

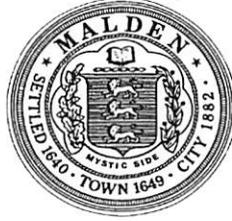
City of Malden
Massachusetts
215 Pleasant Street, Suite 424
Malden, MA 02148
Malden Licensing Board

DRAFT

Lee A. Kinnon, Chairman

Andrew Zeiberg, Member
Frances Lin, Member

Diane M. Anthony, Clerk



Tel: 781-397-7138

Fax: 781-397-7105
danthony@cityofmalden.org

MINUTES OF MEETING
MALDEN LICENSING BOARD
February 15, 2022

Lee A. Kinnon, Chairman
Andrew Zeiberg, Board Member
Frances Lin, Member
Kathryn M. Fallon, City Solicitor
Diane M. Anthony, Clerk
Captain Marc Gatcomb, Police Liaison

The Meeting was called to order by Chairman Kinnon in person at 6:00 p.m.
It was stated by Mr. Kinnon that the meeting will be recorded on Zoom and may be recorded by UMA.

Motion by Andrew Zeiberg to approve the Minutes from January 18, 2022, meeting of the Malden Licensing Board. Seconded by Frances Lin.

Roll Call Vote:

Andrew Zeiberg – Yea
Frances Lin – Yea
Lee Kinnon - Yea

Motion passed.

The next item on the agenda is the application for Change of Manager for Pumpsy's, 271 Highland Avenue. Present and representing Pumpsy's is Attorney John Mooradian of Demakis Law Offices along with owner, Nick Patel, and proposed manager Dhavel Patel.

Chairman Kinnon acknowledged that this is hearing on the application is continued from the January 18, 2022, meeting. He asked Member, Frances Lin if she had any questions.

Ms. Lin asked Mr. Dhavel Patel if he now knew the 6 forms of acceptable identification. Mr. Dhavel Patel said they were Mass. Drivers license, Mass. ID, Passport, Military ID, Mass. Liquor ID, and Passport card.

Member Andrew Zeiberg noted that knowing the 6 forms of ID was the issue at the last meeting and he is

DRAFT

satisfied that he now knows them.

Chairman Kinnon said he went to the store and observed how the ID machine worked.

Motion by Andrew Zeiberg to approve this application. Seconded by Frances Lin.

Roll Call Vote:

Andrew Zeiberg – Yea

Frances Lin – Yea

Lee Kinnon - Yea

The next item on the agenda is the application for a one-day special license for an event sponsored by Phantom Gourmet and 110 Grill. This is the annual Phantom Gourmet Food Festival. Present and representing the applicants were Tina Shindler of Phantom Gourmet and Sydney Sturdevant of 110 Grill.

Sydney Sturdevant of 110 Grill said they have done Phantom Gourmet events in the past. She anticipates 3-4 areas at the festival for liquor service. Tina Shindler of Phantom Gourmet states it is a 21 plus event and everyone will be ID'd at the entrance gate will be given a wristband. Patrons will also be asked to provide identification at the point of service. They have the utmost confidence in 110 Grill and their staff.

Chairman Kinnon asked about the plan and the name RAventures. Sydney explained that is the name of the umbrella company. 110 Grill is the owner, and they will be the one licensing for the day.

Member, Andrew Zeiberg, wants to make sure that the bartenders also know the 6 forms of acceptable identification. Sydney said 110 Grill employees working this event will be TIPS certified and there will also be managers and executives at the event. The last time they had a team of 40 employees working. Sydney also said it is beneficial that patrons will be required to provide identification prior to entering and at the point of service. Employees will also be checking wristbands. Mr. Zeiberg confirmed with Sydney patrons will have their identification check at entry, point of service and double check the wristbands. Mr. Zeiberg also confirmed that this is a 21 plus event and no children will be allowed to enter.

Member, Frances Lin asked about a housekeeping error on the application. Exhibit B states 2021 and it should be 2022. The Clerk changed the date on the original application to 2022 by crossing out and writing in the correct year.

Mr. Zeiberg directed a question to Kevin Duffy, of the OSPCD Office for the City. He asked Mr. Duffy where the point of entry would be, and Kevin confirmed it will be near the Starbucks. Kevin also confirmed that the area will be gated off. There will be volunteers to escort people across the restricted area of the street to enter local businesses such as Boda Borg or All Seasons Table. Mr. Zeiberg asked about sidewalk. Kevin said sidewalks will be open. Mr. Zeiberg asked how many people they expect. Tina Shindler said they expect about 8,000 people. Tickets will be sold online and if they don't sell online, they will sell at the gate but over the past few years, they have always sold out online before the event. Tina said they are happy because they have a huge fan base and with this location, they will have the parking garages open and the MBTA is close. They also have a partnership with Uber for discounts so people can get there easily. Phantom Gourmet is very excited about the Malden location for their event. Mr. Zeiberg asked about the local restaurants participating in the event. Tina said the Malden restaurants will have first option then they will go their Phantom Gourmet restaurants they do business with. In total they will have 45-55 restaurants participating.

