

CAMBRIDGE LICENSE COMMISSION HEARING.

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR NICOLE MURATI FERRER

INTERIM POLICE COMMISSIONER BRENT B. LARRABEE

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

AT: Michael J. Lombardi Building
Carmelia M. Vicente Conference Room
831 Massachusetts Avenue
Cambridge, Massachusetts 02139

DATE: April 26, 2017

TIME: 3:07 p.m.

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P R O C E E D I N G S

April 26, 2017, 3:07 p.m

EXECUTIVE DIRECTOR ELIZABETH LINT: This is the License Commission hearing Wednesday, April 26, 2017 in the Carmelia Vicente Conference Room.

This hearing is being audio and videotaped.

APPLICATION: CRYSTAL LUNCH, INC.

D/B/A CANTAB LOUNGE AND THE THIRD RAIL

EXECUTIVE DIRECTOR ELIZABETH LINT:

Crystal Lunch, doing business as Cantab Lounge and The Third Rail, holder of a common victualler all alcohol license at 738 Mass Ave has applied for a change of license type to general on premise and alteration of premise described to be

approximately 5,000 square feet on two levels.

First floor contains bar, stage, kitchen, storage room and restrooms. Basement is Rathskeller Lounge with bar, stage, storage room and two restrooms. I have Crystal Lunch. Who else is on there. Crystal Lunch Incorporated.

CHAIR NICOLE MURATI FERRER: Good afternoon.

Please state your name and spell it for the record.

STEPHEN RAMSEY: Stephen Ramsey,
S-T-E-P-H-E-N R-A-M-S-E-Y.

CHAIR NICOLE MURATI FERRER: Thank you. Mr. Ramsey, this is as a result of a letter that you received -- an inspection and then a letter with regard to the use of the kitchen, is that correct?

STEPHEN RAMSEY: That's correct.

CHAIR NICOLE MURATI FERRER: And just for the record, you are no longer intending to sell or provide food at the premises?

STEPHEN RAMSEY: That's correct.

CHAIR NICOLE MURATI FERRER: This has kind of been the practice for a little bit now?

STEPHEN RAMSEY: It has been. Since 2009 anyways.

CHAIR NICOLE MURATI FERRER: There's no changes to the type of operation that you are running?

STEPHEN RAMSEY: None.

CHAIR NICOLE MURATI FERRER: And, unfortunately, I was unable to open up the attachments.

Do you know if you submitted a floor plan, a new floor plan with your application to the ABCC?

STEPHEN RAMSEY: No.

CHAIR NICOLE MURATI FERRER: So we'll just need an updated floor plan. I'm not sure if it -- I'm not sure if you are putting down walls or anything. Are you changing the bars at all or anything?

STEPHEN RAMSEY: We are not changing anything.

Just the way it is -- the way it is now, is the way it's planning on being. We are not changing anything at all.

CHAIR NICOLE MURATI FERRER: Where the kitchen area was, is that going to be storage?

STEPHEN RAMSEY: That's storage.

CHAIR NICOLE MURATI FERRER: Any questions?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: No.

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

(No response)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response)

CHAIR NICOLE MURATI FERRER: I would vote to grant.

Thank you very much.

STEPHEN RAMSEY: Thank you very much.

Enjoy your day.

DISCIPLINARY: ELIOT MANAGEMENT SERVICES, INC.

D/B/A PARADISE CAFE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Disciplinary: Eliot Management Services,
Incorporated, doing business as Paradise Cafe,
holder of a common victualler all alcohol license

at 180 Mass Ave for alleged service of alcohol to intoxicated persons on December 11, 2016.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Anyone who is going to testify in this matter?

(Parties sworn)

CHAIR NICOLE MURATI FERRER: Thank you.

Good afternoon. Please state and spell your name for the record.

ATTY JAMES RAFFERTY: Madam Chairman and Commissioner, for the record James Rafferty R-A-F-F-E-R-T-Y, appearing on behalf of the Paradise Cafe, Eliot Management Services being the license holder.

Seated to my right is Paul McCarthy,

M-C-C-A-R-T-H-Y. Mr. McCarthy is the manager of record.

CHAIR NICOLE MURATI FERRER: Thank you.

Sergeant and Officer, your names, please.

SERGEANT GEDAMINSKY: Sergeant Gedaminsky

G-E-D-A-M-I-N-S-K-Y. Cambridge Police Department.

OFFICER ALEX ILYINSKII: Alex Ilyinskii,

I-L-Y-I-N-S-K-I-I.

CHAIR NICOLE MURATI FERRER: Officer, why don't you start.

You can take a seat, if you want.

OFFICER ALEX ILYINSKII: On about December 11 of 2016, at approximately ten minutes prior to closing, myself and my partner received a call letting us know there was a party collapsed in front of the Paradise Lounge, Mass and Albany.

We arrived and we saw a group of people standing over a collapsed party. We exited the vehicle to assist that party, and as we did, another party who was standing approached us and as he began to approach us, collapsed face first and hit the cement, with his head first.

We began to assist that party and the party up against the wall.

And as we were doing so, I observed another party standing about 30 feet away from us, and he looked at us and he looked back, and he started to walk away and then also collapsed head first into the cement. It was a domino effect.

And when asked, two out of the three parties admitted to drinking at the Paradise Lounge. One party said he drank all the gin at the Paradise Lounge and the other one said he had

two Vodkas and the one could not answer completely.

I asked all the parties if they were diabetic. All of them said "no."

CHAIR NICOLE MURATI FERRER: Why did you ask them that?

OFFICER ALEX ILYINSKII: Just with my OUI training, sometimes when I make a field stop, I like to ask someone if they are diabetic because someone who is suffering from diabetes can sometimes have the same symptoms of someone who is intoxicated.

CHAIR NICOLE MURATI FERRER: Did you make observations of these three individuals?

OFFICER ALEX ILYINSKII: Yes. Glossy eyes. They had an odor of alcoholic beverages. They could not stand up straight. They had slurred speech and terrible balance and they all

collapsed.

CHAIR NICOLE MURATI FERRER: Did the ambulance respond?

OFFICER ALEX ILYINSKII: Yes. The ambulance responded.

Every time a new person collapsed, I would notify the ambulance and let them know to send more units because there were multiple parties.

CHAIR NICOLE MURATI FERRER: Sergeant, do you have anything to add.

SERGEANT GEDAMINSKY: Basically, I was the supervisor of that sector that night. It is Cambridge Police policy and procedure anytime a barroom is involved, a supervisor is to show up, which I did.

On route I heard a second ambulance being added. And when I got there, a third ambulance

was added for another individual that was coming out of the bar.

And I did talk to Mr. McCarthy.

Mr. McCarthy originally thought one of the individuals might have been diabetic. I asked him how he knew that, if he knew the person personally and he said he didn't.

And at some point I did, during that conversation, mention that three people seemed to be pretty intoxicated from the bar.

And he said he didn't believe that they were overserved and walked back into the bar.

That's basically -- I filed my report with that.

CHAIR NICOLE MURATI FERRER: Anyone from the EMS here or EMT here?

(No response)

CHAIR NICOLE MURATI FERRER: Counselor?

ATTY JAMES RAFFERTY: Thank you.

EXAMINATION BY ATTY JAMES RAFFERTY OF

OFFICER ALEX ILYINSKII:

Q. So, Officer Ilyinskii, you were first on the scene, you and your partner, is that correct?

A. Yes. Officer McNeal.

Q. During the course of your investigation, did you learn how it was that the medical personnel were alerted to come to the location?

A. I put it over the radio.

Q. So you believe that you made the call for medical personnel?

A. I don't believe. I know. I went like on my radio, I said "Control, could you please send us Pro Ambulance."

Q. Were you aware of any efforts made to

contact medical personnel prior to your privately?

A. I mean, I believe if a call came in, emergency control center might have already made the call to EMS on my way there.

Q. Let me back you up.

You arrived there and your attention was drawn to this first individual that you described as having collapsed?

A. Correct.

Q. Isn't it true that he was already in a seated or laying down position when you arrived there?

A. He was not standing, yes. He was leaning back like so (indicating), and his head was wobbly and he could barely move or make any sentences.

Q. So he --

A. The nurse nearby told me he collapsed.

Q. The nurse nearby?

A. Yes, it is in the report.

Q. I'm aware of that. You hadn't testified.

Let's go back.

Is it fair to say that your attention was first drawn to an individual who was up against the building to the left of the door?

A. When I arrived in my motor vehicle, it was about approximately one second later as I stepped out of the vehicle, another individual approached me and collapsed on the ground. Literally this happened within one second.

Q. Let's talk about the first individual. Did you later learn his identity?

A. Yes.

Q. Did you learn his age?

A. I did.

Q. Do you recall what his age was?

A. It is in the report right here.

Q. As part of your background training and experience with regard to intoxication, do you also have occasion to encounter individuals that have abused narcotics?

A. Occasionally, yes.

Q. Do you find the indicators of insobriety associated with alcohol similar to those exhibited by people who may have ingested narcotics?

A. I would say sometimes, yes. Sometimes the symptoms are more extreme. If they smoked a lot of marijuana, they are more laid back. If they are more intoxicated, they move more but have terrible balance.

Q. In your training as a Cambridge police officer, do you encounter scenarios where

individuals have ingested narcotics?

A. Yes.

Q. And is it your testimony that you are able to distinguish between those who consume narcotics and those who consume alcohol?

A. Well, there are definitely a different variety of narcotics. The only thing I can say is, I also had their testimony stating that they consumed all the alcohol at the Paradise.

Q. You didn't get that from the first individual?

A. I got it from two of the three individuals.

Q. So did you learn how long that first individual --

A. I did actually -- wait. I did ask them if they had consumed any narcotics at the hospital and they did tell me "no."

CHAIR NICOLE MURATI FERRER: The three of them denied taking --

OFFICER ALEX ILYINSKII: Yes, at the hospital.

CHAIR NICOLE MURATI FERRER: And the three at the hospital are the same three you saw earlier?

OFFICER ALEX ILYINSKII: Yes. I was at CPH later that day and I asked as one of my follow-up questions.

BY ATTY JAMES RAFFERTY:

Q. In your experience making of such inquiries, do you often find that individuals are not always truthful in their responses to such a question?

A. Absolutely.

Q. So the first individual that you encountered when you got there, did you learn how

long he had been on the sidewalk prior to your arrival?

A. Probably since the call came in. So it must have been only a few minutes or maybe less than.

Q. That's okay. You don't need to speculate.

A. We were in Central Square, so our response time was approximately 20 seconds from when the call came in.

Q. Okay. Do you know if the call came to an MIT dispatch?

A. I don't know. I know that emergency communications notified me.

Q. Is this in your report?

A. I have a copy of mine.

Q. Just the first paragraph of your report.

CHAIR NICOLE MURATI FERRER: Counselor,

can you tell me --

ATTY JAMES RAFFERTY: Yes. I'm showing
Officer Ilyinskii --

OFFICER ALEX ILYINSKII: It came in
through MIT police.

ATTY JAMES RAFFERTY: -- his report.

CHAIR NICOLE MURATI FERRER: The one that
ends at 973-1?

ATTY JAMES RAFFERTY: It is a three-page
report.

CHAIR NICOLE MURATI FERRER: I got it.

OFFICER ALEX ILYINSKII: It came in
through MIT. I forgot about that. I know ECC
usually tells us and was probably sent through
MIT police "Please respond to this location."

BY ATTY JAMES RAFFERTY:

Q. So your report states "Officers responded
to a medical call outside the Paradise Lounge

Cafe on the sidewalk, which came in through MIT police," correct?

A. Correct.

Q. So your estimate is that you were there within a few seconds of when that call was made based on not when you heard from the MIT police but when you heard from your dispatch?

A. Dispatch, correct.

Q. Are you aware of the location of a MIT call box near the premises?

A. I am not. I know that the MIT police station was very close by.

Q. So it would come as news to you that directly across the street from the location that you were at there's a call box with a direct access to MIT police?

A. That is news. That's great.

Q. The person that -- the person that you

first had your attention drawn to, did you have -- is it your testimony that you had conversation with him at the site?

A. The first person?

Q. Yes.

A. I tried to.

Q. Right. Is it fair to say that he was not responsive?

A. That's very fair to say.

Q. I have nothing further. Thank you, Officer Ilyinskii?

CHAIR NICOLE MURATI FERRER: Counselor, I am going to stop you. If you have questions for the sergeant and if you will indulge me, I think EMS just showed up.

Are you guys here for Paradise?

Correct.

CHAIR NICOLE MURATI FERRER: If you could

step forward and raise your right hands so you
can be sworn in.

(Parties sworn)

CHAIR NICOLE MURATI FERRER: Thank you.
If you could please state and spell your names
for the record.

MATTHEW GIAMPIETRO: Matthew Giampietro,
M-A-T-T-H-E-W G-I-A-M-P-I-E-T-R-O.

EMMA MARSHALL: Emma Marshall, E-M-M-A
M-A-R-S-H-A-L-L.

CHAIR NICOLE MURATI FERRER: Thank you.
And were you the ones that responded to the
Paradise Lounge on December 11, 2016.

MATTHEW GIAMPIETRO: Yes.

EMMA MARSHALL: Yes.

CHAIR NICOLE MURATI FERRER: Tell us your

observations on that day.

MATTHEW GIAMPIETRO: Being what was our first observation or -- first observation, we arrived on scene and we saw a man sitting against the wall, a couple people walking around up front, an individual fell, and -- the individual that fell prior to our arrival as well. And there were four individuals in total that we transported that day. We transported two and another unit had two.

CHAIR NICOLE MURATI FERRER: And the two that you transported, what were their symptoms? Why did you transport them?

MATTHEW GIAMPIETRO: Unable to ambulate.

CHAIR NICOLE MURATI FERRER: Did either of these individuals make any remarks with regard to their sobriety status to you?

EMMA MARSHALL: Yes.

CHAIR NICOLE MURATI FERRER: Can you tell us what that was?

EMMA MITCHELL: Yes. They admitted to intoxication.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Say that again.

EMMA MITCHELL: They admitted to intoxication.

ATTY JAMES RAFFERTY: Could we have a breakdown on the word "they"?

CHAIR NICOLE MURATI FERRER: Yeah.
So the -- do you recall which individuals you transported?

EMMA MITCHELL: We can't --

CHAIR NICOLE MURATI FERRER: Do you recall if they were a male or female?

EMMA MITCHELL: Male.

CHAIR NICOLE MURATI FERRER: Both of

them?

EMMA MITCHELL: Yes.

CHAIR NICOLE MURATI FERRER: And you are saying that both males admitted to being intoxicated?

EMMA MITCHELL: Yes.

MATTHEW GIAMPIETRO: Yes.

CHAIR NICOLE MURATI FERRER: Did either person admit to taking drugs.

EMMA MITCHELL: They did not specify.

CHAIR NICOLE MURATI FERRER: Did you make observations as to whether or not they appeared to be intoxicated?

MATTHEW GIAMPIETRO: They were unable to ambulate. We can't take their blood and draw.

CHAIR NICOLE MURATI FERRER: Was there any particular odor emanating from either of them.

EMMA MITCHELL: Not that I recall or that was noted in my reports.

CHAIR NICOLE MURATI FERRER: Did either of them tell you the specific amount of alcohol that they ingested?

EMMA MITCHELL: Not quantity. Length of time.

CHAIR NICOLE MURATI FERRER: Both of them told you the length of time or just one of them?

EMMA MITCHELL: Only one that I can recall.

CHAIR NICOLE MURATI FERRER: And the one that you can recall, did that person tell you how long they had consumed alcohol?

EMMA MITCHELL: Yes.

CHAIR NICOLE MURATI FERRER: Can you tell us what that was?

EMMA MITCHELL: Over five hours.

CHAIR NICOLE MURATI FERRER: Did they say they consumed over five hours of alcohol at the premises?

EMMA MITCHELL: They didn't specify.

CHAIR NICOLE MURATI FERRER: Did they confirm whether or not they had alcohol at the premise?

EMMA MITCHELL: They didn't confirm or deny.

CHAIR NICOLE MURATI FERRER: Is there anything else that you can tell us what you observed with regard to that night?

EMMA MITCHELL: No.

MATTHEW GIAMPIETRO: Not that I am aware.

CHAIR NICOLE MURATI FERRER: Was this the first time that either of you responded to the Paradise?

MATTHEW GIAMPIETRO: Yes.

EMMA MITCHELL: Yes.

CHAIR NICOLE MURATI FERRER: Any questions?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: You said the first person transported was sitting down?

MATTHEW GIAMPIETRO: When we arrived on scene, there was a gentleman leaning against the wall and then --

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Leaning how?

MATTHEW GIAMPIETRO: He was sitting on his butt against the wall.

EMMA MITCHELL: There's a couple steps.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: And the second person you transported?

MATTHEW GIAMPIETRO: The second person we transported exited the establishment and fell

onto the ground.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: You saw him come out?

MATTHEW GIAMPIETRO: Yes.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: You actually saw him come out of the Paradise?

MATTHEW GIAMPIETRO: Yes.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: He did what?

MATTHEW GIAMPIETRO: He fell onto the ground.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Was he the one who indicated to you that he had been drinking for five hours?

EMMA MITCHELL: No.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Did I hear you correctly, you said

there were four people transported that night?

EMMA MITCHELL: We only transported two.
There was at least a third.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: You didn't say there was two others.
You said one other?

EMMA MITCHELL: We only testified to the
patients that we were involved with.

MATTHEW GIAMPIETRO: There was another
ambulance.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: So what is the testimony about No. 3?
I haven't heard about No. 3. I heard about No. 2
but not 3.

EMMA MITCHELL: Our co-workers, he's
working his shift, and they are trying to get him
freed up to come over here.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Sarg?

SERGEANT GEDAMINSKY: The third person was another party while units were on scene that came out of the bar and again fell. I think that's the person that the other unit, Pro Ambulance transported.

There was only -- there were three people transported that night. These EMT officers took two and there was one other.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: So it is your testimony that person No. 3, you saw them come out of the Paradise.

SERGEANT GEDAMINSKY: Yes.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: You eyeballed him?

SERGEANT GEDAMINSKY: Yes. Two people were seen coming out of the bar. The first person they were involved with was the one that

the call came in that brought us to the scene.

CHAIR NICOLE MURATI FERRER: Counselor?

ATTY JAMES RAFFERTY: Either of the EMT professionals, I just want to confirm, so you transported two individuals?

EMMA MITCHELL: Yes.

ATTY JAMES RAFFERTY: Did you transport them together in the same unit?

MATTHEW GIAMPIETRO: Yes.

EMMA MITCHELL: Yes.

ATTY JAMES RAFFERTY: And then you say there was a second ambulance on the scene?

EMMA MITCHELL: Yes. We called for them.

CHAIR NICOLE MURATI FERRER: You called for them.

MATTHEW GIAMPIETRO: We called for another transport unit. There were more patients than we were able to take.

ATTY JAMES RAFFERTY: So there was no third ambulance that night, was there?

EMMA MITCHELL: No. There were two ambulances with three patients.

ATTY JAMES RAFFERTY: Two ambulances. You took two and the other ambulance took another one.

And when you arrived on the scene, the police officers were already present?

EMMA MITCHELL: Yes.

ATTY JAMES RAFFERTY: Were you the first ambulance to arrive or the second?

EMMA MITCHELL: First.

MATTHEW GIAMPIETRO: First.

ATTY JAMES RAFFERTY: And you attended to the individual that you described that was up against the wall first?

EMMA MITCHELL: Seated against the wall.

ATTY JAMES RAFFERTY: Would you agree that of the three individuals that you encountered, his situation appeared to be the most acute?

MATTHEW GIAMPIETRO: "Acute" meaning the quickest happening or the more in need?

ATTY JAMES RAFFERTY: Most in need of attention.

MATTHEW GIAMPIETRO: Yes.

ATTY JAMES RAFFERTY: Would it surprise you to learn that a call was placed specifically because of the manner in which he was behaving?

EMMA MITCHELL: No.

MATTHEW GIAMPIETRO: I don't know if that was because he was inside the club or outside the club.

ATTY JAMES RAFFERTY: That's not my question.

Based upon your observation of that individual, would it be surprising for you to learn that his appearance and demeanor prompted the initial call to seek medical assistance?

MATTHEW GIAMPIETRO: No.

ATTY JAMES RAFFERTY: How did you -- are you aware, how did you receive the call to come to the location?

MATTHEW GIAMPIETRO: We received the call through our dispatch on the radio with the address and it was either a sick person or man down. That's pretty much all we get.

ATTY JAMES RAFFERTY: Do you know whether your dispatch received that call from the MIT police or from the Cambridge Police?

MATTHEW GIAMPIETRO: We don't have access to that information.

ATTY JAMES RAFFERTY: Okay. Thank you

very much.

CHAIR NICOLE MURATI FERRER: You are both trained EMTs?

MATTHEW GIAMPIETRO: Correct.

EMMA MITCHELL: Yes.

CHAIR NICOLE MURATI FERRER: Based on your observation that night, the individual that was sitting down, could you tell us whether or not, based on your observations, that person was under the influence of alcohol?

EMMA MITCHELL: There's no way for us to definitively present a diagnosis of that.

We can only describe the symptoms. So objectively he had difficulty ambulating.

CHAIR NICOLE MURATI FERRER: Speak up.

EMMA MITCHELL: He had difficulty ambulating and unsteady gait. His speech was slurred. But beyond that, there's no tests we

can do in the field to confirm.

CHAIR NICOLE MURATI FERRER: How about the second individual, the one that you observed coming out of the club and then falling down, what were your observations as to that individual?

MATTHEW GIAMPIETRO: Again, we can't. Same symptoms, couldn't ambulate and unsteady gait and unsteady on his feet.

CHAIR NICOLE MURATI FERRER: Thank you.

ATTY JAMES RAFFERTY: Could I follow up on that, Madam Chair, a couple points.

Do you recall at any point having a conversation with an individual who identified themselves as a nurse?

MATTHEW GIAMPIETRO: Attending to the man sitting down, there was a nurse holding gauze to his head. He was bleeding?

ATTY JAMES RAFFERTY: How did you know that individual was a nurse?

MATTHEW GIAMPIETRO: I did not. He didn't tell me he was a nurse.

ATTY JAMES RAFFERTY: I didn't understand your response.

MATTHEW GIAMPIETRO: He didn't specifically, for me, tell me he was a nurse or not a nurse.

OFFICER ALEX ILYINSKII: He told me he was a nurse.

ATTY JAMES RAFFERTY: Your understanding of his role is there was an individual attending to one of the parties?

MATTHEW GIAMPIETRO: He was a man holding gauze on a bleeding individual.

ATTY JAMES RAFFERTY: Understood. Based on your medical experience and judgment, I could

offer this to either one of you, would it have been prudent to allow the first individual that you encountered against the wall to leave the area if he was insistent that he was fine and wanted to go off on his own?

MATTHEW GIAMPIETRO: No.

ATTY JAMES RAFFERTY: Would it have been a responsible act to detain the person and insist that he await the arrival of medical assistance before he departed?

MATTHEW GIAMPIETRO: Correct.

ATTY JAMES RAFFERTY: Thank you very much.

CHAIR NICOLE MURATI FERRER: Do you have anything for the Sergeant?

ATTY JAMES RAFFERTY: Nothing.

CHAIR NICOLE MURATI FERRER: Are you going to present?

ATTY JAMES RAFFERTY: I am.

CHAIR NICOLE MURATI FERRER: Go ahead.

EXAMINATION BY ATTY JAMES RAFFERTY

OF PAUL MCCARTHY:

Q. So could you state your name and address for the record, Paul?

A. Paul McCarthy owner and general manager of Paradise Lounge, Eliot Management Services, Inc.

Q. How long have you owned or been the principal shareholder of the Paradise nightclub and operated it?

A. Roughly 16 years.

Q. And prior to your time -- of your ownership of the Paradise, did you have prior experience or involvement in the nightclub or restaurant business?

A. We had a restaurant at 59 JFK Street in Cambridge in Harvard Square.

Q. How many years did you operate that establishment?

A. 12 or 14.

Q. So you've been a licensee in Cambridge over 30 years, is that fair to say?

A. Roughly, yes.

Q. And I draw your attention to the night of December 11. Do you recall the incident that has been testified here today?

A. Yes.

Q. Can you tell the commission when you first became aware of a problem or an incident at the premises?

A. I was notified when I was in the basement of the establishment.

Q. When you say you were in the basement of

your establishment, to be clear, can you describe the establishment? It is a two-level establishment?

A. It is a two-level establishment. First floor and second floor. Entertainment on both floors. I was in the basement of the establishment overseeing the operation down there.

Q. Who contacted you?

How did you learn about this?

A. One of my staff members came down and notified me we got a person outside that looked in trouble.

Q. What did you do upon learning that information?

A. My staff called 911. And --

Q. What did you do?

A. I told them "Don't let the gentleman get

up. Keep them here." His two friends --

Q. Is it fair to say that you went outside to observe the situation?

A. Yes.

Q. How soon after you learned of the incident, did you arrive out on the sidewalk?

A. I would say probably a minute.

Q. Can you describe for the commission what you observed when you got to the sidewalk?

A. Sidewalk -- the gentleman was sitting in a little cove we have out there.

Q. A little what?

A. A cove. Like a stair up. It is a big stair going into the bar and everyone uses it. It is like probably this much off the ground.

Q. Did you have an opportunity to observe the individual?

A. Yes, I did.

Q. How did he -- based upon your observation, what did you say?

A. The person was there sitting like numb, not knowing what is going on. He was talking about getting -- leaving, and he couldn't get up.

And then his two friends came over and said "We'll take him home" and my door staff said "You can't take him, he's too bad, until the ambulance comes."

Q. How soon after you -- after the call was placed to 911 did someone arrive, did medical assistance arrive?

A. Anywhere from eight to ten minutes.

Q. At some point after the initial 911 call, did you or your staff take further action with regard to obtaining medical assistance for the individual?

A. We supplied him with water and we tried

to keep him calm. His two friends kept insisting they could take him home. They knew where he lived.

Q. Did you make any additional efforts to contact medical personnel while you were waiting after the first call?

A. One of my staff went across the street and pulled the MIT emergency box directly across the street.

Q. How soon after the initial 911 call do you estimate the second call was made to the MIT police?

A. Five, six, seven minutes.

CHAIR NICOLE MURATI FERRER: Wait a minute. You lost me.

PAUL MCCARTHY: Five, six, seven minutes.

CHAIR NICOLE MURATI FERRER: You lost me.

You are saying from the initial 911 call

no one responded between eight to ten minutes, is that what you're saying?

PAUL MCCARTHY: Roughly eight to ten minutes.

CHAIR NICOLE MURATI FERRER: So at minute number seven, that's when you placed the MIT call?

PAUL MCCARTHY: Well, yeah, I can't give it exactly. Roughly. And then the gentleman went across the street and called MIT, and then MIT must have notified you people.

BY ATTY JAMES RAFFERTY:

Q. Is it fair to say that the second call was placed out of a concern about the condition of the individual in the time that had elapsed since the first call?

A. Yes.

Q. How soon after the call was placed through the MIT call box, would you say assistance arrived?

A. Two, three, four minutes, the most.

Q. Is it fair to say that initially all of your attention and focus was on this individual up against the wall?

A. Yes. We were mainly worried about him, he was trying to get up to leave with his two gentlemen friends and he was in no shape to leave.

Q. When you say "no shape," did he appear -- what was it about his behavior?

Did he appear to be intoxicated?

A. He appeared incoherent and he was trying to get up and trying to push himself up and he couldn't get up. Basically he was talking in circles.

Q. Is it fair to say that he was not lucid and he was disoriented?

A. He was talking in circles around. He wanted to leave and his friends could take him.

Q. And these friends were outside with him?

A. His friends were outside. One against the wall and the other one came from around the corner.

Q. Based on your experience in the restaurant and nightclub industry, did you make any judgment about what you observed in terms of the conduct of this individual?

A. The conduct of the individual was erratic and we felt that we couldn't let him leave on his own because of the liability or he may get hurt or run over or something. So we called -- before we called the ambulance -- 911 called the ambulance, and that's why we proceeded to do

that.

Q. Is it fair to say his behavior went beyond what might be considered traditional elements of insobriety?

CHAIR NICOLE MURATI FERRER: When you say "erratic," what do you mean?

PAUL MCCARTHY: Like I said, he was mumbling and trying to get up. He was saying he wanted to leave. He was incoherent what he was trying to talk about. He was mumbling. Mumbling his words. Mumbling whatever.

BY ATTY JAMES RAFFERTY:

Q. And it was based on the behavior of that individual that your staff placed not one but two calls seeking medical attention?

A. Yes.

Q. During the course of -- when the medical

assistance arrived, were you present when the other individuals then received medical assistance?

A. The only one I seen was the guy on -- one of them. I don't know which one. The one on the wall. He was standing there and he kept trying to come up and I think the police officer told him to stay there. "Don't get up. Stay there. Don't come up." Meaning he wanted to see his friend. And he was standing on the wall. I don't know if you know what I'm talking about. But there's a wall and he kept trying to come up and talk to his friend and get his friend.

CHAIR NICOLE MURATI FERRER: Did that person receive medical attention, the one against the wall?

PAUL MCCARTHY: The police officer told him to move back over there, stand over there.

Stand or sit there. And the guy fell forward there.

BY ATTY JAMES RAFFERTY:

Q. In answer to the Chair's question, the answer is "yes"?

A. Yes. Yes.

Q. Ultimately you observed that individual fall?

A. Yes.

Q. And injure himself?

A. He fell on his own.

Q. He had been outside -- just to be clear, he had been outside and had been with the individual up against the wall, correct?

A. Correct.

CHAIR NICOLE MURATI FERRER: Had he been inside the premises?

PAUL MCCARTHY: I couldn't tell you that.
We had like 450 people.

CHAIR NICOLE MURATI FERRER: So when you
saw the person, you had already seen him outside?

PAUL MCCARTHY: He was outside when I
seen him, yes.

BY ATTY JAMES RAFFERTY:

Q. With regard to the third individual, did
anyone fall coming out of the steps of the
nightclub?

A. I didn't see anyone fall when I was out
there. I'm not saying he's a liar. He might
have fell before I got there, but I seen no one
fall out there.

Q. But let's back up.

You were on the sidewalk before the
medical personnel arrived?

A. Before the medical team arrived.

Q. So any observations they would have made about people falling would have occurred after you were already on the sidewalk?

A. Correct.

Q. So I'll ask the question again: While you were out there, did you see any individual exiting the premises fall?

A. No.

CHAIR NICOLE MURATI FERRER: While you were out there, where were you concentrating? What were you looking at?

PAUL MCCARTHY: This person that said she was a nurse said "We can't let him leave. He would be in danger to himself if he left."

CHAIR NICOLE MURATI FERRER: So you are not looking at the door?

PAUL MCCARTHY: The door --

CHAIR NICOLE MURATI FERRER: While you were outside.

PAUL MCCARTHY: The step and the door are within one foot of each other.

CHAIR NICOLE MURATI FERRER: But are you looking at the gentleman or are you looking at the door?

PAUL MCCARTHY: I'm looking at both because I'm standing back.

CHAIR NICOLE MURATI FERRER: Then you are saying --

PAUL MCCARTHY: Everyone was -- many people were around the gentleman.

I mean, he was trying to get to one gentleman who I told you was against the wall down there, he kept coming back and wanting to take his friend home. He said he would take him home.

CHAIR NICOLE MURATI FERRER: Are you standing or are you sitting?

PAUL MCCARTHY: I'm standing.

CHAIR NICOLE MURATI FERRER: When you say many people, are many people standing or sitting?

PAUL MCCARTHY: The only one sitting was the gentleman that they took. That was the only one, I think, you said -- everyone else was standing there, or the nurse was touching -- doing something to the gentleman's head.

CHAIR NICOLE MURATI FERRER: Are you aware that three people were transported out of your premises that night?

PAUL MCCARTHY: Oh, yes.

ATTY JAMES RAFFERTY: Nothing further at this time.

CHAIR NICOLE MURATI FERRER: Any questions?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Yes. Do you have any staff members here to testify?

PAUL MCCARHTY: No. They all work during the day. They have regular jobs.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: How many prior infractions have you had?

PAUL MCCARTHY: How many what?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Prior violations or infractions, have you had either here or at the ABCC?

ATTY JAMES RAFFERTY: None.

PAUL MCCARTHY: None.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: And I'm assuming, when you said you were worried about liability, is it because the person was in your place or they happened to

stumble on the sidewalk in front of you?

PAUL MCCARTHY: No. No. It's just if I feel someone is in danger of themselves, I'm always required, as you know, almost required to call an ambulance. I can't worry about if I'm going to get a hearing or not. I have to take care of the individual first. That's the first priority I have to worry about. Or even a person on the street, you know, that falls in front of the door.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: So was there testimony that at least two of these three people were actually seen coming out of your building?

PAUL MCCARTHY: I didn't say that at all.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: You did not. I know you did not.

I said there's been testimony that two of

the three people, not No. 1 but 2 and 3 were seen coming out of your building and then having to have medical attention.

ATTY JAMES RAFFERTY: I'm sorry, Commissioner, you are asking whether that's what the testimony was today?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Yes.

ATTY JAMES RAFFERTY: Because that wouldn't be my recollection of the testimony. That there was an observation of two -- it is certainly not consistent with what is in the police reports.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I asked if they eyeballed them. The term I used if they "eyeballed" them, and someone said they saw him coming out on No. 3 and I thought prior testimony was they saw No. 2 come

out of the building.

CHAIR NICOLE MURATI FERRER: No, Mr. McCarthy, I don't think the Commissioner is saying you said it.

We know you said that you didn't see anyone coming out your premises.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: It is more of a statement than a question.

PAUL MCCARTHY: You want me to answer that?

ATTY JAMES RAFFERTY: I think, at this point, the question is asking your memory of testimony given within the last few minutes.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I know what his memory is. I heard him testify.

CHAIR NICOLE MURATI FERRER: Did the

police officers speak to you about their observations that night?

PAUL MCCARTHY: Not really. He said that these people have to be transported. I don't remember offhand. But they were transporting them.

CHAIR NICOLE MURATI FERRER: At some point you received a police report about that night, correct?

ATTY JAMES RAFFERTY: Yeah.

PAUL MCCARTHY: Yes.

CHAIR NICOLE MURATI FERRER: Did you read them, Mr. McCarthy?

PAUL MCCARTHY: Yes.

CHAIR NICOLE MURATI FERRER: There's at least a statement in the police report that says at least one person said that he drank all the gin in the Paradise. Do you recall that

statement in the police report?

PAUL MCCARTHY: Yes, I had seen that.

CHAIR NICOLE MURATI FERRER: Based on that statement, did you talk to any of your employees with regard to that night?

PAUL MCCARTHY: That's an impossibility. When someone says that, they are joking around. When they said they drank all the booze or beer in the place, that's a -- that's a false statement that they are just joking around trying to show off. No one could drink all the gin in my place.

CHAIR NICOLE MURATI FERRER: I'm sure they couldn't.

PAUL MCCARTHY: I mean, it is a joking statement someone makes to --

CHAIR NICOLE MURATI FERRER: I'm not either qualifying it as a true statement or a

false statement.

I'm asking if that statement made you speak to your employees?

PAUL MCCARTHY: Yeah, I did speak to the employees.

CHAIR NICOLE MURATI FERRER: What did you talk to the employees about?

PAUL MCCARTHY: We told them that -- did anyone remember the gentleman there. No one remembered him. Again, we have 400 people in the place on a Saturday night. And you don't remember every Tom, Dick and Harry that comes in.

I did talk to them that night afterwards. And we scheduled a TIPS training program next month with the staff.

And all the staff is TIPS certified right now. Everyone is. And they took the course two years ago. So the certification is good for two

years and we applied and talked to TIPS. And they scheduled up a hearing -- not a hearing. A workshop on some Saturday. All our staff is TIPS certified.

CHAIR NICOLE MURATI FERRER: Counselor, anything else?

ATTY JAMES RAFFERTY: No. But I do have, in light of this exchange, I would like to ask Officer Ilyinskii a couple questions about the three individuals just to see if we can arrive at some consistency.

I'm reading from your report and relying primarily on that report to develop my own understanding.

And in that report, you clearly identified the first person as an individual that you noticed -- in the second paragraph of your report you say "Upon our arrival we observed a

party sitting up against a wall completely immobilized with a group of people looking over him to see if he was all right."

OFFICER ALEX ILYINSKII: That's correct.

ATTY JAMES RAFFERTY: So that's the first individual?

OFFICER ALEX ILYINSKII: That's the first individual. That's the first millisecond of my observations.

ATTY JAMES RAFFERTY: You then go on to say when you exited your vehicle "We observed another male stumbling towards us with his hands in his pocket and he slammed his head against the sidewalk."

OFFICER ALEX ILYINSKII: Correct. That happened within one second.

ATTY JAMES RAFFERTY: That's the second individual that required medical attention.

OFFICER ALEX ILYINSKII: Yes.

ATTY JAMES RAFFERTY: So he was on the walk.

And then there's --

OFFICER ALEX ILYINSKII: He was on the walk underneath the foyer of the Paradise.

ATTY JAMES RAFFERTY: Then you describe a third individual standing 30 feet or so from the officers leaning up against the wall and that individual began to walk away when he collapsed into the cement.

OFFICER ALEX ILYINSKII: The sidewalk. The cement, yes.

ATTY JAMES RAFFERTY: So that's the three individuals.

So based upon your report of these three individuals, you don't offer any testimony either today in your sworn testimony or in your written

report of an incident that occurred more than four months ago of observing any individual falling out the steps of the nightclub, is that correct?

OFFICER ALEX ILYINSKII: Falling out the steps?

ATTY JAMES RAFFERTY: Falling out the stairs of the nightclub. There's nothing in your report of the three individuals that we went through, there's no reference here or description of any of these three individuals falling out the door or the steps of the nightclub, correct?

OFFICER ALEX ILYINSKII: When the second individual --

ATTY JAMES RAFFERTY: Excuse me, Officer. I'm trying to establish whether or not within the report the three -- we can go through the three again.

CHAIR NICOLE MURATI FERRER: Well, Counselor, let me help you. I think the report is clear in what it says. It is not ambiguous and the Officer has testified from his memory as to what he remembers.

ATTY JAMES RAFFERTY: And that's all I'm asking.

CHAIR NICOLE MURATI FERRER: So, yeah, that's it. I mean, we have the report. We know what the report says.

ATTY JAMES RAFFERTY: Right.

CHAIR NICOLE MURATI FERRER: He doesn't have the report right in front of him, so I think it is unfair for you to ask him those questions.

ATTY JAMES RAFFERTY: No, no, that's why I took the time to read the report.

CHAIR NICOLE MURATI FERRER: We can read it as well. If you are asking him whether you

read the report correctly, we can read the report.

ATTY JAMES RAFFERTY: That's not what I'm asking, with all due respect.

What I'm asking is, whether there's anything contained in his report, and I'm happy to have him review it, that contains an observation that he saw one of these three individuals physically exiting and falling out of the door because we have, frankly, we have a contradiction in the testimony.

There's testimony from one of the EMT officers that said an individual fell coming out of the door of the establishment.

And I'm saying there's nothing in Officer Ilyinskii's report saying that and there's nothing in Officer Ilyinskii's testimony that indicated that someone fell coming out of the

door of the establishment. It's a rather essential component.

CHAIR NICOLE MURATI FERRER: So he's not using the same words as the EMT.

OFFICER ALEX ILYINSKII: Can I clarify one aspect?

The one thing that should be explained is that subject No. 2, the one I observed with his hands in his pockets, he was standing on the sidewalk right by the entrance to the Paradise Lounge by those stairs. So that if someone's coming out and observed him walking could perceive him leaving the Paradise Lounge because he was standing by that door.

ATTY JAMES RAFFERTY: Okay. Thank you.

CHAIR NICOLE MURATI FERRER: Anything else? Do you have anything else, Counselor? Any other questions.

ATTY JAMES RAFFERTY: No, I don't.

CHAIR NICOLE MURATI FERRER: I would like to take this matter under advisement.

ATTY JAMES RAFFERTY: I'm sorry. May we be heard in closing?

CHAIR NICOLE MURATI FERRER: If you want to do a closing, sure.

ATTY JAMES RAFFERTY: Just a summary of the facts because I think -- there are some facts that I think that are not beyond dispute. There are three individuals involved.

What you heard from Mr. McCarthy, and I think the chronology of the testimony supports the fact, is that the -- the involvement of the police and EMTs was a direct response of activities made by management.

Mr. McCarthy testified that his staff made an initial assessment about this patron and

then dialed 911 on a cell phone, and after a period of time when there wasn't a response, they took an additional step and went across the street and utilized the MIT response system.

The reports make reference to MIT and upon a refreshing of his memory, Officer Ilyinskii acknowledges that there was an MIT communication involvement.

The role of management in responding to a situation like this is a critical area of evaluation by commission in assessing responsibility of what took place here.

It is Mr. McCarthy's firm belief that this first individual, who everyone agrees was sitting down, not moving, in a location, he was the principal source of concern by management and by Mr. McCarthy.

Mr. McCarthy testified there were other

individuals as they waited the ten to 15 minutes for the medical assistance to arrive.

That individual attempted to leave and another individual attempted to assist him to leave the premises, and they detained him believing that it was in his best interest and it was better practice to have him remain until medical assistance arrived.

Mr. McCarthy has been a licensee for a long time. The consequence of doing that was known to him. Police involvement and medical involvement generally end up under review in a forum such as this.

I think licensees should not be discouraged from doing the type of things Mr. McCarthy did. Stay here. Let's get the police. Let's get medical attention on the scene so that any situation here can be addressed.

Had that individual been allowed to leave or that call had not been made chances are we wouldn't have this hearing.

That conduct was the conduct of a responsible licensee recognizing that there was a patron with a problem.

There are two other individuals, some speculation on the part of Mr. McCarthy that they were associated with this particular individual, but clearly, those individuals stumbled and fell and would appear to be exhibiting elements of intoxication.

Whether intoxication rises to the level of being overserved, the Commission is familiar with the case law in this area, did they present themselves as intoxicated at the time they ordered their last drink. Was it after the consumption of their drink that their

intoxication became apparent? We don't know any of that because the officers never went inside. I'm not criticizing their conduct.

They had medical issues to attend to on the sidewalk but it leaves open to great speculation whether or not there's enough evidence to conclude that they were overserved.

Insobriety, in and of itself, is not a crime. These individuals, no testimony here that anyone was attempting to get into a motor vehicle or drive.

Clearly, at least one of these individuals, had behavior that was so inconsistent with good conduct or sound judgment that they were alarmed. So there's been no attempt to hide the fact that there was an issue here.

But it is an issue that, unfortunately,

the Commission sees and the city -- cities all over the country deal with patrons oftentimes in establishments, such as this, take other stimulants beyond alcohol.

And it is the considered judgment of Mr. McCarthy, and the staff here, that this individual, this initial individual, was the reason for this call.

And this individual's condition was brought about not been over serving, it was not mere intoxication. It was the level of incoherent, rambling. Mr. McCarthy attempted to describe the scenario. But you will recall my question of the -- both the EMT professionals was whether it was an appropriate thing to retain that individual and prevent him from departing.

I think on that score the licensee should be acknowledged.

I think the other two individuals did apparently exhibit elements of intoxication or some form of impairment.

Whether that impairment rises to the level of service within the establishment, I don't think the facts are sufficiently established to make that conclusion.

CHAIR NICOLE MURATI FERRER: Thank you.

SERGEANT GEDAMINSKY: To give a summation where the Paradise is located, where the club is located, it is located further up Mass Ave by MIT. At that time of night there was nothing else in that area that is open.

There's no -- the foot traffic would be on Mass Ave predominately, maybe students. So the closing at that time, I think it was fair to assume that people were coming out of that barroom that night.

The other thing is, as far as the 911 call, I'm not disputing that someone from your staff did, we don't know that factually.

It went from a 911 call to the State Police, who, I believe, transferred it to us and then the MIT box.

So we would not know who actually made that call.

A 911 call on a cell phone tends to go to the State Police, and the MIT box of course is its own.

I just want to give an idea -- and my last thing is that -- my observations that night was, that two of the individuals had to be transported by stretcher.

They couldn't walk to the ambulance.

And the third one had to be walked arm in arm by the EMTs to make sure they got in the

ambulance safely.

CHAIR NICOLE MURATI FERRER: Thank you.

Thank you all for coming.

DISCIPLINARY: ELIOT MANAGEMENT SERVICES, INC.

D/B/A PARADISE CAFE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Disciplinary: Eliot Management Services,
Incorporated, doing business as Paradise Cafe,
holder of a common victualler all alcohol license
at 180 Mass Ave, for allegations of patrons
blocking the public way and patrons on the
premise after 2:30 a.m. on February 4, 2017.

(Parties sworn)

CHAIR NICOLE MURATI FERRER: Thank you.

If you could please state your name for the

record again.

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

CHAIR NICOLE MURATI FERRER: I was talking to Mr. Rafferty since I "said again" but thank you, Ms. Boyer.

ATTY JAMES RAFFERTY: Thank you. James Rafferty appearing on behalf of the licensee, Paul McCarthy, manager of the licensed premises.

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

ANDREA BOYER: Thank you.

On February 4, 2017 between 2 and 3 a.m., I was in the vicinity of the Paradise Lounge and I was doing monitoring of the establishment that evening and throughout Cambridge and I noticed there was a large group of people on the road

right around in front of the Paradise, so I kept watching just to see if it would break up. If any employees came out to break up the situation, how much noise was there, and no employees came out to break up the crowd.

And while I was staying there from 2:30 to 2:50 a.m. approximately 61 patrons kept exiting. When I first started at 2:30, I stayed and then more and more came out and I kept counting and counting and then by 2:50 it seemed like everything was wrapping up, but at the same time patrons were still on the road. And then it kind of started to block traffic, people trying to make a left turn on Mass Ave onto the road.

CHAIR NICOLE MURATI FERRER: Thank you.

Counselor.

ATTY JAMES RAFFERTY: Just briefly.

So I assume this photograph was taken --

that was provided was taken by you, Ms. Boyer?

ANDREA BOYER: Yes.

ATTY JAMES RAFFERTY: Were you in a motor vehicle at the time.

ANDREA BOYER: No. I was standing outside of a motor vehicle.

ATTY JAMES RAFFERTY: Did you ever cross the street and speak to any of the staff people?

ANDREA BOYER: I did not.

ATTY JAMES RAFFERTY: So from your vantage point here, does this photo depict whether or not there's a staff person outside?

ANDREA BOYER: Well, I can see it is dark on this picture, but no one asked anybody to get off the road or anything.

So maybe there's a staff person, but no one was speaking with them to get off the road, if that's what you mean.

ATTY JAMES RAFFERTY: No.

I just meant whether the photo is offered to suggest that people are in the road, which I would suggest that it certainly does, but I don't think that the photo addresses the issue as to whether there's a staff person.

ANDREA BOYER: Fair enough.

ATTY JAMES RAFFERTY: Are you aware whether the staff wears a particular uniform or overcoat at that location?

ANDREA BOYER: No.

ATTY JAMES RAFFERTY: "No" you're not or "no" they don't?

ANDREA BOYER: No, I don't know.

ATTY JAMES RAFFERTY: On that particular night in question, that was February 4 at 2 -- your photograph says 2:19 in the morning.

ANDREA BOYER: Yes.

ATTY JAMES RAFFERTY: Are you familiar with the physical layout of the Paradise?

ANDREA BOYER: Yes.

ATTY JAMES RAFFERTY: So you are aware just inside the door, to the right of the door, is the upper level bar?

ANDREA BOYER: Yes.

ATTY JAMES RAFFERTY: First floor bar. And there's a set of doors that closes off that bar, are you familiar with that?

ANDREA BOYER: Yes.

ATTY JAMES RAFFERTY: Then you go beyond that location and you go down a set of stairs to a larger dance floor area?

ANDREA BOYER: Correct.

ATTY JAMES RAFFERTY: So these individuals, did you ever observe whether they were beyond the vestibule area? You never went

inside the premises?

ANDREA BOYER: I did not.

ATTY JAMES RAFFERTY: Do you recall --
you said that you were there for about 30 minutes
or more?

ANDREA BOYER: A little more than that.

ATTY JAMES RAFFERTY: Did you observe
vehicles arriving and picking up patrons?

ANDREA BOYER: There were.

ATTY JAMES RAFFERTY: Would that be,
based on your experience, and was that likely
Ubers that were coming and picking up people?

ANDREA BOYER: That could be.

ATTY JAMES RAFFERTY: Is that common
practice when nightclubs in this area let out at
that hour on a Saturday night?

ANDREA BOYER: Yes.

ATTY JAMES RAFFERTY: So individuals need

to wait for the arrival of the vehicle, correct?

ANDREA BOYER: Yes.

ATTY JAMES RAFFERTY: There's even a vehicle in the road there in the photograph?

ANDREA BOYER: Correct.

ATTY JAMES RAFFERTY: Is it your experience that's a heavily traveled section of Albany Street at 2:15 in the morning?

ANDREA BOYER: Not in my experience, no, it would not be.

ATTY JAMES RAFFERTY: Then, finally, premises are inspected regularly by your staff, is that correct?

ANDREA BOYER: Yes.

ATTY JAMES RAFFERTY: I wanted to just ask you to take a look at a report and I have copies for the Commissioner.

ANDREA BOYER: I can give them a copy.

ATTY JAMES RAFFERTY: And, in fact, I've already provided you prior to the hearing with copies of this?

ANDREA BOYER: That's correct.

ATTY JAMES RAFFERTY: Would you agree with me that the first report was written by Inspector Headley one week after the incident that you described?

ANDREA BOYER: Yes.

ATTY JAMES RAFFERTY: It is dated February 11, 2017.

ANDREA BOYER: Correct.

ATTY JAMES RAFFERTY: And he checks the box "no violations"?

ANDREA BOYER: Yes.

ATTY JAMES RAFFERTY: His report indicates, does it not, that he was on the premises for over two hours?

ANDREA BOYER: Yes.

ATTY JAMES RAFFERTY: And there are some numbers on the bottom of that report?

ANDREA BOYER: The capacity?

ATTY JAMES RAFFERTY: That was my question.

Does that seem consistent with capacity numbers associated with -- is that what that would typically be?

ANDREA BOYER: Certificate of inspection would be the CI, 162 for the top level. The first floor level. And 600 would be the basement level.

ATTY JAMES RAFFERTY: So if there were patrons on the premises after 2:30, that would have been a violation, is that correct?

ANDREA BOYER: Yes.

ATTY JAMES RAFFERTY: On that particular

evening.

And if there were more patrons on the premises allowed under the CI, that would have been a violation, correct?

ANDREA BOYER: That's correct.

ATTY JAMES RAFFERTY: If there were underage patrons observed ingesting alcohol during that period of time, that would have been a violation?

ANDREA BOYER: Yes.

ATTY JAMES RAFFERTY: So a member of your staff spent nearly three hours at the establishment a week after you were there and found no violations, correct?

ANDREA BOYER: Yes.

ATTY JAMES RAFFERTY: Now the second sheet, I ask, occurred a month prior to that. It is dated on January 1, 2017.

And is it fair to say that on New Year's Eve, licensed premises are able to stay open later than 2 a.m.?

CHAIR NICOLE MURATI FERRER: Only if they get permission from the License Commission.

ATTY JAMES RAFFERTY: Thank you.

More precisely, do you know if this premises was permitted to stay open beyond 2 a.m. on New Year's Eve?

ANDREA BOYER: I would have to check the records.

ATTY JAMES RAFFERTY: But nonetheless, Inspector Headley is there for half an hour, according to his report, on New Year's Eve for 30 minutes, correct?

ANDREA BOYER: Yes.

ATTY JAMES RAFFERTY: Would you agree with me that the assessment contained in

Inspector Headley's description is quite favorable of the manner in which the premises are being operated?

ANDREA BOYER: I would agree.

ATTY JAMES RAFFERTY: Thank you.

I have nothing further.

CHAIR NICOLE MURATI FERRER: Anything further from your --

ATTY JAMES RAFFERTY: Just, by summary, Mr. McCarthy would testify that his position is that the photograph, obviously, is in realtime and demonstrates that at that time, in February, particularly that night, it was an exceptionally cold night and patrons do wait for -- do wait for the arrival of the vehicles.

The practice at the club --

CHAIR NICOLE MURATI FERRER: Why don't we have him testify to that.

EXAMINATION BY ATTY JAMES RAFFERTY

OF PAUL MCCARTHY:

Q. Could you describe for the Commission the three steps involved with regard to closing the premises as you approach 1:45?

A. We close upstairs first usually ten or 15 minutes ahead of time.

Q. Ahead of what time?

CHAIR NICOLE MURATI FERRER: Ahead of 2 a.m.?

PAUL MCCARTHY: 2 a.m.

Q. What time do you close upstairs?

A. 1:45 to 1:50. We would close it down at that time.

Q. When you say you close it down, can you explain what that entails?

A. People go downstairs to get their coats

and they start heading out.

Q. Do you stop serving alcohol at that time?

A. Upstairs, yes.

Q. Do you usher patrons out of that room and close the door?

A. We close the double doors. Andrea knows where the double doors are. We close those so everyone is cleared out upstairs. And we go downstairs and when the music goes off --

Q. What time does the music go off?

A. About ten minutes of.

Q. Ten minutes of?

A. Of 2.

CHAIR NICOLE MURATI FERRER: So you close upstairs five minutes before downstairs?

THE WITNESS: Right. So people get their coats or whatever. It is easier to clear them out one area than two areas.

The double doors are closed and everyone heads up the stairway where the double doors are and out.

Q. When do you stop serving alcohol downstairs?

A. Ten minutes to 2.

Q. When do you begin to request patrons to exit from downstairs?

A. Start about ten minutes of 2 clearing them out. They have to go and get their coats. Most people have -- you have 400 people during February, most people have coats. And they don't want to leave until the last music is on. We cut it off so they get their coats.

Q. So you stop the music at 1:45 downstairs.

A. 1:45, 1:50.

Q. Then when you stop the music, it is your testimony that then the lights go up?

A. All the lights go on. Then people -- we tell people to get their coats and they line up to get their coats and they have a ticket to get their coats. Sometimes people lose the tickets and they have to wait until the end of the night to get their coat.

Q. Is your staff trained -- have you familiarized your staff about the closing policies?

A. Yeah, everyone knows.

Q. What time do people need to be off the premises?

A. 2:30. Usually try to get them out about 2:20, 2:25. If someone loses a coat check ticket, I can't give them a coat. I have to wait so everyone gets their coat to find out which coat is theirs and they have to sign a piece of paper saying they picked up this coat.

Q. What type of staffing do you perform at the exit door on the sidewalk at closing time?

A. We have two people that go outside on the exit. One guy at the door making sure that no one walks out with alcohol and there's four or five guys downstairs pushing people upstairs to leave after they get their coats.

CHAIR NICOLE MURATI FERRER: Directing people, not pushing, correct?

THE WITNESS: Yeah. Yeah.

BY ATTY JAMES RAFFERTY:

Q. Not literally. But motivating, encouraging. Then the patrons exit onto a walk, correct?

A. They exit on the one sidewalk, Albany Street.

Q. Would you describe the width of that sidewalk?

A. Four and a half feet. Five feet maybe.

Q. Is it fair to say that on occasion when patrons in excess of a couple hundred are exiting at the same time that they do sometimes tend to step into the street?

A. We try to keep them off, but sometimes people don't listen no matter what. Don't forget, you are leaving 200 or even leaving 400 people at the same time and they are all going one way or waiting for Uber or a taxi or something.

Q. Is it fair to say that the vast majority of patrons arrive by some form of vehicle for hire?

A. Most of them do.

Q. As opposed to driving their own vehicle?

A. Or they come in threesomes with another person or a fourth person in a car.

Q. Are there any residences within proximity of the place?

A. **None whatsoever.**

Q. Have you ever received a complaint or a concern expressed by an abutter, neighbor, or neighborhood association about the conduct of your patrons as they exit the premises?

A. **Never.**

Q. Is there any record of any disruption being caused by your patrons as they exit your establishment?

A. **No.**

ATTY JAMES RAFFERTY: Nothing further.

CHAIR NICOLE MURATI FERRER: Thank you.

Any questions?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Do they wear uniforms?

THE WITNESS: What?

ATTY JAMES RAFFERTY: What is that?

INTERIM POLICE COMMISSIONER BRENT?

LARRABEE: Do they wear uniforms?

ATTY JAMES RAFFERTY: Oh, "they" being the staff people? They have shirts.

THE WITNESS: They have shirts that say "Paradise" on them?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: What color are they?

THE WITNESS: Black, red and green.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Is it fair to say from Andrea's vantage point she wouldn't have been able to tell?

THE WITNESS: During the winter, though, they would put their own jackets on.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: So they would look like the rest of

the folks?

THE WITNESS: Correct.

CHAIR NICOLE MURATI FERRER: Thank you.

I would like to take this under
advisement.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I agree.

KEN MARCOTRIGIANO (NOVARTIS)

CHAIR NICOLE MURATI FERRER: No. 3 can
start coming up but we want to address a one day
that is about to start and we need to know. It
is can Ken Marcotrigiano. It is for Novartis at
250 Mass. Ave. It is for a reception. It is
actually at the Biomedical Research Cafeteria.
It is for 100 guests.

EXECUTIVE DIRECTOR ELIZABETH LINT: 5 to
7.

CHAIR NICOLE MURATI FERRER: 100 people expected. Malt and wine. And it is an event that's closed to the public. Granted.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

APPLICATION: PRESIDENT AND FELLOWS OF HARVARD COLLEGE

CHAIR NICOLE MURATI FERRER: We're up to No. 3. President and Fellows of Harvard College, holder of a lodging house license at 48 Mill Street, Standish Hall, Winthrop House, has applied to amend said license from 80 rooms to 142 rooms.

Anthony Pacillo, as manager of a premise described as five story masonry dormitory building with library and other common use space for residents.

I'm now going to call, in conjunction with this, the same applicant but now for a lodging house license at 32 Mill Street also to amended that license from 156 rooms to 206 rooms. Same manager of record.

Good afternoon.

Please state and spell your names for the record.

ALEXANDRA OFFIONG: Alexandra Offiong,
A-L-E-X-A-N-D-R-A O-F-F-I-O-N-G, Harvard
University.

ANTHONY PACILLO: Anthony Pacillo,
A-N-T-H-O-N-Y P-A-C-I-L-L-O.

CHAIR NICOLE MURATI FERRER: Thank you.

Now I went through the applications and I saw that for the Gore Hall, we got an explanation that this is with regard to comprehensive renovations.

How is the increase in Standish Hall happening?

ALEXANDRA OFFIONG: So with the renewal project, we're -- the intent of the project is for code compliance and to create a contemporary living environment for the students.

We are completely changing the floor layouts in the building. There's going to be an increase in singles from doubles and triples. There's many more bedrooms but there's not increase in occupancy.

There's also some areas in the building, there's a part of the building where the facility deans had previously lived. They will move to an adjacent building and so there's space in the building that's freed up for student beds.

CHAIR NICOLE MURATI FERRER: I did see that you guys applied or requested that the

resident manager be -- we got rid of that requirement last year of requiring that a manager of record live on the premises, but I want to make it really clear Mr. --

ANTHONY PACILLO: Pacillo.

CHAIR NICOLE MURATI FERRER: Mr. Pacillo -- I wanted to call you something else -- you will be the manager of record for both premises, correct? You will be the one responsible making sure that everything is on the up and up?

ANTHONY PACILLO: Yes.

ALEXANDRA OFFIONG: Is there the possibility of getting an exemption?

CHAIR NICOLE MURATI FERRER: It is no longer a requirement, so there's no exemption to give because lodging houses are not required to have a manager to live there.

ALEXANDRA OFFIONG: Okay.

CHAIR NICOLE MURATI FERRER: You can have one but you are not required to.

ALEXANDRA OFFIONG: So his name will be on the license. He does not live on the premise.

We have a whole system of leadership and management and so -- it is just more of a contact person?

CHAIR NICOLE MURATI FERRER: Yes.

So basically it is to make sure that if there's an issue, you are the person that we contact, and if there's an issue on the premises, you are the person that we will call in for a hearing. And you are the person whom we will deem responsible aside from the license holder which would be the Harvard.

ALEXANDRA OFFIONG: Okay.

CHAIR NICOLE MURATI FERRER: Okay?

ALEXANDRA OFFIONG: Okay.

CHAIR NICOLE MURATI FERRER: I'm sorry.
Keep going. So basically you are just remodeling
both?

ALEXANDRA OFFIONG: Right.

CHAIR NICOLE MURATI FERRER: Then for, if
I understood this right, for Gore Hall, you are
actually adding an entire wing?

ALEXANDRA OFFIONG: Yes. There's a whole
new wing that is not shown on this plan, but
yeah, there's a whole new wing adding five floors
and student rooms.

CHAIR NICOLE MURATI FERRER: So are you
remodeling the existing rooms as well?

ALEXANDRA OFFIONG: Yes. Gore Hall.

CHAIR NICOLE MURATI FERRER: It is great
to be a student nowadays.

I think that's all the questions I have.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Me, too.

CHAIR NICOLE MURATI FERRER: Anyone in favor of these petitions?

(No response)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to these petitions.

(No response)

CHAIR NICOLE MURATI FERRER: I vote to grant.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Grant.

CHAIR NICOLE MURATI FERRER: Thank you.

You guys will be up and running for around the fall?

ALEXANDRA OFFIONG: Hope so.

ANTHONY PACILLO: That's a fact.

APPLICATION: STREATS, LLC

D/B/A NIGHT MARKET

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Streats, LLC, doing business as Night Market, holder of a common victualler wine and malt license at 75 Winthrop Street has applied for a change of manager to Tamy Tiongson.

Change of license type to a wine and malt beverages and cordials, liqueurs and change of beneficial interest.

CHAIR NICOLE MURATI FERRER: Good afternoon.

Please state and spell your names for the record.

ATTY ANTHONY GALLUCCIO: My name is Anthony Galluccio.

I'm a partner with Galluccio and Watson at 1498 Cambridge Street, and I'm joined by

Kathleen Moore, who works with us at Galluccio and Watson, the same address.

And I'm here with Tamy Tiongson, who is the advertised new manager subject to approval tonight for Night Market, the licensee.

THE REPORTER: Anthony, would you just spell you last name for the record?

ATTY ANTHONY GALLUCCIO:

G-A-L-L-U-C-C-I-O and Tamy Marie Tiongson,
T-A-M-Y M-A-R-I-E T-I-O-N-G-S-O-N.

CHAIR NICOLE MURATI FERRER: Okay. Now, I just want to clarify some stuff for the record.

Even though this application has been advertised as having a change of beneficial interest, that is incorrect insofar as there's no change but rather an issue with the ABCC records for when they transferred into their new electronic system, the change of the beneficial

interest is approved both by the License Commission and the ABCC in June of 2014 did not transfer with the system.

And so the only way that the ABCC could correct their records is if it was all exclusive in this application but the board will not be approving that as it's already the approved owner and holder which is Duck and Chicken Group.

So there's no change in beneficial interest, although we did advertise it in case anyone had an issue with it.

And then the other thing is that we are not changing the category of the license. So that's also a misnomer. And again, unsure as to whether it is an issue with the new system or whatnot, but there will be a change if we approve it of type in the sense that they are asking to add cordials and liqueurs, is that correct,

Counsel?

ATTY ANTHONY GALLUCCIO: We may have incorrectly checked the license type box on the system, so we are going to go back and edit that.

CHAIR NICOLE MURATI FERRER: I don't think you can. Actually, I know you can't.

ATTY ANTHONY GALLUCCIO: Okay.

CHAIR NICOLE MURATI FERRER: So we'll just note it for the ABCC with the approval that we send out.

ATTY ANTHONY GALLUCCIO: We'll be prepared when the investigator calls to make sure that goes through.

It is a change of category and you properly stated it was a name change that was not caught up with the ABCC, which resulted us in correcting the record on the beneficial interest.

And it is also a suggested change of manager.

CHAIR NICOLE MURATI FERRER: Yeah.

But the manager is a new petition that we are discussing today. And I'll start with that because, unfortunately, with this new system I also was not able to open up your application, so I'm unfamiliar, Ms. Tiongson, with your experience in the food and beverage industry so if you could please tell us that, I would appreciate that.

ATTY ANTHONY GALLUCCIO: If I could, Madam Commissioner, we did submit with respect to change of category, we did submit an affidavit for the record just so you have the notice to abutters and churches and schools, and I wanted to provide you with another copy of Tamy's CV.

For the record, she had been shadowing

Ash Chan for the last year helping to oversee operations, so she's very familiar with the establishment.

And I'm happy to her to give a sense of her background. This will be the first alcohol license of record in Massachusetts, but she has managed licensed establishments in New York, and she's very familiar with the application -- with the establishment and I would ask her to speak to the cordial issue when that item comes up.

TAMY TIONGSON: You have my CV in front of you. But if you go through it, since 2008 I have been a food and beverage manager in various aspects working for Hyatt hotels for nearly seven years.

I worked in Florida where I managed alcohol.

In New York City at the Grand Hyatt, New York.

And also I did a stint as a general manager at a restaurant in Jersey City.

I'm quite familiar with alcohol handling and have quite an extensive record in it.

CHAIR NICOLE MURATI FERRER: Are you currently TIPS certified?

TAMY TIONGSON: Yes.

CHAIR NICOLE MURATI FERRER: When was the last time that you got certified?

TAMY TIONGSON: The last education was at the Harvard Club. I believe that was in -- I want to say March of 2016.

CHAIR NICOLE MURATI FERRER: Are you familiar with the rules and regulations of this board, the ABCC, the laws of the Commonwealth of Massachusetts with regard to the sale and service

of alcohol?

TAMY TIONGSON: Yes.

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

TAMY TIONGSON: Yes.

CHAIR NICOLE MURATI FERRER: Are you a US citizen?

TAMY TIONGSON: Yes.

CHAIR NICOLE MURATI FERRER: What is the public need for the addition of liqueurs and cordials?

ATTY ANTHONY GALLUCCIO: So this question relates to -- and we were here in 2014, the license was transferred and it had formerly been an Indian restaurant. It was a new concept, Asian street food for Harvard Square run by Ash Chan.

This is probably a great opportunity to just update the board on how the menu has been received, how the restaurant is going, whether the concept has changed and why customers would seek to have cordials added to the beer and wine.

We are not requesting gin or any form of alcohol.

TAMY TIONGSON: When Night Market first opened in 2014, I wasn't present then, but I think a lot of their demographic was driven towards the college base.

So the idea of beer and wine was totally a fine concept. Most undergraduates are looking for beer and wine. That's an easy enough translation for their first drink.

Now we have grown in both our revenue and sales and we have seen a different demographic. In the past year that I have been with the

company I have seen a revenue increase about threefold.

We see twice as many if not three times as many guests that we see on a regular basis.

That being said, a lot of our demographic is much older than we originally anticipated when opening the restaurant.

The key demographic is in the range of 28 to 55, so we do get --

CHAIR NICOLE MURATI FERRER: I'm sorry. She calls us "much older."

TAMY TIONGSON: Well, much older in comparison to the undergrad demographic.

ATTY ANTHONY GALLUCCIO: She'll understand when she gets there.

TAMY TIONGSON: Listen, I age very well. It is the genes.

In any case, we are looking to expand

that because a lot our patrons will come in after having a cocktail across the street or they will end their night early with us and go ahead and have a nightcap because they are looking for a full cocktail experience. Something a little more substantial than just beer, or wine, a glass of saki.

So in applying for the cordial license, it would really expand our horizons as far as what our alcoholic menu would provide.

We would be able to be a little more creative as far as our offerings and expand our revenue stream.

So that's really why we are looking to do that because our demographic is looking for more than just or beer and wine and saki.

CHAIR NICOLE MURATI FERRER: I will say for the record that when I was an undergrad.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I don't want to hear it.

ATTY ANTHONY GALLUCCIO: Good lawyer.

CHAIR NICOLE MURATI FERRER: Much broader than beer.

EXECUTIVE DIRECTOR ELIZABETH LINT: I'm staying out of the conversation.

ATTY ANTHONY GALLUCCIO: Commissioner, to just add, this space, as you know, is below grade, very small.

And I have to say, I was -- you know it was an interesting concept that people had never heard before with the Asian street food. The past restaurant was well-liked.

But given the size of the space and the location, it is exciting to hear how well the restaurant is doing.

I'm really pleased to hear that and

excited about it, and I grilled them on the need for this. Are you sure this is something that customers want and need. And we went through that exercise about maybe a year ago.

And they came back to me again and they said that we really think this is important so that's why we are here.

CHAIR NICOLE MURATI FERRER: Counselor, one thing I want to clarify again because even though you input it one way into the ABCC system, it changes it to its own information.

I want to confirm, so if we approve, you will be the manager of record, after approval by us, and the ABCC, will we be using your email as the contact email for renewals, notice of hearings, and all of that stuff or is it staying for Jonathan or Paula?

ATTY ANTHONY GALLUCCIO: I think it would

be -- it could either be Tamy or the law firm.

But Tamy is fine.

CHAIR NICOLE MURATI FERRER: It can't be the law firm.

It has to be someone that has -- because the law firm can't renew the license.

It has to be the manager of record or someone with a beneficial interest.

ATTY ANTHONY GALLUCCIO: So it will be Tamy.

And if we change and come with a new manager, we'll change that at that time.

CHAIR NICOLE MURATI FERRER: Because that means we'll have to change it on our electronic records.

ATTY ANTHONY GALLUCCIO: Paula writes the check, we'll have Paula be it.

CHAIR NICOLE MURATI FERRER: Paula

Turnbull. So we'll stay with her in terms of the contact info.

ATTY ANTHONY GALLUCCIO: That's fine.

THE REPORTER: Could I have a spelling of her last name?

CHAIR NICOLE MURATI FERRER: Whose?

THE REPORTER: Paula.

CHAIR NICOLE MURATI FERRER:

T-U-R-N-B-U-L-L.

Anyone in favor of this petition?

(No response)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response)

CHAIR NICOLE MURATI FERRER: I vote to grant.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Grant.

CHAIR NICOLE MURATI FERRER: Granted.

Thank you.

ATTY ANTHONY GALLUCCIO: Thank you very much.

CHAIR NICOLE MURATI FERRER: No. 7.

APPLICATION: CLOVER FAST FOOD, INC.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Clover Fast Food, Incorporated, holder of a common victualler malt only license at 7 Holyoke Street has applied for a change of location to 1326 Mass Ave.

Applicant has also filed an application for a change of premise description to 1,439 square feet, first floor kitchen and dining with an occupancy of 49 and seating for 41. Basement for storage. Two entrances and two exits.

CHAIR NICOLE MURATI FERRER: Good

afternoon.

Please state and spell your name for the record?

MICHAEL MINICHELLO: Michael Minichello,
M-I-C-H-A-E-L M-I-N-I-C-H-E-L-L-O.

CHAIR NICOLE MURATI FERRER: Mr. Minichello, for the record, there's a CV license here currently that you guys hold?

MICHAEL MINICHELLO: Yes.

CHAIR NICOLE MURATI FERRER: And the reason why the transfer of this liquor license is happening now is because there was another liquor license attached to it and you had to -- waiting for it to get out before you could transfer your own licenses here?

MICHAEL MINICHELLO: Yes.

CHAIR NICOLE MURATI FERRER: Now, with that said, are you the manager of record on this

liquor license?

MICHAEL MINICHELLO: I am not.

CHAIR NICOLE MURATI FERRER: Who is the proposed manager of record?

MICHAEL MINICHELLO: Christopher Anderson. We didn't make any changes to that.

CHAIR NICOLE MURATI FERRER: Just for the record, even though Christopher Anderson should be here today --

MICHAEL MINICHELLO: I apologize for that.

CHAIR NICOLE MURATI FERRER: Because I know that he's already an approved manager of record by us and the ABCC at multiple locations, including tied to this particular license, I would vote to proceed with the hearing.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: That's okay.

CHAIR NICOLE MURATI FERRER: We'll proceed with the hearing.

And other than just adding the malt only, there's no changes to the operation or anything, correct?

MICHAEL MINICHELLO: No.

CHAIR NICOLE MURATI FERRER: And the change of premise description is it's being transferred --

MICHAEL MINICHELLO: Meaning we just moved across the street.

CHAIR NICOLE MURATI FERRER: Okay.

Anyone in favor of this petition?

(No response)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response)

CHAIR NICOLE MURATI FERRER: I would vote

to grant.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Grant.

CHAIR NICOLE MURATI FERRER: Granted.

MICHAEL MINICHELLO: Thank you.

APPLICATION: CREMA, LLC

D/B/A CREMA CAFE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Crema, LLC, has applied for a vendor/peddler license to operate a bicycle along the city streets to sell coffee, dog biscuits, prewrapped cookies, pastries.

CHAIR NICOLE MURATI FERRER: Good afternoon.

Could you please state and spell your names for the record?

LIZA SHIRAZI: Liza Shirazi L-I-Z-A.

S-H-I-R-A-Z-I.

