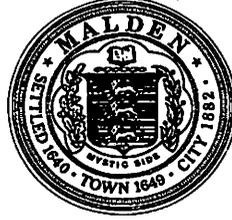


**City of Malden
Massachusetts
110 Pleasant Street
Malden, MA 02148
Malden Licensing Board**



James S. Conway, Chairman

Lee Kinnon, Vice Chairman

Andrew Zeiberg, Member

Diane M. Anthony, Clerk

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**MINUTES OF MEETING
MALDEN LICENSING BOARD
JUNE 25, 2019**

Lee A. Kinnon, Board Member-Acting Chairman
Andrew Zeiberg, Board Member
Captain Marc Gatcomb, MPD Liaison
Sgt. Mike Powell, MPD Liaison

The meeting was called to order by Member Lee Kinnon at 6:30 p.m.

Motion by Andrew Zeiberg to approve Minutes from April 16, 2019 meeting

Motion passed.

The first item on the agenda was the one day license application for Bread of Life fundraiser sponsored by Galvin Murphy of Yankee Pest Control. The event is to be held on August 20, 2019 at 20 Waite Court. Present and representing the Bread of Life was Patti Kelly and Galvin Murphy of Yankee Pest Control. Mr. Murphy explained this was a fundraiser he is sponsoring to raise money for Bread of Life capital campaign. It will be held at his property at 20 Waite Court and there will be TIPS certified servers

Motion by Andrew Zeiberg to approve

Motion passed.

The next item on the agenda was the one day license for St. Rocco's Feast to be held on August 9, 10, and 11, 2019. Although Ms. Joyce Mover was not present this is an annual event.

Motion by Andrew Zeiberg to approve.

Motion passed.

The next item on the agenda was the application for an all alcohol restaurant from Electric Bugaloo, LLC d/b/a Bit Bar Malden at 20 Commercial Street. Present and representing the applicants were Attorney Jordan Shapiro of Malden and Gideon Coltof, a part owner.

All parties intending to testify before the Board were sworn in by Board Member and Attorney Andrew Zeiberg.

Acting Chairman, Lee Kinnon, asked Attorney Shapiro if he would like to make a presentation on behalf of his clients.

Attorney Shapiro stated there was some confusion about the publication date. He provided to the Board a copy of the notice that appeared in the Boston Globe on June 15, 2019 clearly specifying the publication date. Attorney Shapiro also provided the Board with return receipts from mailings and additional CORI forms to complete the application.

Acting Chairman, Lee Kinnon, recognized audience member, City Councillor of Ward 4, Ryan O'Malley. Councillor O'Malley stated that he had met with the owner and has seen the space. He is in full support of this application and believes it will fit it with the City's entertainment and restaurant area in a respectful, safe manner. He fully supports this application.

Attorney Shapiro introduced Gideon Coltof, owner and Maxwell Clark, proposed manager. Mr. Shapiro said that Mr. Coltof is an investor and partner in Bit Bar, Salem, MA since June, 2016. There have been no problems or issues in their Salem location. They will be leasing property at 20 Commercial Street which is in the new building facing the MBTA Station. There is 5,127 square feet of space and seating for approximately 120 guests. There are 8 investors and the operation in Malden will be similar to their operation in Salem. There will be 50 machines which include pinball and classic video games. The investors have an agreement with Eastern Bank for \$325,000 and total funding for this venture is \$750,000. They have a 10 year lease and Mr. Shapiro has presented the Board and read into the record a favorable letter of support from Sandi Silk, SVP Development Partner of Jefferson Apartment Group (copy of letter is attached to these Minutes for the record).

Attorney Shapiro said they are seeking a full liquor license for 7 days a week and asks the Board to consider its approval of this application.

Board Member, Mr. Zeiberg asked how big of a staff will they have. Mr. Coltof stated that Maxwell Clark will be the Manager and will work approximately 50 hours per week. He will also have a manager from the Salem location transferred to Malden. He believes he may have a total of 3-4 managers.

Mr. Coltof also explained that the layout for Malden is a large rectangle shape about 8' below grade. There will be a mezzanine around the top and that is where they will have events. There is also a bar in the middle of the establishment and they will probably not have long communal tables. Seating will be for 120 people and the occupancy will be somewhere between 210 and 240.

Mr. Zeiberg asked what his hours of operation would be. Mr. Colton said that Bit Bar is really a restaurant and they are a family oriented space during the day. After 8:00 p.m. it will become a 21 plus community of adults only. Mr. Coltof explained that they have decided that 8:00 p.m. is the time that most families are heading home and that is the time that they have chosen for adults only. Mr. Coltof also said that no one under 21 is allowed unless accompanied by a parent or guardian. Their Salem location has been noted as a "best FIRST date spot", "best guys night out spot" and "best family spot". He went on to explain that this is not like the typical mall arcade. They only charge 25 cents for the games and that is not where they make their money.

