BOYER: The first time \(I\) was
around the corner, so \(I\) don't know if there was
anyone one else or what occurred.

COMMISSIONER MICHAEL GARDNER: So, I
guess, Mr. O'Neil, did -- was there anything
about what you observed that would you've led you
to believe that the store was not just simply
open for business?

CHRIS O'NEIL: No. I mean, especially
seeing that he didn't say anything when I walked
in. I made a point to make eye contact to see if he would say "We're not open yet, come back a little later," but he didn't.

COMMISSIONER MICHAEL GARDNER: And the
door was unlocked?

CHRIS O'NEIL: It was open.

COMMISSIONER MICHAEL GARDNER: All right.

Anything else either of you would like to add or
think would be important for us to know?

ANDREA BOYER: Yes. Thank you, sir.

When I delivered the letter for the
hearing notification of the hearing, it was
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10:00 a.m., around that time frame, and I
specifically stated to him, I said, "I see you're
open for business before you're supposed to be at
11:00."
He said, "I'm allowed to be open. I did
it for three months. It's okay now."
And I said, "No, it's not."
And I had him sign the receipt letter I
hand-delivered and I left.
COMMISSIONER MICHAEL GARDNER:
Approximately what date did you deliver that to
him?

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    ANDREA BOYER: I think it's in the file.
    EXECUTIVE DIRECTOR ELIZABETH LINT: That
would've been March 13th.

ANDREA BOYER: Thank you.

COMMISSIONER MICHAEL GARDNER: Thank you.

Mr. Hagemeyer.

DAVID HAGEMEYER: I just have a couple
questions for Mr. O'Neil.

COMMISSIONER MICHAEL GARDNER: Okay.

Through me?

DAVID HAGEMEYER: Through you, yes.

I was wondering if you could ask

Mr. O'Neil whether when he went into the store on February 27 and on March 6 if there were any other customers present. COMMISSIONER MICHAEL GARDNER: You heard
that question, Mr. O'Neil?

> CHRIS O'NEIL: I did.

COMMISSIONER MICHAEL GARDNER: Go ahead and answer.

CHRIS O'NEIL: The first time I don't
remember. The second time \(I\) just remember
someone walking in as \(I\) was at the counter
leaving. I don't know -- it wasn't a delivery
person, they didn't have any paperwork or no hand cart, but \(I\) obviously think that it was a
customer, but \(I\) didn't see them purchase anything or stay long enough to see.

COMMISSIONER MICHAEL GARDNER: Do you
remember if they were still in the store when you left?

CHRIS O'NEIL: They were. They were
coming in as \(I\) was finishing up my purchase of liquor.

COMMISSIONER MICHAEL GARDNER: Thank you.

Anything else, Mr. Hagemeyer?

DAVID HAGEMEYER: Just a question for

Ms. Boyer. I would like to -- when she was there on March 12, were there any other customers in
the store at that time?

ANDREA BOYER: No, I didn't notice
another customer in the store at that time.

COMMISSIONER MICHAEL GARDNER: What time
again was that, approximately?

ANDREA BOYER: I think it was
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approximately in the 10:00 range.
COMMISSIONER MICHAEL GARDNER:

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Mr. Hagemeyer, anything else?

DAVID HAGEMEYER: Yes, Mr. Chairman.

Mr. Patel is in the process of
transferring the license, or has an application pending to transfer the license for the Prospect Liquors.

The attorney for the buyers is present tonight as well as the buyers. There has been prices agreed upon, a purchase and sale agreement has been executed, financing is nearly complete and there's a lease in the process of being negotiated between the buyer's attorney and the owner or landlord of the building. Mr. Patel is eager to sell the
establishment. And it would be my understanding that the Commission is eager to have a new owner of that establishment.

> In order to sell the store, Prospect

Liquors, there has to obviously be a license and some sort of force in effect; in other words, not revoked or cancelled.

And we're not here to necessarily dispute
the facts of the allegations that Ms. Boyer and Mr. O'Neil have testified to. But we're here to ask that the matter be continued in some way, even with a suspension so that the proposed sale can be completed.

And my understanding is that that matter
is on the agenda. And, as I said, the parties to that matter are here.

That's basically our position.

COMMISSIONER MICHAEL GARDNER: Okay.

Do you have anything to elaborate on

Mr. Patel's statement to Ms. Boyer that he'd served his three months and so it was okay for him to be open again early?

DAVID HAGEMEYER: In my conversations
with Mr. Patel, he has indicated that he had
problems understanding how long the 11:00 opening
time would be in force and effect.

COMMISSIONER MICHAEL GARDNER: How long
it had been in force and effect?

DAVID HAGEMEYER: Yeah, whether it was.

He understands that it went in force and effect at the hearing of January 2012, but \(I\) don't think
he understood that that was still in force and effect or if that was something that had expired. EXECUTIVE DIRECTOR ELIZABETH LINT: I
would be happy to address that.

DAVID HAGEMEYER: That's one of the
conversations that \(I\) had with Mr. Patel.

COMMISSIONER MICHAEL GARDNER: If

Mr. Patel had any problem in understanding that,

I think those were your words, what steps, if
any, did he take to clarify his understanding?

DAVID HAGEMEYER: He told me he has
spoken with at least two lawyers. I don't know who they are. And that they either would not or did not clarify that and...

COMMISSIONER MICHAEL GARDNER: Did he
seek clarification from Ms. Lint or anybody at the License Commission as to the length of the Commission's order to restrict his sales to begin at 11:00?

DAVID HAGEMEYER: Not that I have
knowledge of, Judge, but -- I mean, Mr. Chairman.

COMMISSIONER MICHAEL GARDNER: That's not gonna happen.

DAVID HAGEMEYER: Not that I have
knowledge of, but \(I\) know she had conversations with my client.

COMMISSIONER MICHAEL GARDNER: All right.

Ms. Lint, could you just inform the Commission, summarize for us, the conversations that you have
had, if any, with Mr. Patel about the matter of his opening time?

EXECUTIVE DIRECTOR ELIZABETH LINT: I
believe Mr. Patel came into the License

Commission once -- no, I take that back -- two or
three times after the -- I think it was the

September decision -- asking me to speak to the

Commissioners to allow him to reopen.

He also gave me several letters asking me
to allow him to reopen. I told him he could not open earlier than 11:00 a.m.

At the time he was represented by

Attorney Van Dam who called me on three occasions saying that he was calling at the request of his client, Mr. Patel, and could I -- is there any way that that decision could be changed. And I advised him it absolutely could not, that it was the decision of the Commissioners that 11:00 a.m. was the opening, that if there were any
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violations that it would be an automatic
revocation, and that I can see no reason why he
didn't understand it, because we went over it
over it and over it and he was represented by
counsel.
COMMISSIONER MICHAEL GARDNER: This
matter was heard in September of 2012 and also
January of 2013, is that --
FIRE CHIEF GERALD REARDON: October of
2012.
EXECUTIVE DIRECTOR ELIZABETH LINT:

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October.
    COMMISSIONER MICHAEL GARDNER: October of
2012, but we were back -- we were here twice,
weren't we?
    EXECUTIVE DIRECTOR ELIZABETH LINT:
That's correct.
COMMISSIONER MICHAEL GARDNER: And the
second time was on the drinking in the back room?

ANDREA BOYER: Yes.

COMMISSIONER MICHAEL GARDNER: Is that - EXECUTIVE DIRECTOR ELIZABETH LINT: Yes. COMMISSIONER MICHAEL GARDNER: I guess my
memory of that event is pretty -- was clear that we were very clear with him that \(11: 00\) was the start time, and there was absolutely no discussion about that having any limited duration or time period.

And I think there was pretty extensive
testimony as to the community reasons why we
wanted a 11:00 a.m. given the disruption of
school children and others in the community were feeling from the sales and the clientele who were participating in the sales in the early morning. Fellow Commissioner Reardon has handed me
a copy of the letter of March 12, 2013 to

Mr. Patel that includes the following summary:
"On October 9, 2012, the Chairman made a motion
to revoke the license of Prospect Liquors on
January 15th, 2013. During this time, Mr. Patel
was allowed to operate his business in accord
with the decision of January 10, 2012 and

September 18, 2012. He is not to be open until

11:00 a.m. and he is to keep the nips out of
sight. He is to continue to serve the suspension
days. This delayed revocation was to give

Mr. Patel time to seek a suitable buyer for his
business considering his hardship. This
revocation is based on Mr. Patel's long and
troubled disciplinary history with the

Commission. His actions were a direct and
intentional disregard of the License Commission's
rules and the law.

A serious violation occurred less than 24
hours after being reminded by Ms. Boyer what his responsibilities were. The motion was approved
two to nothing."

And then there's a summary of some -- the prior disciplinary action.

Before we consider anything else,

Attorney Hagemeyer, do you want to give Mr. Patel
the opportunity to make a statement?

DAVID HAGEMEYER: If I could just make
one more point, Mr. Chairman. The petitioner for transfer of ownership was filed with the

Alcoholic Beverages Control Commission on

January 26 of 2013 , which seems to be consistent with the history as outlined by the letter of March 12 th, wherein he was allowed to continue to operate so that he could seek a suitable buyer of the business.

FIRE CHIEF GERALD REARDON: I guess,
counsel, you're picking out one of the parts you believe that he conformed with, but nothing else. DAVID HAGEMEYER: Well, I'm not disputing the allegations that Ms. Boyer or Mr. O'Neil --
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I'm not disputing the testimony. But, I mean --
so consequently, I'm here to try to get to the
next stage of transferring the ownership of the
license, and I guess if I were to comment on the
allegations, I haven't heard any evidence or
anyone complain of people hanging around the
front of the store in the morning, or any of the
prior problems that were outlined in the
January 12th of 2012 letter.
And to my knowledge, I haven't heard any
evidence that he didn't at least comply with the
order that the nips should be out of sight, so I
don't think that allegation is being made that he
didn't conform with those requests.
COMMISSIONER MICHAEL GARDNER: If either

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Ms. Boyer or Mr. O'Neil want to comment on the nips issue, \(I\) would be happy to hear anything, if you have it.

CHRIS O'NEIL: No, no comment on the
nips. I was just going to point out that nothing has been filed with the Alcoholic Beverages Control Commissioner as the attorney stated. EXECUTIVE DIRECTOR ELIZABETH LINT: It's strictly in our office at this point.

COMMISSIONER MICHAEL GARDNER: In
terms of the byplay, you hear Mr. O'Neil, who
handles this kind of paperwork for the

Commission, indicates that nothing, in fact, has been filed with the ABCC, and Ms. Lint has
indicated that all the material is with us.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

COMMISSIONER MICHAEL GARDNER: And is

January 26 an approximately accurate date? EXECUTIVE DIRECTOR ELIZABETH LINT: I'll
tell you.

DAVID HAGEMEYER: If I misrepresented
it --

CHAIRMAN MICHAEL GARDNER: No, that's
fine.

DAVID HAGEMEYER: -- but I'm not really
familiar with the transactional --

COMMISSIONER MICHAEL GARDNER: I regard it as a harmless error.

DAVID HAGEMEYER: Okay, thank you.

Because \(I\) was just basing it on what \(I\) have in front of me.

COMMISSIONER MICHAEL GARDNER: But I
would like to talk to Mr. Patel and hear from him because after all, you are the license holder, you're the person who the Commission in the past deemed was an appropriate and responsible party to hold the license.

