

## COMMONWEALTH OF MASSACHUSETTS

## CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION DECISION HEARING

LICENSE COMMISSION BOARD MEMBERS:

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

STAFF: Elizabeth Y. Lint, Executive Director  
Corey Pilz

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

DATE: Wednesday, January 30, 2013

TIME: 9:36 a.m. to 10:19 a.m.

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P R O C E E D I N G S

EXECUTIVE DIRECTOR ELIZABETH LINT: I apologize for the late start.

License Commission decision making hearing Wednesday, January (pause) 30th -- see, two hours in the car and I'm like a lunatic.

It's 9:37 a.m., we're in the Michael J. Lombardi Municipal Building, 831 Massachusetts Ave, basement conference room.

Before you are the Commissioners: Chairman Michael Gardner, Chief Gerald Reardon and Commissioner Robert Haas.

We have one matter left from the January 8th agenda which was Conductor's. There was an issue with the background check which has been explained.

CHAIRMAN MICHAEL GARDNER: Have there been any other matters since this incident which,

I believe, was in 2003?

EXECUTIVE DIRECTOR ELIZABETH LINT: There has not.

CHAIRMAN MICHAEL GARDNER: And we have a written statement from the applicant?

EXECUTIVE DIRECTOR ELIZABETH LINT: Correct.

CHAIRMAN MICHAEL GARDNER: Any comments or reflections from either of the Commissioners?

POLICE COMMISSIONER ROBERT HAAS: I think I'm satisfied with the explanation, and I think the matter is probably about ten years old at this point and there has not been any subsequent issues.

FIRE CHIEF GERALD REARDON: I would agree.

CHAIRMAN MICHAEL GARDNER: So then, Ms. Lint, what is left here is the motion to approve the manager of record?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Correct.

CHAIRMAN MICHAEL GARDNER: And do you have the agenda item?

ATTY. JAMES RAFFERTY: It would be the full transfer.

EXECUTIVE DIRECTOR ELIZABETH LINT: I was just going to say that.

ATTY. JAMES RAFFERTY: I apologize.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes. The transfer of the license from Hoffa's.

CHAIRMAN MICHAEL GARDNER: Okay. Could I just see the agenda?

EXECUTIVE DIRECTOR ELIZABETH LINT: Sure.

(Forwarding agenda.)

CHAIRMAN MICHAEL GARDNER: So I will make the motion to approve the application for the transfer of the alcohol beverages as a restaurant license at -- from Hoffa's to Conductor's

Restaurant with Darren Messina as the manager of record, approving the change of location and the hours as stated in the application subject to completion of all the appropriate training and meeting any other administrative requirements of the Commission.

POLICE COMMISSIONER ROBERT HAAS: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed.

So, good luck.

ATTY. JAMES RAFFERTY: Thank you very much.

CHAIRMAN MICHAEL GARDNER: Very interesting ora for the building, and it sounds

like it will be quite a nice place to see.

We wish you all the best. We apologize for the late start this morning.

ATTY. JAMES RAFFERTY: That's no problem. Thank you.

EXECUTIVE DIRECTOR ELIZABETH LINT: And the only other matter was the pedicab matter.

CHAIRMAN MICHAEL GARDNER: So we deferred action on this in part for more reflection to give us a chance to review the written submissions from the three applicants.

And, unfortunately, as I understand it, Chief -- Assistant Chief Mahoney is unavailable this morning?

FIRE CHIEF GERALD REARDON: He is.

CHAIRMAN MICHAEL GARDNER: Has he had any conversations with you about it?

FIRE CHIEF GERALD REARDON: Yes. We both have in the past. I've been involved with

several of the other meetings with different applicants and the same applicant in the past. We heard from -- he's from Plymouth. We have seen this a number of times.

CHAIRMAN MICHAEL GARDNER: Have you had a chance to look at the applications?

FIRE CHIEF GERALD REARDON: Not completely, no.

CHAIRMAN MICHAEL GARDNER: Do you feel as if you're -- well, why don't we take a minute and have Corey briefly review the actions that were discussed at the last hearing --

COREY PILZ: So --

COMMISSIONER MICHAEL GARDNER: -- about the recommendations of the panel.

COREY PILZ: Okay. So, as you know, the License Commission received three applications for the Pedicab Pilot Program.

We received one from Pedicab

International, LLC, who is currently operating a business in Plymouth. He has been doing so for three years.

And we received one from Pirate Pedicab, LLC, who is operating a business in Newport, and he was been doing so for, I believe, two years.

And then, we've also received the application from USA Pedicab, who is operating in many cities across the United States and has been operating in Boston since the inception of their Pedicab Pilot Program, I believe, around 2006.

Now, once we received all the applications per the Pilot Program that we've established, we put the applications before the Pedicab Pilot Review Committee, which consisted of members of Traffic and Parking, the Police Department, the License Commission, the Cambridge Office for Tourism and also the Central Square Business Association.

We reviewed the applications per the criteria that we have established, which was the ability to meet the Commission's established standards, rules and regulations, also to meet -- to review their operation history in any other municipality to see how they would partner with the business and tourism community. I believe they're missing one criteria.

And the impact on the City's infrastructure and transportation network, the most important one, of course.

Based on that, the Committee had made a recommendation to cap the program at a total of 20 pedicabs, eight to ten per business, and the two companies that we recommended were the International Pedicab, which is the Plymouth Pedicab, and also the USA Pedicab.

We made those recommendations based on their extensive operation history, and the fact

that they actually started these programs, they built these programs and they maintained them fairly well without any really operational hiccups or any needed disciplinary action in any of the municipalities they're operating in.

We also took a look at their capacity in terms of what they could provide for the number of pedicabs. As we think it's important that we have a fair sampling since this is a Pilot Program, we want to make sure if we are going to allow this, we want to know how a good number of pedicabs are going to operate within the City's infrastructure.

Other than that, we thought the applications were all pretty equal in terms of their ideas about partnering with the business and tourism communities.

CHAIRMAN MICHAEL GARDNER: So, for this morning, presumably, among the things that we

need to decide are -- since I believe that the call for applications was structured to have us select up to two, is we do have to decide if, in fact, we want to have two separate operators or go with just one.

We need to ratify or modify the total capacity of 20?

He's nodding his head yes.

And then we need to select from among the three and allocate a number of licenses to each, is that right?

COREY PILZ: Yes, Mr. Chairman. And also on hours of operation, if you choose, attached to the licenses.

FIRE CHIEF GERALD REARDON: Is there a recommendation of the Committee on hours of operation? Did you discuss that?

COREY PILZ: It was discussed, but we did -- ultimately, we did not make any

recommendation.

One of the things that we were trying to figure out is how they would interact with our local establishments after they closed, specifically the ones that had nightlife.

So, we weren't sure how the Commission felt towards that in terms of public safety.

CHAIRMAN MICHAEL GARDNER: So we have USA Pedicab's proposal for 7:00 a.m. to 3:00 a.m. as an outside window, but with regular operations between 10:00 a.m. and 1:00 a.m.

We have Pedicab International suggesting 11:00 a.m. to 9:00 p.m., Monday, Wednesday and Sunday, and 11:00 a.m. to 2:00 a.m., Thursday Friday and Saturday.

EXECUTIVE DIRECTOR ELIZABETH LINT: That would be Monday, Tuesday and Wednesday. He had clarified that.

CHAIRMAN MICHAEL GARDNER: Monday,

Tuesday, Wednesday. I'm sorry.

And Pirate Pedicab it looks like, I take it, 11:00 a.m. to 12:30 a.m. That's not --

POLICE COMMISSIONER ROBERT HAAS: 2:30.

CHAIRMAN MICHAEL GARDNER: 2:30. That's not at 11:00 p.m., is it?

POLICE COMMISSIONER ROBERT HAAS: I think it's an a.m., isn't it?

CHAIRMAN MICHAEL GARDNER: I think it must be.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIRMAN MICHAEL GARDNER: 9:00 p.m. closed Monday through Wed -- or Sunday through Wednesday seems a little, at least in the summertime, it seems a little early to me.

EXECUTIVE DIRECTOR ELIZABETH LINT: I would agree with that.

CHAIRMAN MICHAEL GARDNER: Was there any discussion of that?

EXECUTIVE DIRECTOR ELIZABETH LINT: I think the discussion of the Committee was more in terms of seeing what the need is and setting an hour that way and certainly there are going to be peak times.

CHAIRMAN MICHAEL GARDNER: Do we have the capacity to simply be flexible about the hours and let them run hours as they think the demand justifies?

EXECUTIVE DIRECTOR ELIZABETH LINT: I think we can be a little flexible. My only concern is that if we don't give, say, a stop time, it's gonna be really hard to regulate.

POLICE COMMISSIONER ROBERT HAAS: So you could say they'd operate to a certain hour, but they could operate -- like in weather and things like that, they could just shut down early?

EXECUTIVE DIRECTOR ELIZABETH LINT: To shut down, right.

COREY PILZ: I think the gentleman who submitted that application was basing it on his experience in Plymouth, which was not exactly comparable to the nightlife we have here in the city.

FIRE CHIEF GERALD REARDON: But, again, this is not the only form of transportation. This is a new formed augment where we have, so it is not like we'll leave people high and drive for transportation if they're not running, but at least, from my perspective, this is to see how this works in general in terms of is it viable for them, and as it makes sense, you know, we had some other -- you know, years ago in the past and it wasn't -- it didn't seem to be sustainable for the ones who tried it. But they do seem to have made sustainability in other marketplaces, so I assume it's here as well.

CHAIRMAN MICHAEL GARDNER: So, I would

say generally I'm of the view that it makes sense to select two different operators during the pilot period at least to see what the -- if we can learn anything from different styles of operation.

Do either of your feel any different than that?

POLICE COMMISSIONER ROBERT HAAS: No. I think -- you know, I have to tell you I was impressed with Pirate's application, but my thinking is that this is a pilot project, it gives really an opportunity to kind've assess what a large operation would look like against a small one.

So, I think if we were just to simply give it to two smaller operations, that wouldn't give us that ability do that over the pilot period.

The other thing I kinda took into

consideration with respect to Pirate is -- I mean, I thought the application was much better prepared than the other two applicants in terms of the background material, and talking about like environments, I mean, I think Newport is probably a close type of environment than Plymouth would be, but I do appreciate the fact that the gentleman from Pedicab International has been the one that's been kinda championing this thing all along right from the very start.

So, you know, my thinking is I would like to see a large operation to see what it looks like, so that kind've brings USA Pedicab into the mix, and then, it really comes down to whether or not Pedicab International or Pirate Cab would give us a real good appreciation of operation capacity and what it would look like with a smaller operator operating here in Cambridge.

CHAIRMAN MICHAEL GARDNER: My impression

was that the Pirate application was really quite well done. A couple of concerns about that are -- I'm not satisfied that the managerial structure is there for it. I believe that he's an own -- the owner is a full-time educator or teacher, I believe, in Rhode Island system.

I'm a little worried about how he could satisfactorily handle non-summer hours out here.

I do think that the applicant who operates in Plymouth has taken the matter the furthest in terms of actually making arrangements to secure storage space for the vehicles, something that presumably they could all figure out over time.

But I don't see anything in the application that would lead me to reject the recommendation of the Review Committee.

There's the interesting problem that Pedicab International from Plymouth was saying --

I thought I understood it -- that his tipping point was he needed to be able to lease a number of cabs here to sort've make it worth his while, and I believe his application suggests that he get 15 and somebody else get five. I'm not myself particularly inclined to do that, and don't see a reason, if we're doing 20 to not split it evenly 10 and 10.

And I just wonder, Ms. Pilz, if you could give us some more of the ideas about pros and cons of having as many as 20, if either you or the Review Committee thought about that in terms of -- this is pretty new to us in terms of establishing capacity.

COREY PILZ: I think the idea -- and once again, because this is a Pilot Program, I do believe we could be flexible in terms of the number of pedicabs depicted, you know, if they start in a couple months and see if it's doing

very well, we wanted to add, or if suddenly we realize we're having issues and we wanted to retract, we can do so.

I think the idea of having 20 pedicabs is we wanted to make sure, number one, we had enough pedicabs to cover the area that had been proposed, which is all of our major business squares, just so we can see, you know, how they operate in certain areas and they're all not crowded in one area.

If we only had five or ten pedicabs all in Harvard Square that generally wouldn't give us a good idea how the Pilot Program would operate because we want to see how they're going to really fit into the transportation network all over the city.

I think that was our thought process having 20 and then having an even number for each company in terms of looking at competition, in

terms of how they compete with each other as a company, are there certain areas and so on and so forth.

And the other thing we wanted to be mindful of is, you know, since they will be an attraction at special events, we wanted to make sure we had an appropriate number when we first started. So, special events can be overly saturated causing big transportation issues. I think that's with how we established that number.

FIRE CHIEF GERALD REARDON: I guess I would like to see an even number whatever. I'm not necessarily tied to the 20. But, I think, in order to be fair, an even number would be better for people to review in terms of, you know, missed trips, not being able to keep drivers, only getting so many on the road.

It's kind've hard to compare a large cab company and a small cab company in terms of how

they respond. If they have less calls and less numbers, I think, it really should be even for us to get a feeling.

COREY PILZ: From a business standpoint as well, when we were talking with the pedicab companies, since they have to set this up so quickly, in terms of hiring, inspecting the vehicles on our end as well, and really getting all the advertising in place, this was kind've manageable for them, too, since we do have a relatively short turnover time from starting the program until actually announcing the applicants and then putting them on the road.

CHAIRMAN MICHAEL GARDNER: I could be -- I'm thinking about it wrong, but I sort've worry that 20 sounds like a lot and my vision is they're sort've clogged all around the square geographically disbursed around the city. Having them jostling with each other or taking up too

much physical space, but having too many is more my worry than having too few.

COREY PILZ: One of the ways we're also going manage that is when the applicants are announced, we're going to sit down with the Traffic and Parking Department to figure out whether or not we can dedicate some space in the areas where we expect it to be more popular, and by doing so, when the pedicabs do stand or station themselves, we'll limit the number that are allowed to be on that stand, similar to the cab stand.

So we figure that's another way we can make sure they're disbursed. Where we say like we have a stand potentially in Kendall Square, we're allowing three to sit there and we'll have a stand in Harvard Square and we allow three to sit there.

And so, we're hoping that will also

encourage them to spread out more versus clogging in one area.

FIRE CHIEF GERALD REARDON: Are we going to mandate that they geo space so to speak? Have you thought about this because, obviously, you know, economics will drive where they go. In Kendall Square and Central Square and Harvard Square are the places they believe that they're going to -- there's no economic reason for them to go other places, so, and that might be good, but we don't want them oversaturated.

POLICE COMMISSIONER ROBERT HAAS: But it might be interesting doing a Pilot Program to just kinda see where they're going to cluster and where they're not going to operate, then we can go back, I think, and then, if we need to then establish a finite number where they can operate if we encounter some problems. I think if we structure too much in the very beginning, we're

not going to learn a lot, or we're going to miss opportunities to learn things that we ordinarily wouldn't be able to see if we didn't allow some degree of flexibility, I think, in terms of operation.

So I think, you know, you're going to find a clustering, we have to just figure where the clustering is. I can guess where the clustering's going to be. And I think I see that clustering change during the course of the day depending on activities.

Kendall Square, for example, I think you're going to see a clustering around lunchtime and things like that.

Harvard Square clearly is going to be more of a late night and then Central Square, I don't know, it's kind've no man's land. I don't know how that will play out. But it will be interesting to see that. I really don't see it's

being a main attraction. You think about the major businesses. I think the initial thinking was putting so many cabs in each of the five or four per square, five business districts, but I'm not too sure you're going to see a lot in the Back Bay of Porter Square.

It will be interesting to see how it plays out, if we're going to take advantage of this as a true pilot project.

FIRE CHIEF GERALD REARDON: I guess ten each, I think, is a fair number for them to try. To say one would have 15 and one would have five, that's an economic disadvantage.

POLICE COMMISSIONER ROBERT HAAS: I'm worried about having too many. I think that's more a problem than having too few.

CHAIRMAN MICHAEL GARDNER: And, Corey, have you thought much about kinda the way in which this will be evaluated or data will be

collected?

And, Commissioner Haas, will this be primarily the responsibility of the Hackney Division or will other investigators and you as in the consumer role be involved in site observations? Just tell us a little bit about how you envision collecting the data over the pilot period.

COREY PILZ: We do have a bimonthly reporting requirement for all the companies that are awarded, the actual operating permit. They have to report back certain information to the License Commission, which we're still kinda finalizing in terms of what we're looking for. Ideally we want the number of rides that have been provided, the number of ride refusals and reasons as to why.

We're going take a look at any citations that have been issued, and this is where the

Hackney officer is really doing to come in because he's going to be primarily responsible for overseeing all the hearings to the regulations that we have established, the number of consumer complaints received by the company, if any, and specifically here, one of the things we're concerned about is if there's been any issues with how much they paid the pedicabs, if the driver demanded certain things out of them and so on and so forth.

And then any other information that we deem relevant. And one of the things we will be taking a closer look at is their management structure as they put it into place and how they're running the business.

So, with that said, we also will be doing site observations, most likely myself and Matt and the officer will be out and about on the town seeing how they interact at different times

during the day, we'll do as much monitoring as possible, as well as reporting from the companies themselves.

CHAIRMAN MICHAEL GARDNER: Have we given any thought to any way to get any consumer satisfaction data? I understand there's the complaint side of it. But are there any ways to actually get impressions from customers?

COREY PILZ: This is something we have actually discussed, and one of the things we're thinking about doing is creating an on-line survey where a consumer can go after they finish their pedicab ride, go on, log on and they can fill out the survey.

What we would have the driver do is kinda just distribute a little card that says this is a Pilot Program, the city is looking for your feedback, go to this website and tell us what you think about it.

In terms of other ways to do it, you know, we don't want to actually distribute surveys while they're taking the ride because we don't foresee that happening in terms of them completing it right there or pressure from the driver.

We think that's the best way to do it. And also in our site observations, if possible, just talking to people, asking them what they think.

We have a big commitment from the business community, they're very excited for this and the tourist community as well, and we're working with them to get their feedback in terms of what the local establishments are thinking and the hotels are thinking, that this is a benefit or a hindrance.

FIRE CHIEF GERALD REARDON: What is the term of this license going to be?

COREY PILZ: Just for the duration of the Pilot Program.

FIRE CHIEF GERALD REARDON: And that will be what? Did we define that?

COREY PILZ: Yes. I believe we defined it from the beginning of March to the end of October and then we figure we give ourselves time in order to go back and get the data.

FIRE CHIEF GERALD REARDON: I just want to make sure we actually gave them a time.

COREY PILZ: Yes.

CHAIRMAN MICHAEL GARDNER: If weather permits, they will be allowed to operate after the pilot is over, and so we can render our decisions, or are we saying we're shutting it down at the end of October?

COREY PILZ: I think that's something the Commission can determine.

EXECUTIVE DIRECTOR ELIZABETH LINT: I

think we can reschedule or schedule a review hearing in the beginning of October to see how it's worked out, and if we want to let it continue further without putting a limit on it, say, you know, like December.

FIRE CHIEF GERALD REARDON: That would give us --

EXECUTIVE DIRECTOR ELIZABETH LINT: Like today, it is 60 degrees.

FIRE CHIEF GERALD REARDON: That would give us an opportunity to find out whether the operators are coming back in because things are successful and they wish to continue probably would be helpful.

POLICE COMMISSIONER ROBERT HAAS: So, I'm wondering if the bimonthly proposal if that's really too long a window. Maybe I can see in the beginning where you're starting in March, you know, waiting two months and it's going to slow

-- slow ramp up. And then I think, once you get into the summer, I think you'd want to see more frequent reporting, and then, I think, if we get more frequent reporting, I think could reconvene maybe in August just to kinda see where it's going, you know, kinda have a check point so that we're not up against the wire trying to decide if we extend this thing or not.

But, I think, you know, June, July and August is going to tell us something about -- and that is the height of the tourist season -- I think we will get a good appreciation of any problems, we're going to see them early on.

I am wondering if it makes sense to do a bimonthly for that first reporting period, and then it goes to a monthly reporting period for months of June, July and August, and then, maybe beginning of September, during our first meetings, come back and get a sense of how things

are going, look at your numbers in terms of what you're seeing and any kinds of concerns we have.

I don't think there's anything that precludes us from making some modifications doing the pilot project. If we see something that's really going to be problematic that we didn't encounter or anticipate, I think we should make the applicants aware of the fact that they're subject to change in relation to this pilot project, so we're not going to be fixed. I think the other thing we do is establish hours that we have to give the applicants an opportunity to say "yes" or "no," and if they don't do it, then, I think, we have to go back and visit the third person that we don't pick -- or the third vendor if we don't pick the third vendor. But really kind've set what our conditions are and making sure they're agreeable to it. And if something is a show stopper for them, then, I think, we'd

go back -- I think, as you said, Corey, all three applicants are viable applicants. It's just a matter now of picking who we think are the best two to kind've test out this period, but I think they need to be very much agreeable to the fact that there is going to be some changes along the way based on what we're seeing in terms of patterns and trends.

I don't want to wait for a month if we start to have some serious problems. I want to bring them back right away and deal with what those problems are.

FIRE CHIEF GERALD REARDON: We can also deal with that in terms of -- if we're getting complaints, we'll bring them in.

If they're doing very well, I think conversely, they will come and say "We're doing extremely well. We'd like want to know whether or not we can increase..."

POLICE COMMISSIONER ROBERT HAAS: But I think we kinda want gauge how it's resolving from our standpoint, not necessarily from their standpoint.

FIRE CHIEF GERALD REARDON: I'd rather not overregulate the reporting. But I guess it depends on what side of the fence you're on. I'd rather not overregulate the reporting.

But I think they should be made aware that if we have issues, we're gonna bring them in. If they found that they're very successful and want to change, they would probably voluntarily come in.

I personally am not sure if I would like to throw the third one in the mix. I think it'd like only two.

POLICE COMMISSIONER ROBERT HAAS: I'm saying one or two, just hold the third one out. That's our place holder, the first two.

FIRE CHIEF GERALD REARDON: If someone doesn't perform --

POLICE COMMISSIONER ROBERT HAAS: Not necessarily doesn't perform, but I think once we set up the conditions, I mean, because you have a variation of hours or something like this, and we decided to do the allowable time frame and they say that's not acceptable or whatever the case will be, or they say it will not be profitable for me to run ten as opposed to 15.

You know, I think those are the decisions they have to let us know about, and I think they need to make some commitment to us that they plan on riding out the whole pilot period. We can't have them dropping out, you know, midway on us.

But I think those things will also be set upfront that these are the conditions, these are what our expectations are and that you agree to -- you know, short of any unforeseen

circumstances, you know, like all pedicabs break down or something like that.

COREY PILZ: And this has been made very clear to them on the latitude both the Commission and city will have the Pilot Program right from the start. They should understand all this going into it and they're -- speaking with all the applicants, they know it's a Pilot Program, they know things are going to have to be tweaked here and there and there are going to be changes throughout. They've all -- that hasn't deterred them.

EXECUTIVE DIRECTOR ELIZABETH LINT: And then, they, in turn, would be making a commitment to purchase the pedicabs which is --

POLICE COMMISSIONER ROBERT HAAS: No. That was one of my concerns because I know one vendor doesn't have the number of cabs we're proposing. That will be an investment on his

part to now shift his operation here to Cambridge.

CHAIRMAN MICHAEL GARDNER: So, in terms of the hours of operation issue, I think I'm inclined to just set a sort've late night stop, and the feeling is we need to have some regulation over it, but to leave the start times to them, and understand that, you know, there's no business in the cab peddlers, drivers, whatever it's called, and wants to go home, it's not a problem for me if they leave.

POLICE COMMISSIONER ROBERT HAAS: If you set a time at 2:00 and they started at 2:30, that will effect the start time? You need a start time. The earliest they can operate, right?

CHAIRMAN MICHAEL GARDNER: Okay.

POLICE COMMISSIONER ROBERT HAAS: I think you need a defined time frame.

CHAIRMAN MICHAEL GARDNER: I'm starting

at 2:00 and I end at 2:00, but I'm now starting at 2:30 or 2:01.

POLICE COMMISSIONER ROBERT HAAS: I don't know what kind of morning business this is.

CHAIRMAN MICHAEL GARDNER: One of them has proposed --

EXECUTIVE DIRECTOR ELIZABETH LINT: I would have taken one this morning.

CHAIRMAN MICHAEL GARDNER: One did propose as early as 7:00 a.m.

Is there public safety issues with letting them operate as late as 2:30 or 3:00?

POLICE COMMISSIONER ROBERT HAAS: Well, my concern would be the morning rush hour. I'd like not to compound problems with possibly trying to compete against pedicabs during, what we consider, the rush hour morning. And I suspect the other two applicants are more looking more as lunchtime as being their kickoff time for

the business as opposed to any kind of morning business, so I'm not sure -- I'd like to see something at 7:00 in the morning as opposed to maybe something -- if you want to say 10:00 or 11:00, I think, would be more appropriate.

That morning rush hour between the buses and everything else going on, I think it's kinda crazy.

CHAIRMAN MICHAEL GARDNER: So if we set a 10:00 a.m. start, how late would you want it to go given at least part of the idea is give late night patrons at alcohol establishments another option as to how to get home?

POLICE COMMISSIONER ROBERT HAAS: I mean, I want to say 2:00, but I know that's not going to be able to make sure you give people time to get the pedicabs or stuff like that.

CHAIRMAN MICHAEL GARDNER: Somebody with a 2:00 license can actually shut down as late as

2:30?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Correct.

CHAIRMAN MICHAEL GARDNER: So that's why

I see the 3:00 a.m. I just don't know.

Is there a public safety issue with setting it up so that they could operate as late as ending business at 3:00 a.m. in the morning?

POLICE COMMISSIONER ROBERT HAAS: It's a tradeoff. I mean, there's a lot less traffic, but then you have a greater tendency to see other drivers on the street, too.

CHAIRMAN MICHAEL GARDNER: My expectation is most people wouldn't be out until 3:00 or 2:30. I'm not in that business, but I'm not actually here that often at that time of day, so I'm not sure.

POLICE COMMISSIONER ROBERT HAAS: The other thing --

FIRE CHIEF GERALD REARDON: Have you gone through the square recently you wouldn't say that.

CHAIRMAN MICHAEL GARDNER: I mean, it's possible.

POLICE COMMISSIONER ROBERT HAAS: The other thing you can do is set the window up and then if they need to extend hours because of special events and stuff like that, have them come in for one-day application or something like that to go later if they need to.

I mean, 3:00, I think -- I'm just really leery about the hour of the morning, but I could see that's when you want people to take advantage of a pedicab, right?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yeah. I have visions of Middle East emptying on a Friday and Saturday night, and it would be a really good option for people who desperate to

find cabs.

CHAIRMAN MICHAEL GARDNER: What time is Middle East.

EXECUTIVE DIRECTOR ELIZABETH LINT: 2:30.

FIRE CHIEF GERALD REARDON: But we have to understand that these are pedicabs and they're not going to go to the Back Bay or Framingham Center.

EXECUTIVE DIRECTOR ELIZABETH LINT: No, of course.

FIRE CHIEF GERALD REARDON: So, it does limit. You know, it would have to be local people that within reason they're not the same as other forms of transportation.

POLICE COMMISSIONER ROBERT HAAS: Who would go to Back Bay on a pedicab?

FIRE CHIEF GERALD REARDON: Well, I mean, I'm just trying to point out a fact this is not like hoping in a cab.

CHAIRMAN MICHAEL GARDNER: On Harvard graduation day last year or commencement day, I did see a pedicab riding from in front of city hall, I assume they came from across the river, but...

EXECUTIVE DIRECTOR ELIZABETH LINT: Well, we have since learned that they were hired by Harvard specifically to be there for graduation.

CHAIRMAN MICHAEL GARDNER: We didn't know that. So there were more than --

EXECUTIVE DIRECTOR ELIZABETH LINT: There was more than one. But likewise you could hire one to take you from the church to your reception, so it's -- we didn't have to have had that licensed.

CHAIRMAN MICHAEL GARDNER: Well, I'm prepared to make the recommendation that we approve the application of Pedicab International, LLC, and USA Pedicab for ten pedicabs each with

operating hours beginning no earlier than 10:00  
and ending no later than -- to me, it's either  
2:30 or 3:00 a.m.

FIRE CHIEF GERALD REARDON: I'd say 2:00  
or 3:00.

POLICE COMMISSIONER ROBERT HAAS: If  
you're trying to accommodate the people leaving  
late night, I think --

CHAIRMAN MICHAEL GARDNER: So, I'll make  
that motion that we approve the licensing of 20  
pedicabs, ten assigned to USA Pedicab, ten  
assigned to Pedicab International, LLC for hours  
of operation beginning no earlier than 10:00 a.m.  
and ending no later than 3:00 a.m. for a pilot  
period from -- is it March 1st? From the date in  
March when the application said we would begin  
running through October 31st, with our option to  
continue procedures or operations during the  
review period, and that this be a Pilot Program

and that we would notify the applicants that we're doing some interim regulations and we'll be doing -- expecting them to be filing reports, and perhaps, coming in for a checkup or review hearings during the pilot period.

That's the motion.

POLICE COMMISSIONER ROBERT HAAS: Second.

CHAIRMAN MICHAEL GARDNER: Motion having been made and seconded, any further discussion?