DRAFT

Attorney Fallon for the Board asked that the City be provided with Certificates of Insurance from both 110 Grill and Phantom Gourmet. Sydney said 110 Grill will provide theirs and Tina said Phantom Gourmet also has a policy they will provide. Attorney Fallon asked about security for the event and the number of points of sale for alcohol. The plan provided has 3 stations, but they indicate 4-5 points of sale. Tina said they are thinking about setting up a station in the Exchange Street parking lot and the Jackson Street parking lot. They need to get permission from the Exchange Street parking lot owner. Attorney Fallon confirmed that they will have private security and Malden Police details. Kevin Duffy said they have already met with the Board of Health, Police Chief, Fire Chief and Parking Department. Cataldo Ambulance will be on site for the event. Everyone is on board with this according to Kevin.

Mr. Zeiberg asked about a rain date. Tina Shindler said they have never had a rain date but would opt for Sunday, June 26th for a rain date if possible. Mr. Zeiberg asked about the impact this will have on other businesses in the area. Kevin said if the Board approves this, he will be walking about to the businesses tomorrow. The event is from 11am to 3pm so he does not believe it will affect the restaurants in the evening. Everything should be back in order by 5pm.

Motion by Andrew Zeiberg to approve the Phantom Gourmet Food Festival for a special one-day license for June 25, 2022, with a rain date of June 26, 2022, if needed. – Seconded by Frances Lin.

Motion Passed.

Roll Call Vote:

Andrew Zeiberg -Yea
Frances Lin – Yea
Lee Kinnon – Yea

Chairman Kinnon wished them the best and asked that the Board be kept informed.

The next item on the agenda is the application of C5K Sports for a half marathon/walk on Sunday, March 13, 2022. Mr. Ed O'Connor was present as owner of C5K Sports.

Mr. O'Connor said they have had this event several times in Malden. The race starts at 7am and after the race the participants are invited to mingle and have a beverage in the Pleasant Street parking lot.

Ms. Lin asks about the donation to a non-profit as noted in the application. Mr. O'Connor said at the time the application was prepared they had not yet designated a non-profit. C5K Sports and the Malden Rotary Club are co-sponsors. They have designated the Wounded Warrior Project as the non-profit they will donate to. Mr. O'Connor said the last time the event was held they donated \$10,000 to the non-profit. Ms. Lin asked about the cost of tickets to run and what that included. Mr. O'Connor said the price includes the ticket to run, t-shirts and participants will get 3 drink tickets. He said about 50 percent of the participants come back to mingle and have a drink. He is strictly offering this as that what his competitors do who hold similar races. Ms. Lin said March 13th is daylight savings and a 7am start will be a very early start.

Mr. Zeiberg asks if they will be offering alternatives to beer and wine and Mr. O'Connor said they will also have water, soda, coffee, and juice. They will have pop up tents in the Pleasant Street parking lot and hopefully they will have weather. He also said the area where they will be serving drinks will be barricaded off at the parking lot.

DRAFT

There will be 2 Malden Police officers for detail, and they will also have a private security company who will provide security surveillance, identification checks and wristband checks. Mr. O'Connor said this is not a 21 plus event. Families are welcome. Mr. O'Connor said there will be 6 private security and 2 Malden Police officers.

Attorney Fallon complimented Mr. O'Connor on an application that is in perfect order. Good job.

Captain Gatcomb suggested that Mr. O'Connor make sure he is in contact with the MPD detail clerk or himself at least 7 days before the event to make sure that the details are filled. Captain Gatcomb also asked if the private security would be easily identifiable. Kevin Duffy said they wear jackets that identify them as security.

Mr. O'Connor requested an amendment to the application to ask for a 9am start time rather than a 10am start for alcohol service. Originally, they had the road race starting at 8am but it will now start at 7am and participants could be finished by 9 or 9:30 am. Chairman Kinnon said he did not think an earlier start was possible because it was a Sunday and 10am is the start for alcohol sales on Sundays. Attorney Fallon was looking up the laws as it pertains to Sunday service and start time. After researching Attorney Fallon could not find anything that allows starting earlier than 10am on Sunday. Chairman Kinnon said we would check into it with the ABCC.

Motion by Andrew Zeiberg to approve the special one-day license for March 13, 2022. – Seconded by Frances Lin

Mr. Zeiberg then asked about approval an earlier start time if it was applicable. Attorney Fallon said she could not find anything that would allow an earlier start but if the ABCC has anything that would allow that they could motion for a contingency vote.

Amended motion by Andrew Zeiberg to approve the special-one day license for March 13, 2022, for C5K Sports with approval to start at 9:00 a.m. if it is allowed by the ABCC. – Seconded by Frances Lin.

Motion Passed.

Roll Call Vote:

Andrew Zeiberg -Yea
Frances Lin – Yea
Lee Kinnon – Yea

Kevin Duffy also said that Ed O'Connor by far as submitted the most professional application he has seen.

Chairman Kinnon asked Captain Gatcomb for an update, and he was happy to report that all is quiet.

Mr. Zeiberg asked about the Board going out for visitations soon. Chairman Kinnon said he was comfortable with that, but he wanted to make sure there were no restrictions, and everyone felt comfortable going out. Captain Gatcomb to let him know a date and they will make it happen.

Ms. Lin asked Attorney Fallon if a decision has been made by the ABCC on the LLAWM, LLC appeal. Attorney Fallon said no decision by the ABCC has been made yet.

Motion to adjourn by Andrew Zeiberg – Seconded by Frances Lin

DRAFT

Meeting adjourned at 6:50 p.m. Next regularly scheduled meeting will be Tuesday, March 22, 2022, at 6:00 p.m. to be determined if it is via Zoom or in person.

Submitted by:

Diane M. Anthony, Clerk
Malden Licensing Board

Minutes Approved by:
