

City of Cambridge

In City Council..... March 31, 1986

The Finance Committee

to which was referred a request for a supplemental appropriation of \$58,725.00 to the License Commission, conducted a public hearing on Wednesday, March 26, 1986 at 5:00 p.m. in the Sullivan Chamber, City Hall.

Councillor Thomas W. Danehy, Chairman of the Committee called the meeting to order and requested a statement from the City Manager.

City Manager Healy responded by stating he had indicating to Mr. McDavitt, upon being hired, that after a six or eight month period, he would review the staffing and funding of the office with Mr. McDavitt and be willing to make such a recommendation to the Council at that time. He further stated the request before the Finance Committee is greatly reduced from what Mr. McDavitt had originally presented, and that this sum could, in fact, be reduced by \$10,000.00 due to the fact that only three months remain in the fiscal year. Finally he stated he believed because of the rapidly changing environment within the legal community, the operation of the License Commission must change as well.

Councillor Wolf questioned what the full financial implication would be next fiscal year.

The City Manager responded by stating it would amount to \$97,540.00; all of which will be met through revenue generation by the Commission.

Councillor Walsh questioned the duties of the investigators being requested, specifically, would they be answering complaints received by the Commission or would they be sitting in bar rooms looking for complaints such as police or ABCC inspectors.

Mr. McDavitt responded by stating these two investigators would do data collection in terms of hours of operation of nightclubs, etc., and they will answer complaints which are brought to the License Commission.

Councillor Walsh and Councillor Duehay further questioned the possibility of coordinating the level of inspections between Inspectional Services, the License Commission and the Fire Department.

City Manager Healy responded by stating that it is the goal of Mr. McDavitt and himself but he could not state this evening just when that goal could be met.

Councillor Vellucci stated he was concerned about the lack of physical examination for food handlers and stated this could be a potential problem. He further questioned the licensing procedure in this regard.

Mr. McDavitt responded by stating that two licenses are required relative to food, one from Commissioner Cellucci relative to sanitation and one from the License Commission relative to being a common victular.

The City Manager stated he believed state law has now changed regarding physical examinations.

Councillor Danehy questioned what process would be established relative to the hiring of the investigators.

Mr. McDavitt responded by stating it would be a completely open process by which the full Commission would interview each applicant for integrity, honesty and capability before making a recommendation to the City Manager.

Councillor Duehay and Councillor Russell endorsed the recommendation of the City Manager as to tools needed to do the job.

Councillor Wolf moved to reduce the request by \$10,000.00 as the City Manager suggested.

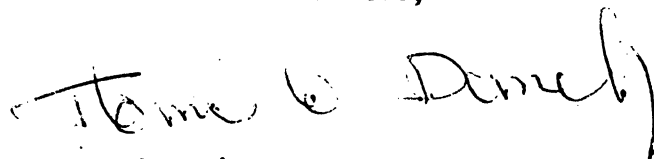
The motion was carried on a voice vote.

Councillor Vellucci moved to report favorably out of the Committee the amended request of \$48,725.00 for action by the City Council.

The motion carried on a voice vote.

On a motion by Councillor Vellucci, the hearing was adjourned at 5:47 p.m.

For the Committee,

A handwritten signature in dark ink, appearing to read "Thomas W. Danehy", is written over a horizontal line.

Councillor Thomas W. Danehy
Chairman.

City of Cambridge

MASSACHUSETTS

In City Council

²⁴
~~February 10,~~

1986

March 31

AGENDA ITEM NO. 14

RE: SUPPLEMENTAL APPROPRIATION OF \$58,725. TO THE LICENSE COMMISSION FY86 OPERATING BUDGET

	YEA	NAY	ABSENT	PRESENT
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Saundra Graham	✓			
Mrs. Sheila T. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Alfred Vellucci	✓			
Mr. William H. Walsh	✓			
Ms. Alice K. Wolf	✓			
Mayor Walter J. Sullivan	✓			

9

0

0

~~AGENDA ITEM NO. 14~~

Communication No. 2

**CITY COUNCIL
CITY OF CAMBRIDGE**

~~February 10, 1986~~
March 31, 1986

INTRODUCED BY CITY MANAGER ROBERT W. HEALY

AN ORDER CONCERNING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 1985

ORDERED: That in addition to sums previously appropriated by the City Council for the fiscal period 1985-86 the following sum is hereby appropriated in the General Fund of the City of Cambridge:

<u>FUNCTION</u>	<u>DEPARTMENT OR PROGRAM</u>	<u>SALARIES & WAGES</u>	<u>OTHER ORDINARY MAINTENANCE</u>	<u>TRAVEL & TRAINING</u>	<u>EXTRAORDINARY EXPENDITURES</u>	<u>APPROPRIATIONS</u>
Public Safety	License		\$45,925.00	\$2,800.00		\$48,725.00

BE IT FURTHER ORDERED: That the above appropriations in the General Fund to be financed by estimated revenues drawn from the following sources:

In City Council March 31, 1986.

Adopted as amended by a yeas and nays vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- Joseph E. Connarton, Acting City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton

FINANCING PLAN

REVENUE

License Commission revenues

\$48,725.00

(ORIGINAL)

AGENDA ITEM NO. 14

**CITY COUNCIL
CITY OF CAMBRIDGE**

INTRODUCED BY CITY MANAGER ROBERT W. HEALY

February 10, 1986

AN ORDER CONCERNING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 1985

ORDERED: That in addition to sums previously appropriated by the City Council for the fiscal period 1985-86 the following sum is hereby appropriated in the General Fund of the City of Cambridge:

FUNCTION	DEPARTMENT OR PROGRAM	SALARIES & WAGES	OTHER ORDINARY MAINTENANCE	TRAVEL & TRAINING	EXTRAORDINARY EXPENDITURES	APPROPRIATIONS
Public Safety	License		\$55,925.00	\$2,800.00		\$58,725.00

BE IT FURTHER ORDERED: That the above appropriations in the General Fund to be financed by estimated revenues drawn from the following sources:

FINANCING PLAN

REVENUE

License Commission revenues

\$58,725.00



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To The Honorable, The City Council

Date March 20, 1986

From Joseph E. Connarton, ^{JEC} Acting City Clerk

Reference

Subject Committee on Finance

Please be advised that Councillor Thomas Danehy, Chairman of the above referenced Committee has scheduled a public hearing for Wednesday, March 26, 1986 beginning at 5:00 p.m. in the Sullivan Chamber.

The purpose of this meeting is to review the supplemental appropriation request of the License Commission in the amount of \$58,725. As you will recall, this was referred to the Finance Committee at the City Council meeting of February 24, 1986. You are requested to attend at this time.

Thank you for your cooperation in this matter.

JEC/mh



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

Robert W. Healy, City Manager
James Thaddeus McDavitt, License Commission Chairman
To Anthony G. Paolillo, Chief of Police
Thomas V. Scott, Fire Chief
Date March 20, 1986
From Joseph E. Connarton, *JEC* Acting City Clerk
Reference
Subject Committee on Finance

Please be advised that Councillor Thomas Danehy, Chairman of the above referenced Committee has scheduled a public hearing for Wednesday, March 26, 1986 beginning at 5:00 p.m. in the Sullivan Chamber.

The purpose of this meeting is to review the supplemental appropriation request of the License Commission in the amount of \$58,725. As you will recall, this was referred to the Finance Committee at the City Council meeting of February 24, 1986. You are requested to attend at this time.

Thank you for your cooperation in this matter.