POLICE COMMISSIONER ROBERT HAAS: The only thing I'm just wondering about is do you want to set a review date in the future just to make sure that we don't -- it doesn't slip past us?

EXECUTIVE DIRECTOR ELIZABETH LINT: Sure.

POLICE COMMISSIONER ROBERT HAAS: I'm thinking maybe September so we can really kinda' look back over the summer and see what -- that way, you know, Corey, as you're compiling the

data and stuff like that, we, you know, can probably have a report and then also give the applicants an opportunity to come in and speak to the Commission on their experiences and, you know, see if they'll make recommendations as to how they think we could improve the regulations.

EXECUTIVE DIRECTOR ELIZABETH LINT: I haven't scheduled out hearings that far yet, but we could say put it on for the first hearing in September.

CHAIRMAN MICHAEL GARDNER: First hearing in September. So I would accept that has a friendly amendment to the motion.

Chief, are you prepared to vote or would you prefer --

FIRE CHIEF GERALD REARDON: I'm fine.

POLICE COMMISSIONER ROBERT HAAS: What does that mean?

FIRE CHIEF GERALD REARDON: I'll vote.

CHAIRMAN MICHAEL GARDNER: Any further discussion?

POLICE COMMISSIONER ROBERT HAAS: No.

CHAIRMAN MICHAEL GARDNER: All those in favor, signify by saying "aye."

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: None opposed.

So, you'll take care of the notifications to the applicants?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Absolutely.

CHAIRMAN MICHAEL GARDNER: So if it really is March 1st, that is --

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes, it is. We confirmed that.

CHAIRMAN MICHAEL GARDNER: Five weeks from now.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Yikes.

CHAIRMAN MICHAEL GARDNER: So, you will have some regulations for us to look at in a February meeting?

COREY PILZ: Correct.

CHAIRMAN MICHAEL GARDNER: I'm sorry. Our February meetings are, the 5th and 19th?

EXECUTIVE DIRECTOR ELIZABETH LINT: I'm sorry?

CHAIRMAN MICHAEL GARDNER: I'm asking if our February meetings are the 5th and 19th?

EXECUTIVE DIRECTOR ELIZABETH LINT: No. The 12th and 22nd -- 26th.

COREY PILZ: And the rules will be on for the 26th.

EXECUTIVE DIRECTOR ELIZABETH LINT: I will not be here on the 26th.

POLICE COMMISSIONER ROBERT HAAS: I may

not be here on the 12th.

FIRE CHIEF GERALD REARDON: The 12th, I'm out of state.

POLICE COMMISSIONER ROBERT HAAS: I'm out of state also.

FIRE CHIEF GERALD REARDON: What was the other one?

EXECUTIVE DIRECTOR ELIZABETH LINT: 26th.

CHAIRMAN MICHAEL GARDNER: I'm sure that my two uniformed colleagues will make as good arrangements to have appropriate backup.

Is there any other business before the Commission?

EXECUTIVE DIRECTOR ELIZABETH LINT: I have nothing.

COREY PILZ: No.

CHAIRMAN MICHAEL GARDNER: Seeing none, move to adjourn at approximately 10:19 on the morning of whatever it is, January the 30th,

2013.

POLICE COMMISSIONER ROBERT HAAS: Second.

CHAIRMAN MICHAEL GARDNER: All those in favor, signify by saying "aye."

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: None opposed.

Stand adjourned.

Thank you very much.

Thank very much, Mr. Pilz, for the fine work you're doing and your Committee did. I apologize for not putting that on the record. Keep it in the record.

COREY PILZ: Thank you.

## CAMBRIDGE LICENSE COMMISSION DECISION HEARING

1-30-2013.

## ERRATA SHEET

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

PAGE LINE

\_\_\_\_\_ CHANGE: \_\_\_\_\_  
\_\_\_\_\_ REASON: \_\_\_\_\_

I have read the foregoing transcript of the License Commission Hearing of 1/30/2013, and except for any corrections or changes noted above, I hereby subscribe that the transcript is an accurate record.

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CERTIFICATE

Commonwealth of Massachusetts

Suffolk, ss.

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

This transcript of the Licensing  
Commission Meeting of 1/30/2013 is a true and  
accurate record of the proceedings.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 31st day of January 2013.

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Jill Kourafas  
Notary Public  
Certified Shorthand Reporter  
License No. 149308

My Commission expires:  
February 2, 2017

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