Over a number the years there's been many
concerns expressed by community members, by
representatives of the Police Department and
others, about the manner in which your store was
managed. And the Commission has had you before
it now several times on that issue, and took the step of -- in addition to suspending your
license, to actually be open for some time, took the step of restricting your sales to begin at 11:00 a.m., and I'd like to hear from you when you've been open, what time you've been open during 2013?

DHIRU PATEL: Actually, \(I\) was opening

11:00 all the time, but \(I\) leave the door open
just for the delivery guys, but \(I\) forgot to lock
it. At the same time, I didn't sell to any bad people, like homeless people or anybody, you know.

COMMISSIONER MICHAEL GARDNER: You didn't
serve any people, like homeless people or
anything, is what \(I\) understood you to say? Is
that right?

DHIRU PATEL: That was the main concern,
that nobody in the morning, no drunk people or
homeless people. That was the main concern of opening at 7:00 is what \(I\) understood, that nobody should serve homeless people before. And I had problem with -- like nobody was coming and homeless people was not there.

I took some pictures and give them to Elizabeth that there's no line of homeless people. Nobody comes there. And everything was clear.

And I requested my attorney how long I
had to keep it this way because I'm losing my business doing a half-hour late opening and I don't have any homeless people problem. I was
requesting my attorney, \(I\) was requesting with

Elizabeth, too, and I was trying to figure it out
that how long I had to hold it like this. And
then \(I\) say this more than three months I'm doing that.

DHIRU PATEL: It's more than three months

I was opening at 11:00, and \(I\) wasn't sure how
long I had to keep it.

So just a few days ago, like that person came, and other than that, I didn't serve nobody. Honest to God, I didn't serve nobody before 11:00 in December, January.

On holidays I opened at 11:00. And I
request to Elizabeth to know that, request with Attorney Van Dam that are holidays cleared, can \(I\) open early, like 9:00, like everybody else open, but he give me -- made a call and he said, "No, Mr. Patel, Elizabeth says no." So I was losing my business opening at 11:00 and I decided to sell it out. That's when I told Andrea when she came. I said, I'm selling my business out. I would like to -- I would like to do move as soon as possible from here."

So I was trying to sell my business and
my attorney right here represent that, he would like -- I would like to move out from here and here is the buyer and \(I\) would like to transfer the license, if possible. I'm requesting you to make the sale and let me get out from here. COMMISSIONER MICHAEL GARDNER: So did you understand the Commission order to be that you -before 11:00, you couldn't sell to the homeless or to drunks, but you could sell to other people? DHIRU PATEL: Actually, I apologize for that, because \(I\) couldn't exactly figure it out that why I had to open before 11:00. But I understood from the first meeting there was too many homeless people lined up, but that's why \(I\) had to open late, but that problem was solved because \(I\) raised the price way higher, so nobody comes there, and I took pictures at 8:30 everyday like 15, 20 days, \(I\) took picture everyday, and there was nobody there, 9:00 or 8:30. I give
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that picture to Elizabeth. And I don't have that
problem.

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    So, as far as \(I\) understand, the problem
we had it a long time ago, but that's been
solved.
    COMMISSIONER MICHAEL GARDNER: The
problem we had a long time ago has been solved is
what you just said?
DHIRU PATEL: Yeah. And nobody come
there.
                    COMMISSIONER MICHAEL GARDNER: When you
talked to your attorney, Mr. Van Dam, he made it
clear that the 11:00 rule was still in effect,
didn't he?
    DHIRU PATEL: Yes.
    COMMISSIONER MICHAEL GARDNER: And when
you talked to Ms. Lint, she made it clear that
the 11:00 rule was still in effect, didn't she?
    DHIRU PATEL: Yes. But \(I\) wasn't sure how
long that was the concern. I was confused that
three months is over now.

COMMISSIONER MICHAEL GARDNER: Who told
you it was only in effect for three months?

DHIRU PATEL: I was telling Van Dam that
it's three months that \(I\) open up, how long I had to keep it, but he didn't exactly told me.

COMMISSIONER MICHAEL GARDNER: Van Dam
didn't tell you that you had to keep it open --
you couldn't open before 11:00 going forward?

He didn't tell that you the 11:00 rule was still in effect?

DHIRU PATEL: He didn't tell me how
many -- how long \(I\) had to keep it like this.

COMMISSIONER MICHAEL GARDNER: Uh-huh.

Okay.

DHIRU PATEL: And then \(I\) was at the same
time in the process of selling it out. I would
like to sell this business.

I can understand it, the only defense to this violation is "Well, I'm selling anyway, so let me sell."

If a sale were not pending, I -- we
have -- we'd still have the same violations to deal with it, and we'd still have the fitness of the licensee to concern ourselves with.
\[
\text { And at this point, } I \text { don't necessarily }
\]
see at all that the fact that you're attempting to sell the business and have made apparently some substantial progress in that regard changes your status as a license holder who has
consistently and flagrantly violated the rule of
the Commission with respect to opening time. And

I guess I would say recklessly given the fact
that you were trying to sell out that, that you,
as best \(I\) can tell, simply decided you would
interpret the Commission's decision your own way,
which is don't sell to drunks or people who look like they're homeless. But if a respectable, apparently middle class person like Mr. O'Neil
walks in, you're free to sell to them.

And that -- I don't believe there was any
confusion on your part with respect to what the Commission order was.

And I'm very disappointed and disturbed that you so flagrantly violated it.

Other comments or questions from any
other Commissioners?

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

Well, \(I\) would certainly agree with you,

Mr. Chairman. In both instances, I would the credit the testimony of Ms. Boyer and Mr. O'Neil.

I think clearly there's been a consistent pattern of violations since 2006, and when \(I\) look at the enormous amount of resources that the city and the License Commission has put towards
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Prospect Liquors, I'm concerned.
I'm also concerned about the potential

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hazards created by these violations and the
impact on the neighborhood, and the fact that
Mr. Patel could not abide by the 11:00 a.m.
restriction really gives me no reason to believe
moving forward that anything would change.
    From the letter dated March 12, 2013 that
was delivered in hand, clearly it lists the past
history of disciplinary actions, and it's
notation of the license revocation in 2012 for
violations of Chapter 138, Section 15, which was
stayed until January \(15 t h\) of this year.
    I think in January 15 of 2013 has come
and gone. My comment.
    COMMISSIONER MICHAEL GARDNER: Thank you.
    FIRE CHIEF GERALD REARDON: I'd say that
this has been an ongoing saga with Mr. Patel. I
personally don't think Mr. Patel has ever been
forthcoming with us in terms of the issues.

He seems to take no responsibility
whatsoever every time it happens. It's always someone else's fault, it's a misinterpretation. And when you were here in October, you
begged us for another chance because your license was going to be revoked.

And we gave you that chance. And it was eloquently clear what the rules and regulations were regarding this time that you had to get rid of the license and sell it if you had a chance.

You told us of your hardship at home and stuff. We had empathy for you. We gave you yet another chance that you probably didn't deserve back then, but it was the right thing to do, I believe, to give you a chance.

And you flagrantly just threw it back in our faces.

You have no regard to what this Board
tells you. None. And you repeated it over and over and over, and \(I\) don't see any reason why you should retain this license.

COMMISSIONER MICHAEL GARDNER: Are there any members of the public who would like to be heard on this matter?
Seeing none --

EXECUTIVE DIRECTOR ELIZABETH LINT:

Mr. Chair, I had a conversation with Councilor Toomey today who just wanted to express to the Commissioners his grave concerns with this operator at that location and feels that he's definitely harmful to the community.

COMMISSIONER MICHAEL GARDNER: Thank you.
Well, I think both Commissioner Reardon
and Commissioner Burke have summed up some of the varies serious concerns we have with how you have handled the privilege of holding this license, Mr. Patel. And I, for one, am persuaded that it
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is time for the Commission to act with respect to
your license.

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So I will make the motion that the
license for a package store, for Prospect Liquors
be revoked immediately.
POLICE SUPERINTENDENT CHRISTOPHER BURKE:
Second that motion.
    COMMISSIONER MICHAEL GARDNER: Is there
anything about that that's unclear or you think
could be improved, Ms. Lint?
    EXECUTIVE DIRECTOR ELIZABETH LINT: I
think that's pretty clear.
    COMMISSIONER MICHAEL GARDNER: Before we
vote anything, is there anything you would like
to say, Mr. Hagemeyer?
    DAVID HAGEMEYER: The alternative that I
would suggest is my client would implore you to
consider suspending the license.
    In order to transfer the ownership, he
has to have a license to do it with, and we're very, very close to consummating that sale.

And while \(I\) certainly acknowledge the

Commissioners, what you gentlemen have said,
it's -- there's a matter financial consideration,
too. And if he's permitted to get out of this,
then he would leave and not be financially
destroyed by the process.

And that's what he's -- that's really --

I think as you, yourself, said, that's certainly
what he has taken substantial steps towards accomplishing.

So I would just ask one more time, rather
than revoke it, could it be suspended? I
understand some matters were continued until

April 19th, and \(I\) don't know if that matters, if
that would be an appropriate request on my part,
but if the matter could be -- if the license
could be suspended until the 19 th , so that to
just let the sale go forward. By that period of time then at least Mr. Patel can leave and not be financially ruined by -- I mean, there's
certainly an investment on his part that did take place, and \(I\) understand you, gentlemen, what you're saying, but by the same token, \(I\) don't hear any allegations that at least the problem of homeless people and people hanging around in front of the stores at least -- I mean, that problem doesn't exist anymore.

And as I said, Brother counsel is here
with the buyers who are ready to -- just need a couple more things in place to go forward, and I believe they're on the agenda as well. That's what we request.

COMMISSIONER MICHAEL GARDNER: Thank you.

My concern about that is we can -- if we have this set of facts and there's no buyer in the wings, we would take a particular action. I
think, based on the history and the fact that there may be a buyer in the wings, in my view, doesn't change the responsibility of the Commission to take the action it deems appropriate with respect to a current license holder and the status of that license. EXECUTIVE DIRECTOR ELIZABETH LINT: If I could add, not to add fuel to the fire, but there had been an application to transfer the license prior to the one that's on the agenda this evening, and an investigation showed that

Mr. Patel was trying to transfer the license to his brother, so that he would still be able to work in the store.
It was made clear that that was not going
to be acceptable. We don't know if the
individuals that have a purchase and sale now are related as well. There are concerns with one of them not being a Massachusetts resident. So I
have no confidence that this actually is going to happen based on the application that \(I\) have seen. COMMISSIONER MICHAEL GARDNER: Well,
thanks for that clarification. DAVID HAGEMEYER: Can I say something? COMMISSIONER MICHAEL GARDNER: Yeah, go
ahead.

EXECUTIVE DIRECTOR ELIZABETH LINT: I
think Ms. Boyer could add information to that.

COMMISSIONER MICHAEL GARDNER: Go ahead,

Mr. Hagemeyer.

DAVID HAGEMEYER: What \(I\) was going to say
was reference to what Ms. Lint just said, the people are here and their attorney is here to address the floor. So \(I\) think it would be appropriate -- I mean, I understand what Ms. Lint
is saying regarding some allegations regarding a prior attempt, but, I mean, this attempt is on
the table at this period of time. And if there's

> problems with -- my understanding is that the person who -- the residents issue was something that was being addressed and certainly counsel here would deal with that allegation. COMMISSIONER MICHAEL GARDNER: I guess, I
have a hard time understanding why it is
necessarily relevant to our decision with respect
to whether this license holder is entitled to
hold this license at this time based on this behavior.
And so, I think -- at least I have to
look at it in that regard because if there were to be a sale or a transfer, he could only sell or transfer something he was entitled to hold and have and transfer, and \(I\) do have concerns that his behavior has been such to demonstrate that he's, in fact, not a fit person to hold the license, and so I'm -- I will call for the vote on my motion.