JEC/mh

TO: Robert W. Healy, City Manager

FROM: James T. McDavitt, License Commission Chairman 

RE: Supplemental FY'86 Budget Appropriation
for the License Commission

Date: January 24, 1986

I hereby request that you approve and recommend to the City Council the attached Supplemental FY'86 Budget Appropriation for the License Commission. An additional \$58,725 (\$30,090 for personnel and \$28,635 for non-personnel items) is being requested for the current fiscal year. The funds to finance this Supplemental Appropriation will come from licensing revenues collected this fiscal year by the Commission in excess of budget estimates.

An explanation of this request, by line item, follows:

I. NON-PERSONNEL ITEMS

1. Photostat Machine. One is required in order to photostat each license issued to a licensee. Presently, the Commission has to ask a licensee what terms appear on its license when such information is needed, and such procedure fosters inefficiency and inaccuracies. The great volume of necessary photostating cannot be achieved if the Commission must use the present system of using one central City Hall photostat machine.

2. Law Books. Purchase of a set of Massachusetts General Laws Annotated is necessary for the Commission Chairman to facilitate research and updating of applicable licensing laws.

3. Light Meter. One is necessary in order to enforce minimum lighting requirements on licensed premises.

4. Sound Meter. One is necessary to measure decibel levels of music-noise emanating from licensed premises.

5. (2) Electric Typewriters. These will be shared by (4) people and provide typewriting capability for the Chairman, the new Executive Secretary, and the (2) new Administrative Investigators.

6. To Print New License Forms. Present license forms need to be updated and reprinted.

7. To Print New License Application Forms and New "How To Apply" Forms. These forms presently need to be updated and reprinted.

8. To Print New Taxi Cab Regulations. Present regulations need to be updated and reprinted.

9. To Print New Liquor License Regulations. Present regulations need to be updated and reprinted.

10. (2) Portable Radios. These would provide a 2-way communication capability to Commission Investigators and the Chairman engaging in on-site inspections.

11. Travel & Training. This will enable the Commission Chairman to attend professional conferences. This year's National Conference on State and Local Licensing took place in Atlanta, Georgia on December 12 and 13, 1985.

12. Postage. Additional money for postage is required in order to mail copies of new regulations to licensees and to mail copies of hearing agendas to all neighborhood and business leaders.

13. Paper/toner/maintenance for copier. These are necessary adjuncts to the photostatic copier.

14. Transportation Allowance. This allowance is required to reimburse the Commission Chairman and the (2) Administrative Investigators for the use of their privately owned motor vehicles on Licensing Commission business.

15. Miscellaneous. This category includes general office supplies, furniture, and equipment needed to assist the Commission in achieving its goals.

II. PERSONNEL

1. Executive Secretary. This position would be filled by a professional manager. The Executive Secretary would advise citizen complainants against licensed premises and taxicabs. If such advice is given by the chairman, licensed premises or a cab may arguably challenge any decision of the Chairman or the Commission on the grounds that the Chairman has acted as investigator, prosecutor, and judge, in contravention to constitutional due process requirements for an objective fact finder and a fair hearing. A lawyer as Executive Secretary would be preferred so as to answer the never-ending inquiries from licensees as to the specifics of certain licensing laws. The assistance of the Executive Secretary is also crucial in order to keep pace with the Commission's increasing workload.

2 & 3. (1) Chief Licensing Investigator and (1) Licensing Investigator. Presently, the License Commission requires professional data collectors/investigators to monitor and inspect licensed premises and taxi cabs at night. As explained with reference to the position of Executive Secretary it is preferable that the Commission Chairman not get extensively involved in the investigative phase of a licensing matter which may come before the Commission for disciplinary action. Also, the Cambridge Police have many priority calls which preclude frequent, detailed, written reports on all licensed premises, especially on Thursday, Friday, and Saturday nights. Also, it is an unreasonable burden upon neighborhood residents to stand at street corners collecting data on licensed premises. It should be noted that these investigators will not carry guns or make arrests. They will have business cards, not badges. The investigators will inspect licensed premises and collect data, especially as to problematic premises, during evening and early morning hours, Thursdays, Fridays, and Saturdays.