STEVE POSTAL: Steve Postal S-T-E-V-E
P-O-S-T-A-L.

CHAIR NICOLE MURATI FERRER: Thank you.
Good afternoon.

I want to apologize because I went
through these folders yesterday. I'm usually a
little bit earlier than that.

And when I noticed your application, I
must admit I think this was an application that
should have gone through a lot of other
departments before it got to here.

So we are going to proceed with the
hearing but we have a lot of questions.

I can tell you right now that I will not
be voting to approve this license today.

It doesn't mean I won't be approving it
in a future date. But we need a lot of

clarification and I think a lot of input from other departments.

So why don't you tell us first about your -- I saw how you called it here. I kind of liked the wording. The coffee trike.

STEVE POSTAL: The coffee trike, they are very popular in the west coast and Portland, Oregon and Seattle, Washington.

They are a three-wheeled bicycle and our plan is to basically pedal around.

We've brought a map of all the places.

It was a little tricky when we came up with this idea on who to go to. We went first to the License Commission and they sent us to DPW, and they said, no, that's not us, you have to go here and went to there, and they said, no, that's not us, and we went there, and that's not us. And we went all around until we came here.

CHAIR NICOLE MURATI FERRER: And I apologize.

STEVE POSTAL: It is new.

CHAIR NICOLE MURATI FERRER: I saw it yesterday. I said "Why is this here?" And I contacted DPW and they are certainly now all over it. I feel like it was miscommunication and I apologize. But I need that map, if you don't mind.

LIZA SHIRAZI: That's expanded views.

STEVE POSTAL: Basically we would like to pedal around in the bike lanes. We have like a route and sell cold brew nitro, prewrapped cookies that we make in Crema and dog biscuits.

CHAIR NICOLE MURATI FERRER: When you are pedaling around, you are pedaling around on the street, correct?

STEVE POSTAL: Yes, in the bike lane. It

is just a bicycle.

CHAIR NICOLE MURATI FERRER: Yeah, except somewhere along the way it said something about being on the sidewalk, so I think a lot of the departments, a lot of red flags started -- when I scanned your application and just sent it out to the world, I got like a thousand emails back.

STEVE POSTAL: They told us it is hard because no one has ever done this before.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: This is an old concept.

STEVE POSTAL: Old is new.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Way back when they sold ice cream out of those things.

STEVE POSTAL: Old is new and they said the best thing for us to do was to drive around in the bike lanes. Can't go in any parks. Can't

sell in any parks.

CHAIR NICOLE MURATI FERRER: When you say "they," who are you talking about?

STEVE POSTAL: It is tricky because I talked to so many people. Like the Park Department they were just like "Don't go in the parks." And DPW is like "Well, that's not us." Everyone was like -- it was challenging.

CHAIR NICOLE MURATI FERRER: I can imagine.

STEVE POSTAL: I think it was a combination of -- I forget --

CHAIR NICOLE MURATI FERRER: Let me go with the specific questions that I'm pulling out because of the ordinance.

What time are you planning to start?

STEVE POSTAL: 7 a.m.

CHAIR NICOLE MURATI FERRER: No. 8 a.m.

STEVE POSTAL: How about 8 a.m.?

CHAIR NICOLE MURATI FERRER: 5.36.030.

That's a city ordinance and it doesn't allow you to start before 8 a.m. That's one.

STEVE POSTAL: 8 a.m. I like to sleep in.

CHAIR NICOLE MURATI FERRER: When do you plan to end?

STEVE POSTAL: This is a trick question.

5; how is that?

CHAIR NICOLE MURATI FERRER: That's good.

As long as you don't do it after 9 p.m., you are fine. The ordinance only allows you from 8 a.m. to 9 p.m.

Now you are not on the sidewalk at all? Or are you on the sidewalk when you are pulling in to sell?

LIZA SHIRAZI: They said we could sell if

it was a seven-foot walk. So all the purple on the map are sidewalks that are seven foot or larger.

STEVE POSTAL: That way they could still be four feet so we wouldn't block the sidewalk.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Who said that?

CHAIR NICOLE MURATI FERRER: They don't know. They talked to so many people.

STEVE POSTAL: It was a lot of different departments and a lot of different people.

CHAIR NICOLE MURATI FERRER: So you can be on the seven-foot sidewalk because you are only three feet and leave four for the accessibility.

STEVE POSTAL: Yes.

CHAIR NICOLE MURATI FERRER: How do you plan your route? Will you do a different route

every time? How exactly will it work?

STEVE POSTAL: I think a little bit is since it never has been done before, it will be a little trial and error.

LIZA SHIRAZI: It would depend on volume and it would be in -- we are centralized in Harvard Square. And we are going to be going out into other locations hopefully, so it would be between those locations, and we could kind of go out from there and reload and keep going.

CHAIR NICOLE MURATI FERRER: How are you announcing yourselves? I don't know if either of you were here but there's that guy that goes around in Boston and he goes (making yelling sound) like every five feet.

How will you announce yourself?

STEVE POSTAL: We have not thought of that yet. We need probably --

LIZA SHIRAZI: I mean, it will be --
there's going to be Crema on every side. There's
a box. We'll have the coffee.

CHAIR NICOLE MURATI FERRER: I'm worried
about the noise because we get a lot of noise
complaints in this city.

Are you going to have a radio blasting,
like "Here comes Crema"?

LIZA SHIRAZI: I don't want to make a
scene.

CHAIR NICOLE MURATI FERRER: How long do
you plan to stay?

Are you planning, okay, we are biking
around the city and staying 20 minutes here and
20 minutes there? How exactly is that?

STEVE POSTAL: That's the plan.

We could like drive around and --

LIZA SHIRAZI: Circle back around to a

popular area, where the highest volume is.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Do you have more than one bike?

STEVE POSTAL: Just one.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Just two operators?

STEVE POSTAL: So far.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Five days or seven days a week?

STEVE POSTAL: It's still a little work
in progress. We don't know the demand.

We hope it will work. We hope there's a
demand for us. We hope we can recoup the cost of
the bike which is not cheap.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Ice cream isn't cheap.

STEVE POSTAL: Ice cream is tricky
because of the item.

CHAIR NICOLE MURATI FERRER: If you go to headquarters at 831, headquarters and 831.

STEVE POSTAL: We think of it like -- it is like an ice cream truck for adults.

CHAIR NICOLE MURATI FERRER: And dogs.

STEVE POSTAL: Dogs.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Some adults like me like ice cream.

EXECUTIVE DIRECTOR ELIZABETH LINT: And some of us like frozen yogurt.

Can I mention something, Madam Chair?

There's no vending in Harvard Square by ordinance. And there's no bicycling allowed on sidewalks in commercial zones.

CHAIR NICOLE MURATI FERRER: But there are exceptions in both of those with the superintendent of streets, which is why we are not voting on this today and why we are getting

all this information so we can regroup.

Have you presented this map to anyone in particular other than us?

LIZA SHIRAZI: No.

STEVE POSTAL: You are the first.

CHAIR NICOLE MURATI FERRER: Do you have kind of the routes set out?

You know you say that where -- where you see in purple is the seven-foot sidewalk.

LIZA SHIRAZI: It is hard to see.

CHAIR NICOLE MURATI FERRER: How did you choose these?

STEVE POSTAL: Our general manager, her husband does this for a living and helped us. He's an urban planner.

CHAIR NICOLE MURATI FERRER: So -- personally I think this is a fantastic concept and something -- this is great. I like the

old-school style.

STEVE POSTAL: It is very Cambridge.

EXECUTIVE DIRECTOR ELIZABETH LINT: It is.

CHAIR NICOLE MURATI FERRER: But I can tell you right now this is not going to be helpful for the other departments that I'm dealing with to try to get this through.

So if you can go back and get me the list of where those sidewalks are, rather than the purple because it is hard to see it and even though I'm sure someone in the city here knows how to do this.

LIZA SHIRAZI: Street names?

CHAIR NICOLE MURATI FERRER: And we'll have it. Just give me sort of the route you guys plan to go through.

LIZA SHIRAZI: Yep.

CHAIR NICOLE MURATI FERRER: The places where you plan to stop.

LIZA SHIRAZI: Uh-huh.

CHAIR NICOLE MURATI FERRER: And then submit that to us, so we can get all the departments together and get you either a response of "This is what is feasible in the city or this is what is not," and go from there, provided that the Commissioner and I agree.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Yeah. I suggest when you go to a department, you find out who the person you are talking about and which department you are at so we can backtrack if they say "no" or "yes" or whatever.

CHAIR NICOLE MURATI FERRER: Get me the names of the streets.

I mean, you have little coffee shops

here. If you plan to stop there as well in front of your coffee shop, or whatever, or just get me sort of the planned route, yeah, and then we can try and go from there and we'll -- do I have an email here?

Yeah. Crema.acct@gmail.com, is that the email for you?

LIZA SHIRAZI: That's fine.

CHAIR NICOLE MURATI FERRER: Our email, write it down, license@cambridgema.gov. Shoot us an email with this map.

STEVE POSTAL: Anything else you want from us?

CHAIR NICOLE MURATI FERRER: I think not. But I'll go back and write you a list of stuff we need in addition to that, if anything.

STEVE POSTAL: What do you think would be like a timing for us?

Not that this is your issue, but these bikes take three months to build.

CHAIR NICOLE MURATI FERRER: I am hoping -- as soon as you get me the stuff, I am hoping that I can funnel it out and get everyone's input on it.

For example, even if we approve it, you can't be on the sidewalk without the superintendent of streets giving his okay per city ordinance.

In theory we could approve your concept today but you won't be able to do much with it.

What I'm trying to do is close the loops on every other step.

LIZA SHIRAZI: Do you want any of the other additional documents that we had been given that we -- the CORI form?

CHAIR NICOLE MURATI FERRER: Give all of

that to Elizabeth.

STEVE POSTAL: CORI form. And a check.

Some insurance.

EXECUTIVE DIRECTOR ELIZABETH LINT: I'll

take all that.

CHAIR NICOLE MURATI FERRER: Just in

case.

Is there anyone in favor of this
petition?

(No response)

CHAIR NICOLE MURATI FERRER: Is there
anyone in opposition to this petition?

(No response)

CHAIR NICOLE MURATI FERRER: We'll take
it under advisement.

APPLICATION: SHEHERAZAD FOOD, INC.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Sheherazad Foods has applied for a vendor/peddler license to operate a mobile food truck at Third Street and Binney every Friday between 10 a.m. and 9 p.m.

CHAIR NICOLE MURATI FERRER: Good afternoon.

Please state and spell your name for the record.

RAAB AL-MUMAYIZ: R-A-A-B and then A-L - M-U-M-A-Y-I-Z.

CHAIR NICOLE MURATI FERRER: Thank you.

Can you tell us what will you be peddling?

RAAB AL-MUMAYIZ: We have a food truck and we'll sell, selected by the CRA, to vend on Fridays, every Friday, during the season.

CHAIR NICOLE MURATI FERRER: What are you vending? What are you selling?

RAAB AL-MUMAYIZ: We do Middle Eastern home cooking. Not the falafel. The real food people eat at home.

CHAIR NICOLE MURATI FERRER: Like what?

RAAB AL-MUMAYIZ: A lot of rices and vegetables and vegetables and we do salads.

We have been operating for two-and-a-half years.

We started in 2015 and were selected best food truck in Boston by Improper Bostonian.

2016, we made the best food truck by BOSTON MAGAZINE.

So we had a good interesting start.

CHAIR NICOLE MURATI FERRER: What is your d/b/a? What is the name of the food truck?

RAAB AL-MUMAYIZ: Sheherazad Food, Inc.

CHAIR NICOLE MURATI FERRER: Usually not behind on food trucks, so I'm surprised I haven't

eaten at yours. That's why I keep asking you what the menu is.

And this is through November 29?

RAAB AL-MUMAYIZ: That's the season.

CHAIR NICOLE MURATI FERRER: Through November 24, 2017.

Any questions?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: No.

CHAIR NICOLE MURATI FERRER: And your food truck has been inspected, I see.

RAAB AL-MUMAYIZ: Yes.

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

(No response)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response)

CHAIR NICOLE MURATI FERRER: I vote to grant. Granted.

RAAB AL-MUMAYIZ: Thank you very much.

**APPLICATION: LOS DOS AMIGOS FOOD TRUCKS, LLC
D/B/A NORTH EAST OF THE BORDER**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Los Dos Amigos Food Trucks, LLC, d/b/a North East of the Border, has applied for a vendor/peddler license to operate a mobile food truck at 3rd Street and Binney every Friday between 10 a.m. and 9 p.m.

150 Cambridgepark Drive on Thursdays from 11 a.m. to 2:30 p.m.

1 Rogers Street on Wednesdays from 11 a.m. to 2 p.m.

CHAIR NICOLE MURATI FERRER: Good

afternoon.

Please state and spell your name for the record.

CHRISTOPHER WANDELL: Christopher Wandell
W-A-N-D-E-L-L.

CHAIR NICOLE MURATI FERRER: And Mr. Wandell, is this part of Los Amigos?

CHRISTOPHER WANDELL: Food Trucks, yes.

CHAIR NICOLE MURATI FERRER: No. Is this related at all to the restaurant Los Amigos?

CHRISTOPHER WANDELL: No.

CHAIR NICOLE MURATI FERRER: Okay. Tell me about North East of the Border.

CHRISTOPHER WANDELL: It is a partnership between myself and my partner Gustavo.

We have been in business three years now mostly in Boston. In the last two years in Cambridge. The last year was on daily permits

for CBRE. And we own three food trucks, and yeah, that's pretty much it.

CHAIR NICOLE MURATI FERRER: What kind of food?

CHRISTOPHER WANDELL: Best tacos you will ever eat.

CHAIR NICOLE MURATI FERRER: That is a tall order. Just tacos?

CHRISTOPHER WANDELL: Tacos and we have one torta on the menu and chips, guacamole chips and salsa.

CHAIR NICOLE MURATI FERRER: Hard or soft shell?

CHRISTOPHER WANDELL: All soft.

CHAIR NICOLE MURATI FERRER: Corn or --

CHRISTOPHER WANDELL: 80 percent are corn. 20 percent flour. Mexican, authentic Mexican street tacos. You're not gonna get lots

of cheese and sour cream and lettuce and tomato.

CHAIR NICOLE MURATI FERRER: Double
tortilla or single tortilla?

CHRISTOPHER WANDELL: Double tortilla so
when the meat falls out you have another taco.

CHAIR NICOLE MURATI FERRER: Made at
Restaurant Depot, the tortilla?

CHRISTOPHER WANDELL: La Ben --

CHAIR NICOLE MURATI FERRER: La Beyetta?

CHRISTOPHER WANDELL: Yeah. You don't
like those?

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

(No response)

CHAIR NICOLE MURATI FERRER: Anyone in
opposition to this petition?

(No response)

CHAIR NICOLE MURATI FERRER: This one,

just for the record, this is through November
2017 as well. Okay.

Vote to grant?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Granted.

Thank you. If you wait -- run, before they
leave.

APPLICATION: FNU SARAVPREET

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Fnu Saravpreet has applied for a
Cambridge Hackney driver's license.

CHAIR NICOLE MURATI FERRER: Hi. Good
afternoon.

Please state and spell your name for the
record.

FNU SARAVPREET: F-N-U

S-A-R-A-V-P-R-E-E-T.

CHAIR NICOLE MURATI FERRER: And Mr. Saravpreet, you want to become a Hackney driver's license?

FNU SARAVPREET: Yes.

CHAIR NICOLE MURATI FERRER: Or Hackney driver, not a license.

Is this the first time you will drive a cab?

FNU SARAVPREET: No. I'm driving a Lyft also.

CHAIR NICOLE MURATI FERRER: Have you ever been licensed to drive a cab?

FNU SARAVPREET: No.

CHAIR NICOLE MURATI FERRER: I'm going to ask you questions that might appear intrusive but they are pursuant to our ordinance.

Can you read, write and speak English?

FNU SARAVPREET: Yes, ma'am.

CHAIR NICOLE MURATI FERRER: Have you been convicted of any felonies?

FNU SARAVPREET: I'm sorry?

CHAIR NICOLE MURATI FERRER: Have you been convicted of any felonies?

FNU SARAVPREET: No.

CHAIR NICOLE MURATI FERRER: Do you have any outstanding driving issues?

FNU SARAVPREET: None.

CHAIR NICOLE MURATI FERRER: Do you have a job offer to be with a company or are you going to market yourself out?

FNU SARAVPREET: My father has a taxi on lease, so I want to be on the second driver on that taxi.

CHAIR NICOLE MURATI FERRER: You don't have any allergies to any animals?

FNU SARAVPREET: No, ma'am.

CHAIR NICOLE MURATI FERRER: Did you bring a form of ID with you?

FNU SARAVPREET: Yep. A driver's license.

CHAIR NICOLE MURATI FERRER: Or something else.

I'll tell you why. When we ran your driving record, your first name did not show up.

FNU SARAVPREET: I have the green card.

CHAIR NICOLE MURATI FERRER: This is expired. Your green card is expired.

EXECUTIVE DIRECTOR ELIZABETH LINT: It says 2016.

CHAIR NICOLE MURATI FERRER: We are in 2017.

EXECUTIVE DIRECTOR ELIZABETH LINT: It says resident since -- it says in twenty-six.

CHAIR NICOLE MURATI FERRER: Do you have any questions?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I do not.

CHAIR NICOLE MURATI FERRER: Based on the information, I would vote to grant.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Vote to grant.

CHAIR NICOLE MURATI FERRER: Granted.

Hold on one second.

Go upstairs and see if they can take your picture.

RAMIS FOOD TRUCK, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT: Are you here for something?

MATTHEW PULTMAN: I was emailed to come to this meeting. Ramis Food Truck under

administrative matters.

CHAIR NICOLE MURATI FERRER: You should have been told not to come. Who told you? Who emailed you?

MATTHEW PULTMAN: You did.

EXECUTIVE DIRECTOR ELIZABETH LINT: I wouldn't have told you to come. I told you to send me all the information.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: You are here now, so --

CHAIR NICOLE MURATI FERRER: Hold on. We'll take yours.

EXECUTIVE DIRECTOR ELIZABETH LINT: Are you Ari?

MATTHEW PULTMAN: No, I'm Matt.

EXECUTIVE DIRECTOR ELIZABETH LINT: Oh, no. Ari gave me all the information. There's no reason for you to be here. He's off the

corporation.

CHAIR NICOLE MURATI FERRER: So you are off the corporation.

MATTHEW PULTMAN: I'm not a manager on the truck but I do have all my hawker licenses, which is why this got brought up, I believe. I got an email saying my hawker license -- I was operating a truck without a hawker.

EXECUTIVE DIRECTOR ELIZABETH LINT: That wouldn't have come from us.

CHAIR NICOLE MURATI FERRER: Okay. Hold on.

I have -- sit down. Just for the record, you are?

MATTHEW PULTMAN: Matthew Pultman,
P-U-L-T-M-A-N.

CHAIR NICOLE MURATI FERRER: I have here "Attached please find notification of the

upcoming disciplinary case." And then you replied to Chris, there's a -- this is for failure to renew.

That you are the owner and your hawker doesn't expire until 2018. And then Ari's license, it was an issue of not paying the renewal.

EXECUTIVE DIRECTOR ELIZABETH LINT: Then Ari renewed it, if you look at the paperwork on the front it will explain. Look underneath. Ari renewed it. And there's legal action going on and Ari has taken over the truck.

CHAIR NICOLE MURATI FERRER: But Matt is right, it wasn't -- no one ever told him not to come since the emails are still here.

MATTHEW PULTMAN: That's correct.

CHAIR NICOLE MURATI FERRER: I apologize.

MATTHEW PULTMAN: That's correct.

CHAIR NICOLE MURATI FERRER: Matthew, you will no longer be the owner of the truck? Or are you still the owner of the food truck?

MATTHEW PULTMAN: We are going through a lawsuit right now. It will probably take two years until I want no part with him.

CHAIR NICOLE MURATI FERRER: But this is where I'm at, I have you as the owner of the food truck.

If you are telling me right now that you are not going to operate this food truck, then this license should be taken off your name completely.

But what is in front of us now is just change of manager.

MATTHEW PULTMAN: I still own 50 percent of the company and Ari owns 50 percent of the company.

I'm just not working there right now.

CHAIR NICOLE MURATI FERRER: The company is just a food truck?

MATTHEW PULTMAN: Food truck and catering business.

CHAIR NICOLE MURATI FERRER: Okay. What do we have from Ari other than this order, this writ of attachment?

EXECUTIVE DIRECTOR ELIZABETH LINT: I think going all the back to the beginning --

CHAIR NICOLE MURATI FERRER: This is the beginning.

EXECUTIVE DIRECTOR ELIZABETH LINT: No. No. When they first applied for the license.

CHAIR NICOLE MURATI FERRER: This is it.

EXECUTIVE DIRECTOR ELIZABETH LINT: No. Let me see.

Was it last year?

CHAIR NICOLE MURATI FERRER: November 2,
2016.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yeah.
I believe Ari had appeared before the board and
responded to all the appropriate questions at
that time.

CHAIR NICOLE MURATI FERRER: Well, it
doesn't matter.

The thing is, Matthew is the one that is
on the application, and he's the one that's under
this license.

Like, what I don't want to happen is
there's an issue later on and we keep pulling
Matthew in if he says he has nothing to do with
it.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Are you represented by a lawyer in
this lawsuit?

MATTHEW PULLMAN: Yeah.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Maybe it would be best if he sent us a letter and addressed it to the commissioners.

I'm reluctant to take him off as the owner. But if we don't take him off --

CHAIR NICOLE MURATI FERRER: I'm reluctant to take him off as the manager and adding Ari because the license was issued to him.

So any issues that we have in terms of licensing, which is what happened this time around, were sent to him and so he was the one being sent the disciplinary stuff.

But if he's telling me it is now Ari, which is fine, but I think I understand where you are at.

I think what I need is -- so I have Ari's peddler's license from last year.

MATTHEW PULTMAN: I emailed his updated one in that email too.

CHAIR NICOLE MURATI FERRER: This is the ChikChak Food Truck and it is owned half by you and half by Ari and you are not operating the food truck.

MATTHEW PULTMAN: That's correct.

CHAIR NICOLE MURATI FERRER: And --

MATTHEW PULTMAN: Ari is operating the food truck.

CHAIR NICOLE MURATI FERRER: Ari is operating the food truck, and Ari should be the one that is paying the food truck license.

MATTHEW PULTMAN: That's correct.

CHAIR NICOLE MURATI FERRER: Okay. We need Ari's CORI because if he's the one operating the food truck we never ran his CORI, we ran Matt's CORI.

And I have the corporate paperwork. So really the name of the company is ChikChak Food Truck, LLC.

MATTHEW PULTMAN: We switched names. It was Ramis Food Truck. We rebranded.

CHAIR NICOLE MURATI FERRER: But see -- okay, it was Ramis Food Truck and it is now ChikChak Food Truck.

MATTHEW PULTMAN: A d/b/a. It is the same.

CHAIR NICOLE MURATI FERRER: What is the corporate name?

MATTHEW PULLMAN: It is ChikChak Food Truck.

CHAIR NICOLE MURATI FERRER: D/b/a ChikChak Food Truck.

MATTHEW PULTMAN: Ramis Food Truck d/b/a ChikChak.

CHAIR NICOLE MURATI FERRER: As amended your corporate paperwork says that the name is ChikChak Food Truck LLC.

MATTHEW PULTMAN: Right. But it is a -- the TIN never changed.

CHAIR NICOLE MURATI FERRER: But Ramis Food Truck LLC doesn't exist anymore, according to the state.

MATTHEW PULTMAN: It does for one more year. There's like a two-year period in between.

CHAIR NICOLE MURATI FERRER: Let's get all the paperwork. You don't need to come back, I don't think.

This should be pretty much -- yeah, I think we need to look at this order and stuff.

I mean, yeah, we'll hold on this.

It is clear from the original application that Ari was involved from the beginning, so

we'll just make sure that any correspondence with regard to this we'll send to both of you and you guys can battle it out.

MATTHEW PULTMAN: It would be just sent to Ari. That email address isn't active for me.

CHAIR NICOLE MURATI FERRER: The matt@chikchakfoodtruck?

MATTHEW PULTMAN: Yeah I have no control over it.

CHAIR NICOLE MURATI FERRER: What email address can we use.

MATTHEW PULTMAN: Matt1139@gmail.com.

CHAIR NICOLE MURATI FERRER: We'll take a look through this.

Thank you. And sorry for that.

BEAT BRASSERIE

EXECUTIVE DIRECTOR ELIZABETH LINT: Beat

Brasserie, holder of an all alcohol common victualer license, has applied for a one-day extension to their existing license on May 7 to have an outdoor patio at 13 Brattle from 12 p.m. to 6 p.m. for Mayfair.

CHAIR NICOLE MURATI FERRER: This is extending outside from their property line.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: No, I'm sorry.

We went to DPW for a site visit on this. I mean, if they want to do this, they need an approval from DPW to block that entire sidewalk. What they are proposing literally takes away the entire accessibility of that walk.

EXECUTIVE DIRECTOR ELIZABETH LINT: Could they do what they did last year and have that little portion that comes out in between the

stairs and the columns outside the building?

CHAIR NICOLE MURATI FERRER: They can do, my opinion, based on what DPW was saying yesterday and their concerns is that literally they can do outside seating just to their property line, which, in this diagram that they gave, would only be two tables.

If they get a one-day permission from DPW to block that entire sidewalk and take away the accessibility, I will consider it, but other than that, I say no.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Why won't -- DPW will not give them that.

CHAIR NICOLE MURATI FERRER: I don't think that they will.

They are -- the thing is, they are applying for a year-round patio.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Doesn't this have to go to zoning for that? Wouldn't that have to be an amendment?

CHAIR NICOLE MURATI FERRER: No.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: No? If you are building a whole structure?

EXECUTIVE DIRECTOR ELIZABETH LINT: They are not building a structure.

CHAIR NICOLE MURATI FERRER: And literally -- and I went to this, and this, even if DPW wouldn't have an issue with it, I have an issue here because right here, see these three things? Those are the big cement boulders. So how is any person's accessibility, strollers, nothing fits through there.

And even if they moved this, this way, there's this humongous plaque here that would

impede pedestrian traffic.

I would say no.

Denied.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Denied.

AIRPORT CAR SERVICE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Airport Car Service notified the Commission they changed their address from 140 Harvard Street to 180 Windsor Street.

CHAIR NICOLE MURATI FERRER: They have given us their renewal as well. Granted.

EXCHANGE COFFEEHOUSE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Exchange Coffehouse, 1295 Cambridge Street, is requesting an extension to the license approval

for an additional six months as the build-out is taking longer than expected. It is just a CV.

CHAIR NICOLE MURATI FERRER: The board acknowledges.

FYI, if they change their address, it doesn't need to go on the agenda.

We can just change it on the system.

HARVARD REAL ESTATE

EXECUTIVE DIRECTOR ELIZABETH LINT: Okay. Harvard Real Estate, holder of a flammables license at 8 Story Street is requesting a change to the storage amount from 10 gallons of gas to 2 gallons of gas.

CHAIR NICOLE MURATI FERRER: A reduction. Granted.

CONSIDERATION OF HACKNEY APPEALS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Consideration of Hackney appeals.

CHAIR NICOLE MURATI FERRER: These are some hackneys that were denied and were sent a letter.

They have a hearing before us next round, or May whenever, when we are meeting again.

And so based on the way that we voted for the other ones, I just figured if we wanted to look at them before the hearing if we're going to --

EXECUTIVE DIRECTOR ELIZABETH LINT:

Except for Archange Toussaint, is off until either the 10th or the 24th.

CHAIR NICOLE MURATI FERRER: No.

Elizabeth added Toussaint here, but we informed the attorney that we would give him a heads up when we would vote. And I told her that we

shouldn't decide Toussaint here today.

We should put him off for the next meeting and just inform the attorney.

EXECUTIVE DIRECTOR ELIZABETH LINT: I sent notice yesterday.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: We are not voting on these today?

CHAIR NICOLE MURATI FERRER: We can vote on that one today. Or we can wait until they come to their -- they have been noticed for a hearing, for an appeal hearing.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: So let's wait for the appeal hearing.

CHAIR NICOLE MURATI FERRER: Okay.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I'm inclined to do it. I would rather do it with them here to hear from us directly.

CHAIR NICOLE MURATI FERRER: We'll defer

on all the Hackney appeals.

MALT & WINE LICENSES WITH OR WITHOUT ENTERTAINMENT

EXECUTIVE DIRECTOR ELIZABETH LINT: Malt
and wine licenses with or without entertainment.

EMILY SMITH (WORKBAR)

EXECUTIVE DIRECTOR ELIZABETH LINT: Emily
Smith for Workbar.

CHAIR NICOLE MURATI FERRER: Granted.

BEN PERTLER (MIT)

EXECUTIVE DIRECTOR ELIZABETH LINT: 13
wine and malt licenses.

CHAIR NICOLE MURATI FERRER: For Workbar
the only thing I would notice that there has to
be limited number of drinks per person and happy
hour regulations to be complied with. I'm only

saying that because the ABCC gave us an issue about that the other day.

EXECUTIVE DIRECTOR ELIZABETH LINT: They had an issue about garment district.

CHAIR NICOLE MURATI FERRER: And this is the same thing. All the Ben Pertler's are granted.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Ben is a busy guy.

BEN PERTLER (MIT)

EXECUTIVE DIRECTOR ELIZABETH LINT: The next one is Ben Pertler for 3,000 people.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: What does he do for a living?

CHAIR NICOLE MURATI FERRER: Granted. Police detail required.

EXECUTIVE DIRECTOR ELIZABETH LINT: Works

for MIT.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Like a facilities guy, director of something or other?

EXECUTIVE DIRECTOR ELIZABETH LINT: In the office that does all the one-day licenses. So sometimes it is Kayla Lamay and sometimes it is Ben Pertler.

BEN PERTLER (MIT)

EXECUTIVE DIRECTOR ELIZABETH LINT: And the next one is also Ben Pertler.

CHAIR NICOLE MURATI FERRER: Granted. Police detail required.

PENELOPE TAYLOR (VENTURE CAFE)

EXECUTIVE DIRECTOR ELIZABETH LINT:
Penelope Taylor, Venture Cafe, 150.

CHAIR NICOLE MURATI FERRER: Granted.

Limited number of drinks per person required.

PATRICK LEE (MAYFAIR)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Patrick Lee, Mayfair, beer garden. It is not an extension of his premise.

CHAIR NICOLE MURATI FERRER: No. Where is it?

EXECUTIVE DIRECTOR ELIZABETH LINT: His is somewhere on --

CHAIR NICOLE MURATI FERRER: Where is the --

EXECUTIVE DIRECTOR ELIZABETH LINT: Special Events.

CHAIR NICOLE MURATI FERRER: They got approval?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: Granted.

Special Events per Elizabeth Lint.

ZEKE SUBLETT (TRINITY PROPERTY)

EXECUTIVE DIRECTOR ELIZABETH LINT: Zeke Sublett, Trinity Property.

CHAIR NICOLE MURATI FERRER: 150 Church Street.

EXECUTIVE DIRECTOR ELIZABETH LINT: This says 43 Brattle. I'm not sure why. But it is The Atrium.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: Where we had that breakfast.

PATRICK MAGEE (INMAN SQUARE)

EXECUTIVE DIRECTOR ELIZABETH LINT: Patrick Magee, malt with entertainment.

CHAIR NICOLE MURATI FERRER: Did this go through Special Events?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yup.

CHAIR NICOLE MURATI FERRER: Granted.

JILLIAN DAVIS (5K ROAD RACE)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Jillian Davis, Technology Square, Special Events.

CHAIR NICOLE MURATI FERRER: Granted.

AMANDA SHARICK (PEABODY TERRACE)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Amanda Sharick, Harvard Peabody Terrace.

CHAIR NICOLE MURATI FERRER: Granted.

ERIN BECKER (TRINITY PROPERTY)

EXECUTIVE DIRECTOR ELIZABETH LINT: Erin

Becker at The Atrium, 50 Church Street.

CHAIR NICOLE MURATI FERRER: Granted.

NICHOLAS MOREIRA (KIRKLAND HOUSE)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Nicholas Moreira, Kirkland House.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail required.

RENALDO PEARSON (WINTHROP HOUSE)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Renaldo Pearson, Winthrop House.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail required.

BEN PERTLER (MIT)

EXECUTIVE DIRECTOR ELIZABETH LINT: Ben

Pertler again.

CHAIR NICOLE MURATI FERRER: Granted.

MOLLY STANSIK (LEVERETT HOUSE)

EXECUTIVE DIRECTOR ELIZABETH LINT: Molly
Stansik, Leverett House.

CHAIR NICOLE MURATI FERRER: Granted.
Police detail required.

MAVIS HICKS (ADAMS HOUSE)

EXECUTIVE DIRECTOR ELIZABETH LINT: Mavis
Hicks, Adams House.

CHAIR NICOLE MURATI FERRER: Granted.
Police detail required.

JEREMIAH WALA (LOWELL HOUSE)

EXECUTIVE DIRECTOR ELIZABETH LINT:
Jeremiah Wala, Lowell House. Police detail
required.

CHAIR NICOLE MURATI FERRER: Granted.

KATHLEEN MURPHY (BB&N)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Kathleen Murphy for Buckingham Browne & Nichols.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: Did
that one.

CHAIR NICOLE MURATI FERRER: Granted.

JOUBIN HATAMZADEH (WORKBAR)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Joubin Hatamzadeh, Workbar.

CHAIR NICOLE MURATI FERRER: Granted.

ADAM AVELAR (CHURCH STREET)

EXECUTIVE DIRECTOR ELIZABETH LINT: Adam
Avelar.

CHAIR NICOLE MURATI FERRER: Beer garden
for Mayfair, parking lot on Church Street, City

of Cambridge, did this go through Special Events?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Mayfair goes through Special Events and we approach each piece under it. They do it every year.

CHAIR NICOLE MURATI FERRER: Granted.

**ALL ALCOHOL LIKE BEVERAGES LICENSES WITH OR
WITHOUT ENTERTAINMENT**

EMILY SMITH (WORKBAR)

CHAIR NICOLE MURATI FERRER: Granted.

MICHAEL LEWIS (LOWELL HOUSE)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Michael Lewis, Lowell House.

CHAIR NICOLE MURATI FERRER: Granted.

THOMAS HOGAN (ST. PAUL PARISH)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Thomas Hogan, St. Paul Parish.

CHAIR NICOLE MURATI FERRER: Granted.

CASSANDRA UVA (DUNSTER HOUSE)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Cassandra Uva.

CHAIR NICOLE MURATI FERRER: Granted

Police detail required.

EDWARD SALERNO (ELIOT HOUSE)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Edward Salerno, Eliot House Dining Hall.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail required.

TOM ROBERTS (RADCLIFFE QUAD)

EXECUTIVE DIRECTOR ELIZABETH LINT: Tom

Roberts, Radcliffe Quad.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail required.

MARENA LIN (MATHER HOUSE)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Marena Lin, Mather House.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail required.

ENTERTAINMENT LICENSES ONLY

KATHLEEN MURPHY (BB&N)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Kathleen Murphy at Buckingham Browne & Nichols.

That's their annual --

CHAIR NICOLE MURATI FERRER: Granted.

They also have a peddler's license, which is granted.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Do they owe us money?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Buckingham?

CHAIR NICOLE MURATI FERRER: For leaf
blowers, they paid it. And granted also as to
the open air festival license.

ADHANA ASFAW (FIRST PARISH OF CAMBRIDGE)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Adhana Asfaw, First Parish of Cambridge.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: He
also has a vendor's license.

CHAIR NICOLE MURATI FERRER: Is that
attached?

EXECUTIVE DIRECTOR ELIZABETH LINT: It is
not attached. It is four down from that.

MEGAN RECUPERO (FIRST CHURCH CAMBRIDGE)

EXECUTIVE DIRECTOR ELIZABETH LINT: Megan

Recupero.

CHAIR NICOLE MURATI FERRER: Granted as
to the one day. Granted as to the raffle and
bazaar. Granted as the one-day amusement.

NANCY GAULIN (5k)

EXECUTIVE DIRECTOR ELIZABETH LINT: Nancy
Gaulin.

CHAIR NICOLE MURATI FERRER: This is a
10K, 5K, run, bike, walk.

EXECUTIVE DIRECTOR ELIZABETH LINT:
Special Events.

CHAIR NICOLE MURATI FERRER: This already
went through.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yep.

SHIRLEY SANTOS (KENNEDY COMMUNITY SCHOOL)

Shirley Santos, the Kennedy School, she has requested that the entertainment license fee be waived. That's Cambridge Elementary School.

CHAIR NICOLE MURATI FERRER: Granted.

Are you okay waiving the fee?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Sure.

CHAIR NICOLE MURATI FERRER: Are they a 501(c)(3) at a minimum?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Aren't all Cambridge Public Schools 501(3)(C)s?

CHAIR NICOLE MURATI FERRER: The answer is no. That's why I'm asking.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: The answer is no.

CHAIR NICOLE MURATI FERRER: How much is the entertainment license?

EXECUTIVE DIRECTOR ELIZABETH LINT: \$50.

We don't usually charge the city. It is the city paying the city. That also went to Special Events.

CHAIR NICOLE MURATI FERRER: So granted as to one-day amusement application. And also granted as to the entertainment license.

EXECUTIVE DIRECTOR ELIZABETH LINT: It is kind of like with the --

CHAIR NICOLE MURATI FERRER: They submitted the \$10 for what, the amusement one? Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT: I was going to say it is like when we don't charge the garage fees for all the library and the schools because it is the city paying the city.

Then I have a massive amount of late submissions.

PEOPLE'S REPUBLIC

CHAIR NICOLE MURATI FERRER: People's Republic, and Robert Blair asking for the last Wednesday of April, May, June and July, I spoke with him. This is a Bad Art Ensemble, and it's usually once or twice a year. They've had no issues. I has one singer and five other musicians. It is a pretty reasonable hour, 9 to midnight, and I vote to grant.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I concur.

TAMY TIONGSON (NIGHT MARKET)

EXECUTIVE DIRECTOR ELIZABETH LINT: Tamy Tiongson has notified the License Commission that Night Market will be closed tomorrow.

CHAIR NICOLE MURATI FERRER: Board acknowledges.

PAUL MCDERMOTT (KENNEDY CO)

EXECUTIVE DIRECTOR ELIZABETH LINT: Paul
McDermott, special noise variance. Sunday, April
30. Sunday, May 7. Sunday, May 21 from 7 a.m.
to 4 p.m. at 79 JFK Street.

CHAIR NICOLE MURATI FERRER: Granted.

SAMANTHA GLANCY (GLANCY & SONS)

EXECUTIVE DIRECTOR ELIZABETH LINT:
Special noise variance, Glancy & Sons.

CHAIR NICOLE MURATI FERRER: Granted.

ANTHONY VATALARO (COMCAST)

EXECUTIVE DIRECTOR ELIZABETH LINT:
Anthony Vatalaro, Comcast, special noise variance
May 1 to May 12, 6 a.m. to 6 p.m. at Wadsworth,
Amherst and Carlton Streets.

CHAIR NICOLE MURATI FERRER: Granted.

CARL HOWARD (NEWPORT CONSTRUCTION)

EXECUTIVE DIRECTOR ELIZABETH LINT: Carl Howard, special noise variance, Newport Construction, April 30 through June 30, 4 p.m. to 4 a.m.

CHAIR NICOLE MURATI FERRER: Granted.

STEVE KUPICC (EJ PAVING)

EXECUTIVE DIRECTOR ELIZABETH LINT: Steve Kupicc, special noise variance, EJ Paving.

CHAIR NICOLE MURATI FERRER: Granted.

JAMES HANDY (CONCERT)

EXECUTIVE DIRECTOR ELIZABETH LINT: James Handy, one day alcohol and entertainment.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: No detail?

CHAIR NICOLE MURATI FERRER: No.

MIT didn't want it.

COMMONWEALTH CAMBRIDGE

EXECUTIVE DIRECTOR ELIZABETH LINT: Commonwealth
Cambridge.

CHAIR NICOLE MURATI FERRER: A DJ for a
wedding. Granted.

JANE FESSENDEN (ALPHA PHI)

EXECUTIVE DIRECTOR ELIZABETH LINT: Jane
Fessenden.

CHAIR NICOLE MURATI FERRER: Granted.

JOHN HARVARD'S BREWERY AND ALE HOUSE

EXECUTIVE DIRECTOR ELIZABETH LINT: John
Harvard's Brewery and Ale House from Mayfair.

CHAIR NICOLE MURATI FERRER: Granted.

VERONICA SANTANA

EXECUTIVE DIRECTOR ELIZABETH LINT:

Veronica Santana.

CHAIR NICOLE MURATI FERRER: Granted.

ALDEN AND HARLOW

EXECUTIVE DIRECTOR ELIZABETH LINT: Alden

and Harlow for Mayfair.

CHAIR NICOLE MURATI FERRER: Granted.

JOHN FORRESTAL

EXECUTIVE DIRECTOR ELIZABETH LINT: John

Forrestal.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: Oh, and I spoke with him because if you look at this application, it says for a concert, but he didn't

apply for an entertainment license, so he's going to get it to me tomorrow because the event is Sunday.

CHAIR NICOLE MURATI FERRER: What kind of --

EXECUTIVE DIRECTOR ELIZABETH LINT:
Acoustic guitars inside the gallery.

CHAIR NICOLE MURATI FERRER: So let's grant it here. Acoustic guitars inside the gallery.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Yes.

CHAIR NICOLE MURATI FERRER: Granted.

GRENDDEL'S DEN

EXECUTIVE DIRECTOR ELIZABETH LINT:
Grendel's Den amplified music for Mayfair.

CHAIR NICOLE MURATI FERRER: Granted.

HALEY COPE

EXECUTIVE DIRECTOR ELIZABETH LINT: Haley Cope. It is a student theatre production.

CHAIR NICOLE MURATI FERRER: Granted.

HERSHA CONCESSIONS

EXECUTIVE DIRECTOR ELIZABETH LINT: Hersha Concession has submitted a request to the board to allow service from the existing, though expanded, lobby bar and garden area until the full application is heard.

CHAIR NICOLE MURATI FERRER: This is a hotel that we granted, and we had granted the liquor license because the hotel is held under one corporation and the CV, the food and alcohol, is held under another.

So because they wanted to provide room service, we gave them a CV in whole of said

building. It includes the entire hotel.

In the meantime, they have rebranded, remodeled, and they have applied for all these changes, but they haven't been before us yet. They are before us on May 10.

Lo and behold they are the only place that finished construction before they were expected to. This is what we approved, which ends right here. This is this, right? This part, they added this area, which is a nonapproved bar area. So they are asking to use it even though we haven't approved it because they finished.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Why not?

CHAIR NICOLE MURATI FERRER: And also they've asked -- they had a pool area, and what they did is, got rid of the pool, they blew up

the ceiling because it was an indoor pool and now it is like an indoor patio. They want to use the license that's not yet approved but basically that's sort of approved.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Okay.

CHAIR NICOLE MURATI FERRER: You are fine?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Sure. Why should we put them out of business.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: I have one more that Andrea brought down.

HARVARD NATIVE AMERICAN

EXECUTIVE DIRECTOR ELIZABETH LINT: Okay.
Harvard Native American Program. Saturday the

29th and they have Harvard police and security guards.

CHAIR NICOLE MURATI FERRER: No beer, no wine, no alcohol.

EXECUTIVE DIRECTOR ELIZABETH LINT:
Entertainment.

CHAIR NICOLE MURATI FERRER: They are a food vendor. Granted.

(Meeting adjourned.)

ERRATA SHEET

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

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

CERTIFICATION

Commonwealth of Massachusetts

Norfolk, ss.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of April 2017.

JILL KOURAFAS, CSR, RPR

Jill Kourafas
Certified Shorthand Reporter
License No. 14903
Notary Public

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