FIRE CHIEF GERALD REARDON: Just one more
thing, counsel. Back again, to reiterate in

October of 2012, the vote was taken to revoke his
license. At that particular time, Mr. Patel
explained hardships and everything involved, we gave him the benefit of the time involved to get there. He was completely and clearly aware of what the limitations were that his license was on the line.

And the reason we're here tonight is because of the actions of Mr. Patel, that he recklessly took after that.
So it's -- I just want to make sure for
the record that, you know, this is where we are at. His last chance was basically given to him last October, and, you know, here we are down the road, six months plus or so, and he can't maintain what he knew would've been the loss of his license. I want to make sure that everyone
understands that.

ATTY VINCENT PANICO: Mr. Chairman, can I be heard?

COMMISSIONER MICHAEL GARDNER: All right.

Well, \(I\) have given members of the public the opportunity to be heard before. Nobody stood up. If you now want to address the Commission as a member of the public, I'm happy to have you do so.

ATTY VINCENT PANICO: What happened subsequently --

COMMISSIONER MICHAEL GARDNER: Just
please come forward. I think we have seen you before. We would like you to please state and spell your last name for the record and identify yourself.

ATTY VINCENT PANICO: My name is Vincent

Panico, P-A-N-I-C-O, I'm an attorney and I
represent that respective buyer, and \(I\) understand
your comment, your most recent comment, you don't see the relevancy of it, but \(I\) would like to
address the Board as to the nature of this buyer, whether he is a resident of Massachusetts,
whether has any connection with Mr. Patel. He
does not. He is a resident of Massachusetts, as the Board will later hear us, we would like to be
heard. I understand it's not relevant what you're deciding on.

COMMISSIONER MICHAEL GARDNER: Okay.

Just for clarification, I would like the
record to show that my motion to revoke the
license is based upon Mr. Patel's actions during 2013 when he violated the \(11: 00\) opening order,
but also related to the previous violations that were heard last October as part and parcel of a pattern of ongoing violations and disregard for Commission orders, which were put in place to deal with serious community problems.

The motion having been made and seconded, all those in favor, signify by saying "aye."

FIRE CHIEF GERALD REARDON: Aye.

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

Aye.

COMMISSIONER MICHAEL GARDNER: Aye.

Any opposed? None opposed.

The motion carries three to nothing to revoke the license of Prospect Liquors.

Mr. Patel, \(I\) am sorry for this, but --

DHIRU PATEL: Let me sell the store out.

Please. Because \(I\) would like to get out from
here. Please let me sell the store out. My
right --

COMMISSIONER MICHAEL GARDNER: I think
the Commission has taken its action subject
obviously to your rights of appeal.

DHIRU PATEL: Please, I would like to
sell the store and we have a buyer and I'm just
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waiting for that as soon as possible.
COMMISSIONER MICHAEL GARDNER: I do wish

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you could have just followed our instructions for
the time period you continued to hold the
license.
    Yes, Mr. Hagemeyer? Go ahead.
    DAVID HAGEMEYER: Would the Commission be
rendering a written decision?
    EXECUTIVE DIRECTOR ELIZABETH LINT: I
will.
    COMMISSIONER MICHAEL GARDNER: Yes. Good
luck. Thank you very much. You'll hold onto the
evidence.
    EXECUTIVE DIRECTOR ELIZABETH LINT: Yes,
I will.
RATIFICATION: 2046 RESTAURANT CORP. D/B/A
\(\underline{\text { SPIRIT }}\)
EXECUTIVE DIRECTOR ELIZABETH LINT:

Ratification: 2046 Restaurant Corporation doing
business as Spirit, Christopher Fitzsimons,
manager, holder of an all alcoholic beverages as
a restaurant license at 2046 Massachusetts Avenue
has applied for a change of \(d / b / a\) from Spirit to The Dubliner Pub.

We didn't ask Mr. Fitzsimmons to come in.

It's the same owners, same everything. They just
changed the menu, brightened up the place a
little bit and wanted to kind've rebrand.

COMMISSIONER MICHAEL GARDNER: Are there
any members of the public who would like to be
heard on the matter of 2046 Restaurant

Corporation doing business as Spirit changing
their name to The Dubliner Pub?
Seeing none, I'll make the motion to
approve the change of name from Spirit to The Dubliner Pub.

FIRE CHIEF GERALD REARDON: Second.

COMMISSIONER MICHAEL GARDNER: Motion
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having been made and seconded, any comment?
Seeing none, all those in favor, signify by
saying "aye."
POLICE SUPERINTENDENT CHRISTOPHER BURKE:

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Aye.
    FIRE CHIEF GERALD REARDON: Aye.
    COMMISSIONER MICHAEL GARDNER: Aye.
    None opposed, so the motion is approved.
APPLICATION: CAMBRIDGE LODGING, LLC D/B/A
HOTEL MARLOWE
    EXECUTIVE DIRECTOR ELIZABETH LINT:
Cambridge Lodging, LLC doing business as Hotel
Marlowe, Richard Colangelo, manager, holder of an
all alcoholic beverages as a hotel license at 25
Edwin Land Boulevard has applied for a change of
members of the LLC.
    COMMISSIONER MICHAEL GARDNER: Good
evening. If could you be so kind as to say and
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your spell your name for the record and identify
yourself.

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ANDREW UPTON: Good evening, Mr. Chairman
and Members of the Board, Andrew Upton,
U-P-T-O-N, representing the Hotel Marlowe and
Kimpton, \(\mathrm{K}-\mathrm{I}-\mathrm{M}-\mathrm{P}-\mathrm{T}-\mathrm{O}-\mathrm{N}\), Hotel Group.
    COMMISSIONER MICHAEL GARDNER: Just tell
us what this is about, sir.
    ANDREW UPTON: This is essentially a
change of officers, because the licensee entity
is a single purpose LLC, it has no officers, it
only has a parent company, which is also a single
purpose LLC, which has no officers. We had to go
up two levels to find actual people that are in
the corporation.
COMMISSIONER MICHAEL GARDNER: What is
the single purpose?

ANDREW UPTON: To hold a liquor license.

This one was formed 15 or 20 years ago. That's
how they did it then. And in order to achieve transparency to the Board and the \(A B C C\), we want to disclose when there's an officer change at some level.

So essentially the grandparent level on
the licensee, Mr. DePatie remains and will be
joined by Mrs. Miles and Mr. Rowe, and

Ms. Leondakis and Mr. Margalit and Mr. Latour will be leaving. It's a change of officers in the corporation.

COMMISSIONER MICHAEL GARDNER: These are
officers of the corporation that holds the --
that owns the company which owns the company
which holds the license?

ANDREW UPTON: Yes, exactly right. And
these people are San Francisco. It's a hotel
company that owns 37 hotels across the United

States. There's no impact on the management, the floor plan, the licensed premises, the menu, any
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aspect of the hotel.
COMMISSIONER MICHAEL GARDNER: The
manager of record stays the same?
ANDREW UPTON: Yes.
COMMISSIONER MICHAEL GARDNER: Anything
else? Any questions?
POLICE SUPERINTENDENT CHRISTOPHER BURKE:

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No questions.
    FIRE CHIEF GERALD REARDON: No.
    COMMISSIONER MICHAEL GARDNER: Are there
any members of the public who would like to be
heard on this matter?
    Is there anything else we need to know,
Mr. Upton?
    ANDREW UPTON: I don't think so. The
ABCC requires it and we tried to put all the
papers in order.
    COMMISSIONER MICHAEL GARDNER: Did all
these changes actually happen years ago and
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you're just getting around to it or is this an
imminent change --

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    ANDREW UPTON: No, they were relatively
recently. They also own a hotel in Boston called
90. We had that one probably six weeks ago.
    COMMISSIONER MICHAEL GARDNER: I make a
motion to approve the change of members of the
LLC as described in the application.
    FIRE CHIEF GERALD REARDON: Second.
    COMMISSIONER MICHAEL GARDNER: Motion
having been made and seconded, all those in
favor, signify by saying "aye."
    POLICE SUPERINTENDENT CHRISTOPHER BURKE:
Aye.
    FIRE CHIEF GERALD REARDON: Aye.
    COMMISSIONER MICHAEL GARDNER: Aye.
    None opposed.
    So good luck to the new members.
    ANDREW UPTON: Thank you very much.
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APPLICATION: L'IMPASTO, LLC

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EXECUTIVE DIRECTOR ELIZABETH LINT:

L'Impasto, LLC, Riccardo Passini, manager, holder of a wine and malt beverages as a restaurant license at 2263 Massachusetts Avenue has applied for an increase of capacity from 20 to 24 seats. COMMISSIONER MICHAEL GARDNER: Good evening.

Again, if you would be so kind as to
state and spell your name for the record?

ATTY VINCENT PANICO: Yes, Vincent

Panico, \(P-A-N-I-C-O\). I'm the attorney for

L'Impasto, and that's the sole reason he has
filed this application, to increase his seating capacity by four seats.

And I don't know whether you remember
when we had the original hearing on this license,
the room was packed with 75 to 100 people all in
support of his license.

He has a good -- he would've been here
tonight. He is the cook, so if he had to come,
they would have had to close it down. The other three people have lost a night's pay.

COMMISSIONER MICHAEL GARDNER: And just
briefly tell us a little bit about the nature of the establishment and also how it is that he's,
in fact, able to add four seats.

ATTY VINCENT PANICO: There's really --
the room has the capacity of 24 seats.

CHAIRMAN MICHAEL GARDNER: And was it
just a mistake that he didn't apply for 24
earlier or what has changed?

ATTY VINCENT PANICO: The only thing
that's changed is his business has been so good
that he could use those extra seats.

COMMISSIONER MICHAEL GARDNER: He can fit them in?

ATTY VINCENT PANICO: He can fit them in,
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yes.
COMMISSIONER MICHAEL GARDNER: Is this a
zoning issue?

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    EXECUTIVE DIRECTOR ELIZABETH LINT: I
have signoffs.
    COMMISSIONER MICHAEL GARDNER: From
everybody?
    EXECUTIVE DIRECTOR ELIZABETH LINT: The
only issue that we have is in some areas the
application says L'Impasto, LLC and in other
places it says L'Impasto, Inc, so we need --
    ATTY VINCENT PANICO: LLC.
    EXECUTIVE DIRECTOR ELIZABETH LINT: Well,
we need you to amend the paperwork. We can't do
that.
    ATTY VINCENT PANICO: I'll do that.
    COMMISSIONER MICHAEL GARDNER: Are there
any members of the public who would like to be
heard on this matter?

Seeing none.

Is there a floor plan in place? Do we
have a floor plan that shows the change?

ATTY VINCENT PANICO: I believe there's a floor plan with 24 seats somewhere.

COMMISSIONER MICHAEL GARDNER: Is this a no value license?

ATTY VINCENT PANICO: This is a no value license.

COMMISSIONER MICHAEL GARDNER: We would like to have a floor plan on file.

ATTY VINCENT PANICO: I'll bring in one.

COMMISSIONER MICHAEL GARDNER: I'll make
a motion to approve the change from 20 to 24 seats.

FIRE CHIEF GERALD REARDON: Second.

COMMISSIONER MICHAEL GARDNER: Motion
having been made and seconded, all those in
favor, signify by saying "aye."

POLICE SUPERINTENDENT CHRISTOPHER BURKE: Aye.

FIRE CHIEF GERALD REARDON: Aye.

COMMISSIONER MICHAEL GARDNER: Aye.

None opposed.

So good luck to him in filling the other four seats. And it's all, of course, contingent on your getting the \(L L C\) incorporated language straightened out and also filing a floor plan with us.

Thank you so much.

APPLICATION: VIJETA CORPORATION D/B/A
\(\underline{\text { PROSPECT LIQUORS }}\)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Vijeta Corporation doing
business as Prospect Liquors, Dhiru Patel,
manager, holder of an all alcoholic beverages as
a package store license at 1226 Cambridge Street
has applied to transfer said license to Shanti

Liquors, Incorporated doing business as Prospect Liquors, Mahesh Rai, manager at said address.

COMMISSIONER MICHAEL GARDNER: Good
evening, Mr. Panico. I think we can take note of who you are by now.

ATTY VINCENT PANICO: Thank you. My client, Mahesh Rai, R-A-I. Could you tell us your address, please?

MAHESH RAI: My name is Mahesh Rai,

R-A-I. I live in 68 Summer Street, Malden 02148. COMMISSIONER MICHAEL GARDNER: Thank you.

So, Mr. Panico, in light of the action we
took earlier this evening, which I believe you
happened to be here for when we revoked the
license of the business doing business as

Prospect Liquors, we're -- of course, that's
subject to his appeal rights, but where do you
see this matter now?

ATTY VINCENT PANICO: That's an
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interesting question. Until they get a final
adjudication on your suspension/revocation, I
think the license is still alive.

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And if we hope for the best possible
world here, there would be a transfer in the
meantime, and the city could remove its
revocation. That's the best we could hope for.
COMMISSIONER MICHAEL GARDNER: Okay. I
can't speak for my fellow Commissioners, but \(I\)
think we can -- Mr. Hagemeyer certainly laid out
the option of our delaying action on this, this
evening, and you heard from us our thinking that
you can't sell what you shouldn't own, and by
Mr. Patel's behavior, unfortunately, we reached
the conclusion that he shouldn't hold the
license, so it shouldn't be his to sell.
    ATTY VINCENT PANICO: You're saying he's
losing the license because of his behavior?
EXECUTIVE DIRECTOR ELIZABETH LINT: You
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don't lose it.

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COMMISSIONER MICHAEL GARDNER: With
respect to whether or not a license is lost, I'll
leave that for another day.

But I guess the issue for your clients is
are they dealing with a counterparty who's got
something of value for sale?

ATTY VINCENT PANICO: Well, initially, I
would -- that's the question \(I\) would ask the

Commission. Are we talking about something that no longer exists?

COMMISSIONER MICHAEL GARDNER: Well, I
don't want to be too hypothetical here, but we have taken our action. You know, assuming
there's an appeal to the ABCC, we'll defend the appeal.

We have been very clear. We don't think

Mr. Patel should be a license holder for the City
of Cambridge, and \(I\) think that we've taken the
point of view that the fact that there may have been a pending sale is essentially irrelevant to that analysis.

ATTY VINCENT PANICO: Mr. Commissioner - -

Mr. Chairman, in the process of the appeal for
some reason the \(A B C C\) overturns the Board, and
there's a buyer waiting to pick it up
immediately, would be that a practical course of action?

COMMISSIONER MICHAEL GARDNER: I don't
think \(I\) want to speculate about matters beyond my
kin or have the Commission engage in any
speculative hypothetical consideration here.

I think, at least from my point of view,
there's now no action before us. The application
for Shanti Liquors to purchase or have the
license transferred is by the action of the

Commission earlier this evening moot, and so,
there really is, \(I\) don't think, anything more for
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us to do on it.

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Should the Commission's decision be
overturned and the license reinstated to
Mr. Patel with or without conditions, then that
would be a set of facts we'd deal with.
    I think the Commission is very clear on
record as wanting Mr. Patel to liquidate.
    FIRE CHIEF GERALD REARDON: Counsel --
    ATTY VINCENT PANICO: You're fed up with
Mr. Patel. He was given every practical break
possible and he just ignored it, but can \(I\) ask --
    FIRE CHIEF GERALD REARDON: Counsel, have
you considered applying for a new license?
    ATTY VINCENT PANICO: No, but I think
it's a good idea.
    FIRE CHIEF GERALD REARDON: I'm not sure
where that's going to lead to, but that's an
option open to you.
    ATTY VINCENT PANICO: That's a
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possibility.

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COMMISSIONER MICHAEL GARDNER: I won't speculate or advise.

\section*{EXECUTIVE DIRECTOR ELIZABETH LINT: It}
will be a long road because I'm sure there will
an appeal to the ABCC. If they uphold your
decision, then I'm sure there will be an appeal
to Superior Court, so we're talking easily a year, easily.

COMMISSIONER MICHAEL GARDNER: In the
meantime, does he get to stay open?

EXECUTIVE DIRECTOR ELIZABETH LINT: No.

COMMISSIONER MICHAEL GARDNER: Unless
there's something else, Mr. Panico, I'll move on to the next matter.

ATTY VINCENT PANICO: No. I thank you
for your time.

COMMISSIONER MICHAEL GARDNER: Thank you
very much, sir.

To the applicant, we appreciate your
interest in the City of Cambridge.

APPLICATION: PANERA, LLC D/B/A Panera Bread

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Panera, LLC doing business as

Panera Bread, Michael Spirdione, Manager, has applied for a common victualer license to be exercised at 174 Alewife Brook Parkway. Said license, if granted, would allow food and non-alcoholic beverages to be sold, served and consumed on said premises with a seating capacity
of 90. The hours of operation will be 6:30 a.m.
to 9:00 p.m. seven days per week.

COMMISSIONER MICHAEL GARDNER: Good
evening, sir.

MICHAEL SPIRDIONE: Good evening.

CHAIRMAN MICHAEL GARDNER: Would you be
so kind as to state and spell your last name for
the record and describe your affiliation with
this application?

MICHAEL SPIRDIONE: I'm Michael

Spirdione, S-P-I-R-D-I-O-N-E. I'm affiliated
with Panera Bread, LLC as the area manager.

COMMISSIONER MICHAEL GARDNER: And tell
us about the Panera's plans for 174 Alewife Brook Parkway.

MICHAEL SPIRDIONE: Panera Bread's plans are to open a third restaurant in the City of Cambridge over at Fresh Pond Mall, and we will serve our usual foods as bakery, coffee, soup, salad, sandwiches and standard nonalcoholic beverages.

FIRE CHIEF GERALD REARDON: Do you know
who was the previous occupant of that?

MICHAEL SPIRDIONE: I do not. I just
recently became affiliated with this market;
sorry.

COMMISSIONER MICHAEL GARDNER: Should we
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expect that whatever is in Fresh Pond Mall would
look very similar to the kind of operation that
other Panera Breads have in the area?
MICHAEL SPIRDIONE: Absolutely.
CHAIRMAN MICHAEL GARDNER: And do you

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know how deliveries will be handled and how
refuse or trash handled?

MICHAEL SPIRDIONE: Trash, it's in our
lease agreement that we do have two of our own receptacles in the back of the facility there.
    Deliveries; in regards to deliveries to
ourselves, it's designed to be received through
the back door of that building. We actually have
two back doors in that facility.
    COMMISSIONER MICHAEL GARDNER: Are you
familiar with the physical layout yourself?
    MICHAEL SPIRDIONE: I am somewhat.
    COMMISSIONER MICHAEL GARDNER: Is there
anything about the layout which presents any
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particular challenges or issues that might be of
concern with respect to litter and noise,
inconvenience to the general public or other
tenants in the area?
MICHAEL SPIRDIONE: Not that I'm aware
Of. We're in the center of the strip mall, so
we're pretty much surrounded by retail co-tenancy
and not any public in the immediate area.
FIRE CHIEF GERALD REARDON: So this
storefront area is the one that goes from the
front to the rear?
MICHAEL SPIRDIONE: It does. We extend
to the extent of that.

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    CHAIRMAN MICHAEL GARDNER: Any questions?
    EXECUTIVE DIRECTOR ELIZABETH LINT: We
have some homework -- just housekeeping issues.
    MICHAEL SPIRDIONE: Abutters.
    EXECUTIVE DIRECTOR ELIZABETH LINT:

Abutters and it's 174 Alewife, but the
application says 200 , so that needs to be fixed. MICHAEL SPIRDIONE: Okay. I apologize
for the confusion on the address application.

174 is correct. I thought someone from our office was working on that. I'll follow up on that.

EXECUTIVE DIRECTOR ELIZABETH LINT: You
have the abutters.

MICHAEL SPIRDIONE: I do have the
abutters' information. There was one returned as undeliverable.

COMMISSIONER MICHAEL GARDNER: Give us,
if you would be so kind, something of your sense
of the Cambridge market and Panera, whether you
think this is going to be the last one, or what
is attractive about Cambridge, what brings you
here and what, if any, challenges are there for you in Cambridge in general and in this location in particular.

MICHAEL SPIRDIONE: The Town of Cambridge has been --

COMMISSIONER MICHAEL GARDNER: We're a city.

MICHAEL SPIRDIONE: I apologize. The

City of Cambridge has been very good to Panera Bread. We have a Harvard Square location just up the street here on Mass Ave. We have a location over in Porter Square, both of those have done quite well, and Porter Square has been in
existence for about a year and a half and Harvard

Square for just about a year next month.

The location over in Fresh Pond is
definitely a different marketplace compared to
those previous two locations, but the traffic
counts, the density of population over there, the
traffic with the Alewife \(T\) station and then the day-to-day use traffic of the Fresh Pond Mall is definitely going to provide, what we think to be,
an adequate amount of traffic and volume for that location over there.

In regards to the future, I'm not sure
that we have any future plans at this time for the City of Cambridge itself.

COMMISSIONER MICHAEL GARDNER: Or
certainly ones you would be willing to share.

MICHAEL SPIRDIONE: In all honesty, none at this time that we're actively pursuing.

COMMISSIONER MICHAEL GARDNER: About how many stores -- I'm not sure \(I\) know much about Panera generally. Are you kind've New England based or are you more national than that? About how many stores have you got around the area? MICHAEL SPIRDIONE: Panera Bread
nationally is involved in 1600 locations between the continental US and Canada.

Home base is split up a little bit
between Massachusetts. They have a home office
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in Needham and St. Louis, Missouri.
And Panera Bread in Massachusetts has
approximately some 60 locations. There's a
couple franchise groups in the market as well,
Panera, LLC.

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    COMMISSIONER MICHAEL GARDNER: And to be
clear, this will be owned by?
    MICHAEL SPIRDIONE: Panera, LLC.
    COMMISSIONER MICHAEL GARDNER: The other
two in Cambridge are also not franchises?
    MICHAEL SPIRDIONE: Correct. They're all
owned by LLC market.
    COMMISSIONER MICHAEL GARDNER: Do you
have a practice of developing a corporate-owned
store and then turning it over, or selling it off
to franchisees, or is that something we should
expect?
    MICHAEL SPIRDIONE: The relationship has
actually been the reversed.

What has been the most recent actions of Panera is they have been buying out franchisees and taking corporate ownership in a lot of markets.

We absolutely don't anticipate at this time any of these being relinquished to franchise groups.

CHAIRMAN MICHAEL GARDNER: Thank you.

Other questions?

FIRE CHIEF GERALD REARDON: This location
then would have to be a complete retrofit?

MICHAEL SPIRDIONE: A hundred percent gutted, yeah.