It should be here noted that the Police Detective Inspector assigned to the Commission to assist in the regulation of the cab industry does an excellent job; however, his hours of operation are 8:30 a.m. to 5 p.m. and the vast bulk of his time is spent physically inspecting cabs, handling problems with cab drivers, and keeping the paperwork on cab drivers and cab owners. The (2) Administrative Investigators would assist in regulating the cab industry by performing weekend and evening cab inspections, something that is not presently feasible.

Moreover, these Investigators are necessary to assist in the planning and execution of a program to upgrade the taxicab industry in Cambridge, which program is expected to be implemented prior to June 30, 1986. Re-testing of cab drivers for knowledge of City streets and the location of major facilities; higher standards of courteous conduct for cab owners and cab drivers; and cleaner, safer cabs will be the goals of this program.

4. Stenographer. A stenographer on contract is necessary to produce a transcript of Commission hearings. Many licensing decisions of the Commission cannot be enforced if the Commission's transcript is inadequate for review by the courts and the Alcoholic Beverage Control Commission.

SUPPLEMENTAL BUDGET REQUEST, REMAINDER OF FY'86, LICENSE COMMISSION

I. NON-PERSONNEL ITEMS

1. Photostat Machine	\$ 4,200
2. Law Books	1,650
3. Light Meter	1,000
4. Sound Meter	1,000
5. (2) Electric Typewriters	1,480
6. To Print New License Forms	1,000
7. To Print New License Application Forms and New "How To Apply" Guidelines	1,000
8. To Print New Taxi Cab Regulations	1,000
9. To Print New Liquor License Regulations	1,000
10. (2) Portable Radios	6,000
11. Travel & Training	1,000
12. Postage	1,000
13. Paper/Toner/Maintenance for copier	1,000
14. Transportation Allowance	1,800
15. Miscellaneous	<u>4,505</u>

NON-PERSONNEL TOTAL \$28,635

II. PERSONNEL

1. (1) Executive Secretary, 22 weeks/full time	\$11,235
2. (1) Chief Administrative Licensing Investigator, 22 weeks/60% time: Thursdays, Fridays, and Saturdays, Evenings and early morning hours.	6,740
3. (1) Administrative Licensing Investigator, 22 weeks/60% time: Thursday, Fridays, and Saturdays, Evenings and early morning hours.	5,715
4. (1) Stenographer, 8 months, (includes part of FY'86 which has past), to record and transcribe hearings	<u>6,400</u>

PERSONNEL TOTAL \$30,090



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

14.
February 10, 1986

To the Honorable, the City Council:

Attached please find for your review and action an order requesting a supplemental appropriation in the amount of \$58,725 to the License Commission FY86 operating budget. This appropriation will be distributed as follows: Other Ordinary Maintenance, \$55,925; Travel and Training, \$2,800.

I have enclosed a detailed memorandum from the License Commission Chairperson, James T. McDavitt, outlining the specifics of this supplemental request. At the time I appointed Mr. McDavitt, I requested that he review the operational procedures of the Commission and after six months to recommend a needed staffing pattern. This is the result of that review.

Passage of this order is recommended.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert W. Healy", is written over a horizontal line.

Robert W. Healy
City Manager

RWH/mbf
Enc.

Re: supplemental appropriation of \$58,725.
to the License Commission.

2/10/86 3/31/86 - See
Finance Committee
report within
Charter amending appropri-
ation order +
Right adopting it
by amended 9-0-0.
Councillor Danahy

Copy sent to Councilman Danahy, Chairman,
Finance Committee 2/28/86 mch

In City Council,

February 10, 1986

Motion of C. Walsh -

2/24/86

Referred to Finance

No Order Adopted

No More Cases

Referred to Finance

Finance Committee hearing set on
this matter to be held Wednesday,
March 26, 1986 at 5:00. Notification
Sent to the Council on 3/21/86 + to the
Mayor, License Comm. Chair, Police + Fire Chiefs 3/20/86