FIRE CHIEF GERALD REARDON: Obviously,
you need signoffs.

MICHAEL SPIRDIONE: Yep.

FIRE CHIEF GERALD REARDON: Do you use
fryolators in that business?

MICHAEL SPIRDIONE: No fryolators.

FIRE CHIEF GERALD REARDON: Are you aware of the new kitchen hood ordinances in

Massachusetts? We just did some recently under those and so forth and so on.

MICHAEL SPIRDIONE: Correct. There's a very reputable contractor who has done work in the City of Cambridge for Panera Bread in hopes that we will have -- not hopes, but to make sure we don't have any.

FIRE CHIEF GERALD REARDON: So how long
do you think it is before you get the build-out done and all that?

MICHAEL SPIRDIONE: Our anticipated CO
date at this time is the 29th. So just about ten days is our anticipation.

I stopped by there yesterday to access
the construction process, and at this point, that is our intent.

COMMISSIONER MICHAEL GARDNER: SO
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renovation is well along?
MICHAEL SPIRDIONE: Very well along, yes.
COMMISSIONER MICHAEL GARDNER: What if we
said no?
MICHAEL SPIRDIONE: I think we would --
FIRE CHIEF GERALD REARDON: Go across the
street to Cheddar's and see if they want to open
a second location.
COMMISSIONER MICHAEL GARDNER: Are there
any members of the public who would like to be
heard on this matter?
Seeing none, I'll make the motion to
approve the common victualer license for 174
Alewife Brook Parkway for Panera Bread for a
seating capacity for 90 and the hours of
operation will stay.
FIRE CHIEF GERALD REARDON: We should
just throw in subject to all the final
inspections and signoffs.

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CHAIRMAN MICHAEL GARDNER: Yes.

FIRE CHIEF GERALD REARDON: Second.

COMMISSIONER MICHAEL GARDNER: Motion
having been made and seconded, all those in
favor, signify by saying "aye."

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

Aye.

FIRE CHIEF GERALD REARDON: Aye.

COMMISSIONER MICHAEL GARDNER: Aye.

None opposed.

Welcome to Cambridge a third time. Good
luck with the operation.

MICHAEL SPIRDIONE: Thank you.

APPLICATION: IFIXYOURI CORP.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Ifixyouri Corp, Emery Walker,
manager, has applied for a secondhand goods
dealer license at 100 Cambridgeside Place. Said
license, if granted, would allow dealing of rags,
junk, old metals and secondhand articles.

CHAIRMAN MICHAEL GARDNER: Good evening.

If you would be so kind as to state and spell
your last name for the record, your affiliation and tell us about the business.

EMERY WALKER: My name is Emery Walker,
that's W-A-L-K-E-R. I'm the chief of operations as well as the regional manager for Ifixyouri Corporation.

COMMISSIONER MICHAEL GARDNER: Tell us a little bit about Ifixyouri Corporation.

EMERY WALKER: We started it about nine years ago in Florida, in the West Palm Beach area, to be exact. It started with me and three of my other friends who were all laid off in the same period of time, and kind've just fell into
the business kind've really. We're all
engineers.

We started fixing phones for our friends,
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other people around the area in the back of our
cars and eventually got our first storefront
about three years ago in Lake Park, Florida. As
far as there, we now have five stores down there
as well as two stores up here and a mailing
center currently doing more build-out on stores
that should be opening within the next
month-and-a-half, two months.
And then plans to open four to five more
before the end of the year.
COMMISSIONER MICHAEL GARDNER: What's the
nature of the business?
EMERY WALKER: We fix Smart phones,
computers, tablets and also business solutions,
so schools, businesses, law firms, stuff like
that, they all come to us and tell us "Hey, I
broke the screen on my iPhone" or "We have
problems with networking" and stuff like that.
COMMISSIONER MICHAEL GARDNER: I'm not

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sure why this is an application for a secondhand good dealers license.

EMERY WALKER: It's solely out of the

Cambridgeside Galleria. We're just trying to
figure out ways now -- being chief of operations,
part of my job is to try to figure out ways to generate different forms of revenue, and also to figure out ways that we can try to support the future.

One way throughout the Cambridgeside

Galleria is the buying and selling of used
devices. The only thing that they have there is a kiosk that is in the food court that you can actually plug in and sell it to someone, yet, there's no one actually to sell you a phone.

The only people that do sell phones are the major carriers. I'm not trying to sell new telephones with contracts, we're trying to sell used phones that are out of contract.

COMMISSIONER MICHAEL GARDNER: So you're going to fix phones?

EMERY WALKER: Correct.

CHAIRMAN MICHAEL GARDNER: And you're going to sell used phones that you fixed or that you get in trade?

EMERY WALKER: Yes.

COMMISSIONER MICHAEL GARDNER: Will you be selling things besides phones?

EMERY WALKER: Yes. Tablets as well, maybe a couple laptops. We haven't really decided to go into that region quite yet, it's only because it's far more complicated in terms of warranties and things like that.

COMMISSIONER MICHAEL GARDNER: You don't intend to sell rags?

EMERY WALKER: No.

CHAIRMAN MICHAEL GARDNER: Junk?

EMERY WALKER: No, none of the above.

CHAIRMAN MICHAEL GARDNER: Old metals?

EMERY WALKER: I doubt it. I mean this
license is wide open so you might as well try to capitalize on whatever.

FIRE CHIEF GERALD REARDON: There's a
market for reclaimed metal.

EMERY WALKER: Well, the thing about it
is the Cambridgeside Galleria is not exactly the most accepting of doing things like that
especially when you have a lease there as well.

COMMISSIONER MICHAEL GARDNER: Do you
have your lease?

EMERY WALKER: Yes. And the amendment
and a letter from the mall stating we are okay to do this.

FIRE CHIEF GERALD REARDON: So you will
be purchasing used phones, too, as part of this?

EMERY WALKER: Yes. Then we also, in
terms of purchasing phones, we check ESNs as well
as IMI numbers, which are specific to whatever carriers they use. That way we can check to see if a phone has been reported as stolen, lost or anything of that sort, because we just don't deal with things like that because it just complicates matters.

In terms of the check-in for people for
buying and selling the phones, we check their ID, we take a copy of their ID. They have to fill
out forms and then sign it, so therefore, they are responsible for the statements that they said as well.

COMMISSIONER MICHAEL GARDNER: I wonder, Superintendent, does Cambridge have much history of concerns about secondhand stores being fronts for stolen goods?

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

We have in the past. Also some concerns related
to the theft of phones.

> What are your safeguards in place with respect to verifying whether the ID is valid or what type of ID is acceptable?

EMERY WALKER: We do two forms of IDs.

For out-of-state IDs, we ask for a backup, like a credit card or something as well, and we photocopy that and keep that all on record.

In terms of them signing off and stating that is their actual device, like they have to fill out a form, they have to give the signature, and so, they have to sign and print their name and it has all their statistics in terms of their height, weight, hair color and stuff like that, so that way, we can verify that has been worked -- has been done properly.

In terms of verifying with the phone
companies, we actually have relationships with AT\&T, Verizon, Sprint and T-Mobile to check and make sure that the phones have not been reported
stolen. And if they have been stolen, we either report it to the police themselves or go through the company.

FIRE CHIEF GERALD REARDON: Who do you
run the ESN numbers against?

EMERY WALKER: We run it with the
company. Like, we actually have numbers that we call, direct lines for them, and we say, "Hey,
like this is the IMI number for this specific serial" --

FIRE CHIEF GERALD REARDON: You run the

IMI and you know who the carrier is, and then you turn around and do the ESN against the carrier?

EMERY WALKER: We don't do a transaction
without having known that, otherwise, it ends up being more of a complication for ourselves.

FIRE CHIEF GERALD REARDON: Have you run
into any that you found the -- have been
corrupted?

EMERY WALKER: Definitely. Ones that
have been stolen and then people just come and try to sell it to us. We then, being in the Cambridgeside Galleria, people will come to us and be like "Hey," you know, and then we'll be like, you know, "We can't do anything with this." Technically we have to call security.

FIRE CHIEF GERALD REARDON: So have you run into any that have been corrupted?

EMERY WALKER: Absolutely.

FIRE CHIEF GERALD REARDON: They're
fairly easy to tell.

EMERY WALKER: Because you're just trying to make a phone call. You pop in a SIM card or whatever the carrier may be.

FIRE CHIEF GERALD REARDON: I'm talking
about some of the sophisticated ones who actually try to alter ESNs and try to actually do --

EMERY WALKER: In all honesty, you can't
get really get past the serial number, no matter what.

FIRE CHIEF GERALD REARDON: Right.

EMERY WALKER: That's real --

FIRE CHIEF GERALD REARDON: I mean
high-end people who actually, you know, actually --

EMERY WALKER: There are --

FIRE CHIEF GERALD REARDON: -- you're not
going to find that on the street level.

EMERY WALKER: We haven't really found
anything like that at least on that level. And
then if they are, they're usually in business for
themselves, you know, beyond us.

FIRE CHIEF GERALD REARDON: And you
bought all the equipment and tools. Do you do
glass replacement as well?

EMERY WALKER: In terms of the Galleria,
we do glass replacement on site, specific phones,
in terms of like tablets and computers and stuff
like that, that's all done in our Back Bay
location on Newbury Street.

FIRE CHIEF GERALD REARDON: How quickly
can you replace an iPhone glass screen?

EMERY WALKER: 30 minutes. I have been
doing too many of those for too many years.

FIRE CHIEF GERALD REARDON: Just out of curiosity, what is the charge on that?

EMERY WALKER: For a 4, it's \$79.99, for

4S, it's \$89.99. Since you and I have now become personal, we could work out a little bit of a deal.

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

You can't do that.

COMMISSIONER MICHAEL GARDNER: Believe
it, it's not worth his pension for that.

EMERY WALKER: No, no, not in terms of
that. Everybody gets a discount. You know me,
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see me on this level, I always try to take care
of people.

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    COMMISSIONER MICHAEL GARDNER: So am I to
understand you're already operating doing your
repair business at the Galleria, but you're not
doing your resale of secondhand goods yet?
EMERY WALKER: That is also correct. We
have been there since the beginning of september
now.

COMMISSIONER MICHAEL GARDNER: How has

Cambridge been a place to do business?

EMERY WALKER: It's been good. Up and
down because it's our first kiosk venture. We're
trying to figure out what can be done, the
organization, how do you run a pulley. So, you
know, it's really just trial and error,
experimentation and, you know, what works for us.

You'd be like, you know, like I said earlier,
this is an area we haven't capitalized upon, and
we would like to do so by being able to buy and sell phones there.

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

Seeing none, I'll make the motion to approve the secondhand goods dealer license for Ifixyouri Corporation for Cambridgeside Galleria as described in the application.

FIRE CHIEF GERALD REARDON: Second. COMMISSIONER MICHAEL GARDNER: Motion
having made and seconded, all those in favor, signify by saying "aye."

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

Aye.

FIRE CHIEF GERALD REARDON: Aye.

COMMISSIONER MICHAEL GARDNER: Aye.

None opposed.

So, welcome to the rags, junk, old metals
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and secondhand articles business in the City of
Cambridge.

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    EMERY WALKER: Appreciate your time.
Have a good-night.
APPLICATION: BOSTON TACO, LLC D/B/A
THE TACO TRUCK
    EXECUTIVE DIRECTOR ELIZABETH LINT:
Application: Boston Taco, LLC doing business as
The Taco Truck, Gregory Vasey, manager, has
applied for a vendor/peddler license to operate a
mobile food truck on private property at 1 Oxford
Street. Applicant would be permitted to be on
said property from 11:30 a.m. to 9:00 p.m. seven
days per week.
    COMMISSIONER MICHAEL GARDNER: Anyone
here for Boston Taco?
    Seeing none, you will just contact them
and find out?
    EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.
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APPLICATION: TOPSFIELD BAKESHOP, INC. D/B/A

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THE WHOOPIE WAGON
    EXECUTIVE DIRECTOR ELIZABETH LINT:
Application: Topsfield Bakeshop, Incorporated
doing business as The Whoopie Wagon, Rainer
Bandereck, manager, has applied for a
vendor/peddler license to operate a mobile food
truck on private property at 1 Oxford Street.
Application would be permitted to be on said
property from 11:30 a.m. to 9:00 p.m. seven days
per week.
                    COMMISSIONER MICHAEL GARDNER: Good
evening.
    Please state and spell your last name for
the record and identify yourself, your
affiliation with this application.
    RAINER BANDERECK: Rainer C. Bandereck,
\(B-A-N-D-E-R-E-C-K . \quad S o\) the Whoopie Wagon is a
mobile food truck that basically goes to various
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college campuses, office parks, bar mitzvahs,
weddings, things of that nature to distribute
seven varieties of whoopie pies.

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The concept was started about six years
ago at the Topsfield Fair. We did it as a test
run for about three days, thinking that we're
only going to be selling about 100 pies a day.
That 100 pies turned into 700 , and thus, we're
making our movement into the mobile truck
business as well as selling them out of the
bakeshop and at the Topsfield Fair and other
venues throughout New England.
    COMMISSIONER MICHAEL GARDNER: I'm sorry.
My experience is relatively limited.
Would you describe to me what a whoopie
pie is?
    RAINER BANDERECK: A whoopie pie
basically is basically a New England treat that
is basically two round discs of cake that has a
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whipped filling on the inside, which we use a
highly whipped butter cream, and we have seven
varieties that we offer to our guests.
COMMISSIONER MICHAEL GARDNER: Are these
individual servings or is the pie big enough to
serve more than one?

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RAINER BANDERECK: They're individual.
We actually have three sizes: We have the
regular size, we have a student size, which is
very popular with the colleges and universities
and we do the minis, which we sell as a box of
12, or we also have them available for weddings
and birthday parties.
    COMMISSIONER MICHAEL GARDNER: I
interrupted you.
    RAINER BANDERECK: That's okay.
    FIRE CHIEF GERALD REARDON: So were you
previously -- is this going to be over the
underpass at Cambridge street or are they going
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to move them out to Oxford Street?
RAINER BANDERECK: I think they're going
to be moving them onto that long area on Oxford
Street.

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FIRE CHIEF GERALD REARDON: Have you been
previously there before they started doing the
construction work?
    RAINER BANDERECK: I have not. We were
asked to spend a couple times at the business
school over on the other side of the river.
    FIRE CHIEF GERALD REARDON: It's another
town across the river.
    RAINER BANDERECK: Right, exactly,
exactly. But we haven't had the opportunity to
be in Cambridge yet.
COMMISSIONER MICHAEL GARDNER: What is
your understanding of what is going on there at
1 Oxford Street?
    I see we have application for somebody
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else who didn't show up tonight. Do you expect
any number of trucks there or --

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    RAINER BANDERECK: I --
    COMMISSIONER MICHAEL GARDNER: And I take
it you're not moving? That's the location you're
going -- although it's a mobile truck, you're
going to be in one fixed location during --
    RAINER BANDERECK: For the duration of
the event or time frame and then move on, yes.
    My understanding is that, yes, there may
be other food trucks there selling goods to the
public as well.
    CHAIRMAN MICHAEL GARDNER: Ms. Lint, do
you want to fill us in?
    EXECUTIVE DIRECTOR ELIZABETH LINT: Yes,
there will be the Taco Truck, Five Guys Burgers
and Fries, Grilled Cheese Nation, Lobsta Love,
South End Chef and the Whoopie Wagon.
COMMISSIONER MICHAEL GARDNER: Is there
enough space?

FIRE CHIEF GERALD REARDON: Yeah, some of
these applicants were previously there prior to
this over the underpass area of Cambridge Street.

It's under construction right now. With the new
redesign of that area, \(I\) think they're going to
move them out more to the right. But the Science Center sits right there, so they're just actually moving to the Oxford Street side.

COMMISSIONER MICHAEL GARDNER: So the
private property, this is all Harvard-owned?

FIRE CHIEF GERALD REARDON: Yes.

COMMISSIONER MICHAEL GARDNER: You have
been dealing with the university?

RAINER BANDERECK: I actually worked for

Harvard Dining Services for a number of years and have worked for them previously.

COMMISSIONER MICHAEL GARDNER: And
where do you -- my guess is you don't make the
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pies in the wagon, but you get them --

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RAINER BANDERECK: That's correct. We basically have a main commissary in Topsfield, the main bakeshop, they're produced there and
refrigerated. We have cases in which we put them
into, which are washed and sanitized
appropriately, and then we have these ice
blankets that we put inside of the service
vehicles to keep them cold during transport.
    COMMISSIONER MICHAEL GARDNER: And what
kind of packaging are they in, if any, and what
are your litter control plans?
    RAINER BANDERECK: So basically what
happens is we dispense them out of, again,
washable and sanitized containers. We use wax
paper to take them out of the container and put
them in the wax sandwich bag, reminiscent of the
1950s and kinda of keeping nostalgia alive with
the product and the appearance of it.

As far as the trash control and things of that nature, we would have receptacles, which we would have by the truck, too, for folks that would need to deposit their litter.

COMMISSIONER MICHAEL GARDNER: We have
the authority to like have the conversation with Harvard if they're going to have all these things there to make sure they're doing something about litter?

EXECUTIVE DIRECTOR ELIZABETH LINT: We have done that. It's an ongoing program. So it's not been an issue with Harvard.

FIRE CHIEF GERALD REARDON: It's been quite successful.

COMMISSIONER MICHAEL GARDNER: Anything else to add?

RAINER BANDERECK: No. There's no
cooking. There's no equipment onboard that would need fire suppression or things of that nature.

FIRE CHIEF GERALD REARDON: You obviously are using ice blankets, so you're not running a generator or anything like that?

RAINER BANDERECK: That's correct.

FIRE CHIEF GERALD REARDON: You don't use propane for anything?

RAINER BANDERECK: No.

EXECUTIVE DIRECTOR ELIZABETH LINT: We want to know what the flavors are.

RAINER BANDERECK: Chocolate, chocolate chip, red velvet, fun-fetti, which is a vanilla cake with sprinkles, pumpkin, gingerbread and I think that's it for now. COMMISSIONER MICHAEL GARDNER: I just realized I did need to ask this question, there's no trans fats, are there?

RAINER BANDERECK: That's correct. COMMISSIONER MICHAEL GARDNER: Are there
any members of the public who would like to be
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heard on this matter?
Seeing none. Do we have any issues here
about restaurants in the area within the
prescribed distance?
EXECUTIVE DIRECTOR ELIZABETH LINT: No.
But this started out as a temporary
pilot, so to speak, on the overpass, and then it
was successful so they -- Harvard wanted to
continue it basically.
COMMISSIONER MICHAEL GARDNER: When will
you open?
RAINER BANDERECK: I think tentatively
the first event is March lst and I want to say
April 27th.

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    EXECUTIVE DIRECTOR ELIZABETH LINT: That
sounds right.
    COMMISSIONER MICHAEL GARDNER: DO I
understand it that although this says 11:30 to
9:00 seven days a week, in fact, your business
model is to be doing events based presence?

RAINER BANDERECK: Primarily. I think we could've opted for the one day at \(\$ 10\) per day, but I think it would be more beneficial for us as a business to generate the license for the year and potentially have more opportunity to sell. COMMISSIONER MICHAEL GARDNER: We
wouldn't expect you there seven days a week or even five?

RAINER BANDERECK: No.

COMMISSIONER MICHAEL GARDNER: Is that an
issue for us in terms of the way we talk to some of the businesses?

EXECUTIVE DIRECTOR ELIZABETH LINT: It's
really not because -- it's difficult, but because
it was something that Harvard wanted and we
looked at ways to make it --

COMMISSIONER MICHAEL GARDNER:

Economical?

\section*{EXECUTIVE DIRECTOR ELIZABETH LINT: --}
economical and convenient.

FIRE CHIEF GERALD REARDON: Viable.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

To keep it viable, that it didn't make sense to have something like this coming in, let's say, there turned out to be lots of events, and they have to spend the money every time for a one-day, it's a lot of paperwork.

FIRE CHIEF GERALD REARDON: Burdensome. EXECUTIVE DIRECTOR ELIZABETH LINT: It's
very burdensome. So it made sense to do it this way. This way, they have all the signoffs and all the inspections.
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COMMISSIONER MICHAEL GARDNER: SO I'll

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make a motion to approve the application for the Topsfield Bakeshop doing business as The Whoopie Wagon for vendor/peddler license for a mobile food truck on private property as described in
the application.

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

Second.

COMMISSIONER MICHAEL GARDNER: Motion
having been made and seconded, all those in
favor, signify by saying "aye."

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

Aye.

FIRE CHIEF GERALD REARDON: Aye.

COMMISSIONER MICHAEL GARDNER: Aye.

None opposed.

So, again, welcome to Cambridge.

RAINER BANDERECK: Thank you very much,
appreciate it.

EXECUTIVE DIRECTOR ELIZABETH LINT: We
have the radio dispatch applications, and
unfortunately, there's seems to be some
confusion, only two have shown up. So I'm
wondering if because we changed the date for some
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of them if there was a little mixup and I will
contact all of them.

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        COMMISSIONER MICHAEL GARDNER: So why
    don't we have the -- it looks like about six or
    seven applicants here -- six, I guess, one which
    we know is continued, Classic Cab, right?
        EXECUTIVE DIRECTOR ELIZABETH LINT: One
    was continued and the two that are here are
    Checker and Star.
    COMMISSIONER MICHAEL GARDNER: So why
    don't we start with Checker because that's first
    on the list of those who are here.
    APPLICATION: TAXI MANAGEMENT INC. D/B/A
    CHECKER CAB
    EXECUTIVE DIRECTOR ELIZABETH LINT:
Application: Taxi Management Incorporated doing
business as Checker Cab, Walid Nakhoul, manager,
has applied for a Taxicab Dispatch Association
Permit to be exercised at 103 Fulkerson Street.

COMMISSIONER MICHAEL GARDNER: Good evening.

Would you be so kind as to state and
spell your name for the record?

WALID NAKHOUL: Walid Nakhoul, W-A-L-I-D,
last name \(\mathrm{N}-\mathrm{A}-\mathrm{K}-\mathrm{H}-\mathrm{O}-\mathrm{U}-\mathrm{L}\).

COMMISSIONER MICHAEL GARDNER: And tell
us about Taxi Management, Inc.

WALID NAKHOUL: As Ms. Lint just stated,

I'm the owner of Checker Cab. You know it's a taxicab management cab. And I've been owner
there for some three and a half years come

April 1st. We operate 25 cabs in City of

Cambridge. I have multiple dispatchers. We are open obviously 24 hours. And I'm on the ACT Program, the Accessible Cambridge Taxi.

So when people call, for example, for
cabs, we dispatch all the operators to take the call and dispatch through a radio, on the air.

And then we actually put every call that we take over the phone. Everything will be on record.

For example, let's say, you call for a cab, we
dispatch a cab to pick you up to take from you A
to \(B\) and then something wrong or you leave
something, at least we know, for example, which
cab, you know, had you at the time, you know.

And also everything during -- hard time,
for example, snow emergency or things like that,

I park the cabs in the Cambridge Galleria Mall to get them off the street.

And like what happened last month when we had the blizzard and the government put a band on driving, \(I\) notified the Commission that we
shutting down. We closing because nobody can
drive and we park the cars in the Galleria, so we keep them clean.

And that's, you know, about it. And we
dispatch everything and then -- I'm in the
process also to change the dispatching -- the way of dispatching, I'm gonna do through computer, but \(I\) was trying to make a deal with the company. I put it off to next fall because of contractural
issues regarding -- because now, I have a
different contract with a different credit card
company and then \(I\) have a contract with GPS and I
want to bundle all into one, and \(I\) couldn't
because some conflicts are going to be overcome
next fall.
    So once I'm through with those contracts,
I'll be free and then I'll be having a new
system, complete system with the GPS that comes
with the car and meter.
    FIRE CHIEF GERALD REARDON: So you just
dispatch from 103 Fulkerson Street?
    WALID NAKHOUL: I don't, but, you know --
    FIRE CHIEF GERALD REARDON: Correct. So
is the radio located at 103 Fulkerson Street?

WALID NAKHOUL: I believe so and the antenna. It's in Malden.

FIRE CHIEF GERALD REARDON: It's in

Malden.

WALID NAKHOUL: It's in Malden.

FIRE CHIEF GERALD REARDON: Is that

Industrial Communications?
WALID NAKHOUL: It's on top of the
hospital.

FIRE CHIEF GERALD REARDON: Malden

Hospital?

WALID NAKHOUL: Malden.

FIRE CHIEF GERALD REARDON: We have your
license number on Page 2, this is probably -WALID NAKHOUL: This is the radio which is actually FCC license.

FIRE CHIEF GERALD REARDON: Well, the FCC
license number --
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WALID NAKHOUL: This is the radio. I

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just put it down radio, okay? When \(I\) talk to you on the radio, you can talk to me, you can hear me, but other drivers cannot hear you talking to me. They can't hear me talking to everybody.

FIRE CHIEF GERALD REARDON: Yeah. It's
one way, semi-duplex. That's a traditional cab.

WALID NAKHOUL: Yes.

FIRE CHIEF GERALD REARDON: Your FCC
license number would not be this number. It
would be like WBNQ 454 or something.

WALID NAKHOUL: I copied on the license
when \(I\) put on the application.

FIRE CHIEF GERALD REARDON: Can you send
us a copy of the license?

WALID NAKHOUL: Yeah, of course.

FIRE CHIEF GERALD REARDON: We just need
to see what the license is and what the radiofrequency is.
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WALID NAKHOUL: Yeah, no problem, I can

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do that. I can give to Ms. Lint.
EXECUTIVE DIRECTOR ELIZABETH LINT:

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Tomorrow we have a meeting.

WALID NAKHOUL: You want to have meeting, okay.

FIRE CHIEF GERALD REARDON: You probably
have a very small antenna on the building.

WALID NAKHOUL: I'm trying to remove it,
you know, and find a place in the City of

Cambridge. I already found one, but I'm thinking
it will cost a lot of money to remove it. I'm
thinking I'm gonna change the system anyway, so

I'll keep that radio as backup in case the
computer is down because you always need to talk
to the drivers, you know what I mean, because you
always need two of them, you know what \(I\) mean?

FIRE CHIEF GERALD REARDON: The drivers
have to two radios and an old one, though?

WALID NAKHOUL: So, I figured, you know
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what, since I'm gonna change it, I mean, why
waste the money to keep it the way it is and
then, you know --
FIRE CHIEF GERALD REARDON: Where were
you considering moving to?
WALID NAKHOUL: Museum Towers. It's a
good location. I'm still -- I'm still -- you
never know, I may change my mind and move it
there, too, because that's a tall building and
it's in Cambridge and it gives better frequency,
better coverage, you know.
FIRE CHIEF GERALD REARDON: Do you own

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the equipment in Malden?
    WALID NAKHOUL: Yeah.
    FIRE CHIEF GERALD REARDON: So you own
the repeater and all?
    WALID NAKHOUL: Yes. When something goes
wrong, I call usually All Com because we bought
the system from All Com. They usually go there.

First of all, they come, the officer, to see if the problem is here or there. So sometimes they send two people, one here and one there.

FIRE CHIEF GERALD REARDON: Before you go
to Museum Towers, you're going to have to deal
with me because our stuff is down there, too, with the city.

WALID NAKHOUL: Actually they -- I saw a
lot of antennas there. I think it's a good
location. I think it's a good location. But, you know, I may. Even if \(I\) change the system, I
may remove the antenna. At least if something goes wrong with it, \(I\) can call All Com or
whatever, you know, to try to fix it. At least it's a short distance, you know what I mean? FIRE CHIEF GERALD REARDON: You need to slow down. COMMISSIONER MICHAEL GARDNER: Mr. Pilz,

I wonder if you would just give us some more
background on the regulations that you drafted, and \(I\) believe we've adopted with respect to
dispatch operations, what the -- what your
principal goals were in terms of those
regulations, and the ways in which this applicant
and its current operations fits with that, and
then \(I\) would like to hear from both you and the applicants with respect to whether there's
anything in the regulations that present any
issues.

COREY PILZ: Thank you. Corey Pilz,
\(P-I-L-Z\). And at its regularly scheduled hearing
on November 2, 2012, the Board of License

Commissioners voted to amend the Cambridge
taxicab rules and regulations to adopt a permit
system for dispatch associations.

Just as a reminder, dispatch associations
are permitted by the City of Cambridge to ensure
the general public maintains adequate access to

Cambridge licensed taxicabs. And we have defined a dispatch association, regardless of the means in which they dispatch taxicabs, meaning if they dispatch through a website, a mobile phone application, a text message service or a similar means, they still need to obtain a permit from the License Commission.

Our goals in passing these regulations were really three-fold. One is we wanted to put
all of the different types of dispatch
associations, not just the radios, on equal
playing field and subject them all to one
coherent body of regulations.

The second thing we wanted to do is build
in more consumer protections and different
feedback mechanisms that came out of our taxicab survey.

And the final one was to gain more
information from the industry so that you all
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could better adequately regulate it.
With that said, we had three specific
concerns when we were drafting these
applications: One was the standard emergency
response plan that each of the businesses were
put in place; two, was their policy for
accommodating persons with disabilities in terms
of accessing the means of dispatch; and also, the
final one was a description of employee training
procedures to ensure compliance with the rules
and regulations in the sense that, you know, when
someone was to call a dispatch association, they
wanted to make sure that the person they're
talking to was knowledgeable about the Cambridge
taxicab industry.
So that's our background on the
regulations.
In terms of what Classic had submitted
for their application.

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EXECUTIVE DIRECTOR ELIZABETH LINT: Not

Classic, Checker.

COREY PILZ: Checker. Excuse me,

Checker. Mr. Nakhoul had discussed his emergency
response plan in terms of how he communicates.

And \(I\) think he gave a fine example with the blizzard that we had.

In terms of his policy for accommodating
persons with disabilities, Mr. Nakhoul does
maintain a TGY telephone line which is accessible
to other people. He also holds the City's

Accessible Cambridge Taxicab Contract.

I do not believe he dispatches through a
website or any other means at this time, but he may be exploring that.

And, finally, in terms of his employee
training procedures, he does subject his
dispatchers to a course and a guide and a
training to make sure they are knowledgeable
about the industry. So I don't think he has anything that's going to conflict with the regulations. COMMISSIONER MICHAEL GARDNER: So one of the things that we were concerned about when we promulgated the regulations was getting the cooperation of dispatch organizations in terms of sharing certain information with us about volumes so that we could better understand the industry and the business here. And we didn't get a lot of feedback from business owners when we put these out for public comment.

I wonder if you, in fact, had a chance to
look at our regulations and can assure us that
you intend to cooperate with respect to sharing
the kind of information we're asking for?

WALID NAKHOUL: I would do so. Any time

Ms. Lint ask me for something, I would be more
than happy to provide any information that she
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requires.

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EXECUTIVE DIRECTOR ELIZABETH LINT: He's
at every taxicab subcommittee meeting. He's very
agreeable. If there are ever any issues, any
problems, anything good, bad, no matter what,
Wally is always very available to us.
COMMISSIONER MICHAEL GARDNER: And the --
I'm sorry to be always reminding of sort've the
primer information, but in the past the dispatch
associations have not been licensed by us?
    EXECUTIVE DIRECTOR ELIZABETH LINT: They
have not. I wanna say in the vicinity of 15
years ago, the Commission passed a policy order
that dispatch regulations would be promulgated
and they sat and they sat and they sat.
    COMMISSIONER MICHAEL GARDNER: Until
Mr. Pilz arrived and --
    EXECUTIVE DIRECTOR ELIZABETH LINT: No, I
did and told him to do it.
(Laughter.)

COMMISSIONER MICHAEL GARDNER: Well, that went without saying.

FIRE CHIEF GERALD REARDON: That was
before my time.

CHAIRMAN MICHAEL GARDNER: So the matter before us is whether or not to approve this
application for a permit?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Correct.

COMMISSIONER MICHAEL GARDNER: Are there any members of the public who would like to be heard in this matter?

Seeing none, any other questions,
comments or concerns?

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

I did have one question. Could you expand a
little bit about the ACT Program and what
provisions there are with respect to disabled
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individuals with service animals?

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    If a disabled individual has a service
animal, does it require a van or a regular car?
    WALID NAKHOUL: No, any cab. Unless that
person is handicap in a wheelchair, they need a
van so they can get in. But if the person is
just like, say, you know, blind but they can
walk, and they have a service dog, it doesn't
matter, any cab, whether it's a sedan or van
whatever. It's against the law for any driver to
refuse it.
    POLICE SUPERINTENDENT CHRISTOPHER BURKE:
Thank you.
    COMMISSIONER MICHAEL GARDNER: Anything
else?
    POLICE SUPERINTENDENT CHRISTOPHER BURKE:

No.

COMMISSIONER MICHAEL GARDNER: So subject
to your submitting a copy of your license to

Ms. Lint, are there any other technical issues, Chief, that --

FIRE CHIEF GERALD REARDON: No.

Are you familiar with the term "narrow
banding?"

WALID NAKHOUL: I'm sorry?

FIRE CHIEF GERALD REARDON: Are you
familiar with the term "narrow banding," the radio that -- the FCC requirement that we
required? I don't know what your frequency is, but it was required to be done in the first of the year.

> WALID NAKHOUL: I'm not familiar with
that.

FIRE CHIEF GERALD REARDON: Okay.

WALID NAKHOUL: Maybe I could always ask

All Com about it.

FIRE CHIEF GERALD REARDON: You can ask

Mr. Boudreau.

WALID NAKHOUL: Okay.

FIRE CHIEF GERALD REARDON: We'll get a
copy of the license and go from there.

COMMISSIONER MICHAEL GARDNER: The
license will have the frequency?

FIRE CHIEF GERALD REARDON: Yes.

CHAIRMAN MICHAEL GARDNER: All right. So

I'll make a motion to approve the application of

Taxi Management, Inc doing business as Checker

Cab for a Taxi Dispatch Association Permit.

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

Second that motion.

COMMISSIONER MICHAEL GARDNER: Motion
having been made and seconded, all those in
favor, signify by saying "aye."

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

Aye.

FIRE CHIEF GERALD REARDON: Aye.

COMMISSIONER MICHAEL GARDNER: Aye.

None opposed.

I guess congratulations, you are our
first officially permitted taxi dispatch association member.

WALID NAKHOUL: Thank you very much. CHAIRMAN MICHAEL GARDNER: We are very hopeful that this helps kind of regularize the business.

WALID NAKHOUL: And I'm trying to improve as much as \(I\) can. As \(I\) said, \(I\) have been only an owner for three and a half years so -- you know what I mean? I'm taking it slow. I want to walk normally. I don't want, you know, to take a bigger step than that and then I'm gonna, you know, fall.

Hopefully by the end of the fall, I'll
have a new system, and then, as Corey mentioned probably we're gonna use some apps and catch up with the technology and stuff.
with the new plan.

WALID NAKHOUL: Thank you very much.

Have a great night. See you tomorrow.

APPLICATION: MBIG TRADING, INC D/B/A STAR TAXI

EXECUTIVE DIRECTOR ELIZABETH LINT: MBIG

Trading, Incorporated doing business as Star

Taxi, Tibor Hangyal, manager, has applied for a

Taxicab Dispatch Association Permit to be exercised at 700 Memorial Drive.

COMMISSIONER MICHAEL GARDNER: Good
evening.

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

TIBOR HANGYAL: The last name is

H-A-N-G-Y-A-L, first name Tibor, T-I-B-O-R.

Been in Cambridge for many, many years,

1980s, and worked at Magazine Shell and went out
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on my own. At one point I had 12 taxicabs. When
Ming decided to retire, I took over Magazine
Shell. And a few years back when we had all
kinds of problems with the handicap not being
serviced properly and taken care of, and some of
the overwhelming problems of dispatching and
independent drivers and drivers not getting the
jobs that they were assigned, that's when I
decided to start Star Taxi so there would be an
extra number to call for customers that were not
happy with Checker or Ambassador, who I was with
at the time, and basically just keeping it very
low-key.

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    We have anywhere from five to ten cabs
that work with us, and I don't charge radio dues,
it's just matter of having an extra number out
there for the customers when the big guys can't
handle them and can't service them correctly.
COMMISSIONER MICHAEL GARDNER: Okay.

TIBOR HANGYAL: We use the Nextel
service, Sprint/Nextel, which is becoming
problem-some. Since Sprint bought Nextel, the
two-ways are not really sufficient to keep the drivers happy, so they're using more and more cell phones, which \(I\) don't particularly like.

So we're starting to do the research into
what kind of computer-generated programs we can use and apps.

FIRE CHIEF GERALD REARDON: So right now you're using the Nextel system to push the talks and you're running into trouble with frequencies that are gone and so forth?

TIBOR HANGYAL: Yes.

FIRE CHIEF GERALD REARDON: Because the City of Cambridge is taking a lot of them.

TIBOR HANGYAL: There's a lot of
interference. When you need it the most in rush
hour, it's very hard to understand the drivers,
so...

FIRE CHIEF GERALD REARDON: There's a
nationwide movement of rebanding that's changing
frequencies around, so there's fewer and fewer
frequencies. And \(I\) believe -- actually, \(I\) know
Nextel is going to discontinue the type of
push-talk service that you presently operate on.
    TIBOR HANGYAL: Right.
    FIRE CHIEF GERALD REARDON: And that's
why it's dwindling, so...
    TIBOR HANGYAL: They're not giving us any
customer service, so we're starting to realize
this is where it's going.
    FIRE CHIEF GERALD REARDON: I don't
believe they're going to stay in that
push-to-talk business. Sprint does have
something on a different band. I don't know how
well it will work for you, but it's something you
will have to look into in terms of --

COMMISSIONER MICHAEL GARDNER: You don't
have a radio-based system at all?

TIBOR HANGYAL: No.

COMMISSIONER MICHAEL GARDNER: And your
plan is to move to cell phones and maybe some sort of computer process?

TIBOR HANGYAL: Yes.

COMMISSIONER MICHAEL GARDNER: So that
would be like some app for a cell phone?

TIBOR HANGYAL: Yes.

COMMISSIONER MICHAEL GARDNER: And,

Mr. Pilz, if you could just remind us again, that's all consistent with our regulations? COREY PILZ: Depending on which
application he partnered with, they may also
require a permit from the Board.

One of the issues we're quickly
discovering all the applications out there do a certain extent of what we call dispatch. We have
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been reviewing them on a case-by-case basis as
they come in. For example, one application
merely puts you into contact with the company and
the company continues and does all the
dispatching. It's just a form of communication.
Another application actually carries out
the entire transaction. They send the request to
the company, the company then dispatches the cab
and the transaction occurs through the
application itself. Those are ones that we're
requiring to have a permit for.
TIBOR HANGYAL: It's a whole can of worms
for this researching and it's changing. It's
changing rapidly.
EXECUTIVE DIRECTOR ELIZABETH LINT:

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Everyday.
COMMISSIONER MICHAEL GARDNER: So it
makes sense for you to be in touch with our
office in terms of any plans you've got, business
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plans to make sure that they --
FIRE CHIEF GERALD REARDON: I guess
presently what you're doing is you -- are you
supplying the Nextel units --
TIBOR HANGYAL: Yes.
FIRE CHIEF GERALD REARDON: -- for the

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cab drivers?
    TIBOR HANGYAL: Yes.
    FIRE CHIEF GERALD REARDON: So they're
all being paid by you?
    TIBOR HANGYAL: Magazine Shell foots the
bill.

FIRE CHIEF GERALD REARDON: You pass out
the phones at night to each cab?
    TIBOR HANGYAL: Each cab has its own
phone.
    FIRE CHIEF GERALD REARDON: They're all
paid for by -- you just assign it to the cab and
they just keep it in the cab?

TIBOR HANGYAL: Yes.

COMMISSIONER MICHAEL GARDNER: I'm sorry. I'm not sure if \(I\) understand it. Do you actually own and operate a number of cabs yourself or the business --

TIBOR HANGYAL: I lease four medallions and -- from being in the taxi business full-time previously, I want to keep my finger in it just in case Shell boots me out of there and don't want my services no more, but they just signed a three-year lease again, so I'll be around a little bit longer.

COMMISSIONER MICHAEL GARDNER: You
advertise a phone number, is that it, and they call you?

TIBOR HANGYAL: Basically just by the website, and just having presence and in the phone book and the numbers on the cab alone.

COMMISSIONER MICHAEL GARDNER: Okay.

Basically you think the business is sort've spilled over from when the larger operations can't supply somebody, or you may have some customers who go to you first, I suppose? TIBOR HANGYAL: Right. The original ACT

Program was something that \(I\) proposed and then city hall says "No, no, you can't do it that way. It has to be put out for bid," and that's when it started. I started Star Taxi just because of
that and tried to give the big guys a little competition because otherwise neither one of them had any interest of servicing the handicap. And my brothers's in a wheelchair himself, so this is kind've partial to my heart. That's why I don't charge radio dues or anything at this time. COMMISSIONER MICHAEL GARDNER: Mr. Pilz,
any issues here?
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COREY PILZ: If you could just -- you

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just have the one telephone number? Do you have
a TTY number tied to the, you know --

TIBOR HANGYAL: No, just the one number. COREY PILZ: I think that would be our only concern in terms of accessibility at this point in time.

TIBOR HANGYAL: I do have another number that bounces over if one is busy. That's just a secondary number that \(I\) don't advertise.

COMMISSIONER MICHAEL GARDNER: But the TTY number, is what we're interested in everybody having that, is that our expectation?
COREY PILZ: Yes. If they're primarily operating by a telephone.

FIRE CHIEF GERALD REARDON: You have a main number and a hunt number that it dumps to when it's busy?

TIBOR HANGYAL: Yes.

COMMISSIONER MICHAEL GARDNER: Well, we
would like you to explore that.

TIBOR HANGYAL: Yes.

COMMISSIONER MICHAEL GARDNER: And then
report back.

TIBOR HANGYAL: Okay.

COMMISSIONER MICHAEL GARDNER: And I
don't know if you've had a chance to look at the regulations that we passed last fall, but we are expecting wanting the dispatch associations that hold our permits to be cooperative and sharing certain amount of statistical data with us in terms of volumes, which are outlined there, and so we're hopeful you'll be cooperative in that regard.
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TIBOR HANGYAL: Definitely.
COMMISSIONER MICHAEL GARDNER: Other

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questions?

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

No.

COMMISSIONER MICHAEL GARDNER: Are there
any members of the public who would like to be heard in this matter?

Seeing none, so I'll make the motion to approve the application of MBIG Trading, Inc doing business as Star Taxi for a Taxicab Dispatch Association Permit exercised at 700 Memorial Drive, place the condition that you be -- do the exploration and be in communication with the License Commission regarding the TTY telephone line. TIBOR HANGYAL: Okay. FIRE CHIEF GERALD REARDON: Second that motion.
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COMMISSIONER MICHAEL GARDNER: Motion

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having been made and seconded, all those in
favor, signify by saying "aye."

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

Aye.

FIRE CHIEF GERALD REARDON: Aye.

COMMISSIONER MICHAEL GARDNER: Aye.

None opposed. So the motion carries, and you're the second of the license dispatch operations in the city, so thank you for your corporation.

RATIFICATIONS

EXECUTIVE DIRECTOR ELIZABETH LINT: Okay.

Ratifications, all refinances. Medallion 44, 230, 225, 135, 90 and 134.

COMMISSIONER MICHAEL GARDNER: And our
action here would be to accept these, right? So I'll make the motion to accept the ratifications approved by the executive director, but request that she check to see that the double on 230 means that somebody got left off. So that's the motion.

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

I will second that motion.

COMMISSIONER MICHAEL GARDNER: Motion
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having been made and seconded, all those in
favor, signify by saying "aye."
FIRE CHIEF GERALD REARDON: Aye.
POLICE SUPERINTENDENT CHRISTOPHER BURKE:

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Aye.
    COMMISSIONER MICHAEL GARDNER: Aye.
    None opposed, so the ratifications are
accepted.
    And is there any other business before
us?
    EXECUTIVE DIRECTOR ELIZABETH LINT: There
is not.

COMMISSIONER MICHAEL GARDNER: Our next
meeting is when? Is it the \(2 n d\) or the \(9 t h ?\)
    EXECUTIVE DIRECTOR ELIZABETH LINT: I
believe it's the 9th. It's the 9th.
    COMMISSIONER MICHAEL GARDNER: We're
here the \(9 t h\) and \(23 r d ?\)
    EXECUTIVE DIRECTOR ELIZABETH LINT:

That's correct. I know Commissioner Haas will not be here on the \(9 t h\).

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

I'll be back on the 9th. EXECUTIVE DIRECTOR ELIZABETH LINT: I saw
that come through today, and I will not be here on the 9th, but \(I\) will find an able body for you. COMMISSIONER MICHAEL GARDNER: All right.

Motion to adjourn is always in order.

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

Second that motion.

COMMISSIONER MICHAEL GARDNER: Motion to
adjourn having been made and seconded, all those
in favor, signify by saying "aye."

POLICE SUPERINTENDENT CHRISTOPHER BURKE:

Aye.

FIRE CHIEF GERALD REARDON: Aye. COMMISSIONER MICHAEL GARDNER: Aye. None opposed. So we adjourn at
approximately 8:07.

\section*{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 21 st day of March 2013.

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

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CAMBRIDGE LICENSE COMMISSION GENERAL HEARING
3-19-2013
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