Mr. Zeiberg asked about kids coming in after school. Mr. Coltof said that no children under 21 are allowed without a parent or guardian.

Mr. Kinnon said that he initially had reservations about this but it is their business model. Mr. Kinnon thought it would only be over 21 after 8:00 p.m. Mr. Coltof said that the games are to get people in. They provide family

friendly space but at the moment they will not allow under 21 without parent or guardians.

Mr. Coltof said that if a family comes in at 7:50 p.m. they would tell them they could not serve them at that time but if a family is there well before the 8:00 p.m. crossover time and they have not finished eating, they have allowed some to stay after 8:00 p.m.

Captain Gatcomb asked Mr. Coltof about cameras. Mr. Coltof said they would have them. He has been trying different types and has not decided yet what he will be using. Captain Gatcomb said he would come by to do a site survey with him. Mr. Coltof said they would like that.

Mr. Zeiberg asked about an opening date. Mr. Coltof said early or late fall. Once the plans are submitted to the Building Inspector and the permit is issued it should take about 6-8 weeks to finish the build out. They have already been in touch with Nelson Miller, Building Commissioner and Chris Webb of the Board of Health.

Mr. Kinnon asked if Mr. Maxwell Clark could step forward. Mr. Kinnon stated that he was initially concerned about his experience as the clientele in a book store that serves beer and wine would be quite different from Bit Bar Malden. Maxwell said that they check each and every ID in the book store. He said as far as he is aware they have never had a problem with any violations. He did say that at the store they have had some problems with drug use in bathrooms. Mr. Kinnon went on to say that some of his concerns were alleviated. Mr. Kinnon stressed to Maxwell that the two major concerns of this Board are serving of minors and over-serving. These two items are very important. Maxwell said that he will card everyone every day and time.

Mr. Zeiberg asked about kids leaving Malden High School and coming in to play games and get food. Maxwell said that he would have to tell them no admittance without a parent or guardian over 21. Mr. Zeiberg said that in the Salem location they would not have that problem because that location is not near the High School. However, that may be a problem in Malden. Mr. Zeiberg asked Maxwell the name of the bookstore in Boston where he works. Maxwell said Trident Bookstore near Berkley.

Mr. Kinnon stated that no matter how many managers Mr. Coltof employs, Mr. Maxwell Clark needs to know that it is his name on the liquor license as manager. If there are problems Maxwell is the one the Board is going to look to. He will be their point of contact. Mr. Kinnon also went on to say that cameras in a location protect the owner and manager sometimes more than any other person. It can be clear evidence of an incident. Mr. Kinnon also stated that if there were to be any type of incident they would expect cooperation with the Malden Police Department and the Board.

Mr. Kinnon recognized Kevin Duffy of the Mayor's Office. Mr. Duffy said the Mayor is fully supportive of this applicant and feels they will be a compliment to the Square and the Malden scene. He feels they will compliment Boda Borg and it is a great space and they have a great track record.

Mr. Kinnon asked if there was anyone present in favor of this application.

Mr. Adam Dziki of 15 Morris Street, Malden spoke in support. He has lived in Malden for 5 years and he and Mr. Coltof used to work pop up arcades at local breweries and his wife is currently a bartender in the Salem location of Bit Bar. She is respectful of the rules and she will also be a manager in the Malden location. This is a family friendly establishment with top notch quality ownership.

Mr. Kinnon asked if there anyone else present in favor of this application with no further response this portion of the hearing was closed.

Mr. Kinnon asked if there was anyone present in opposition of this application – with no response this portion of

the hearing was closed.

Mr. Kinnon asked the applicants if they have ever had any interest or ownership or managed any other establishment in another state. The response from all was No.

Motion by Andrew Zeiberg to approve pending final approval from Building Inspector and Board of Health.

Motion passed.

Sgt. Mike Powell submitted his report of the visitations of the Board from May 17, 2019 which is incorporated into these minutes as part of the record. (See attached)

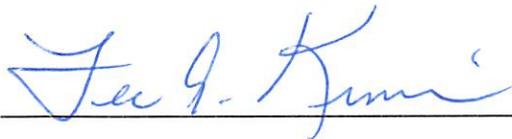
Mr. Kinnon and Mr. Zeiberg both feel that there is a lack of knowledge for last call times and the 6 forms of identification. It is their desire that all licensees should have both these items posted in their establishments.

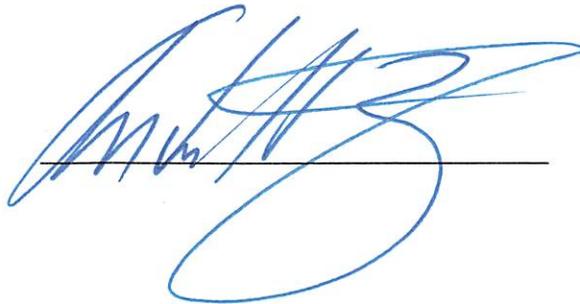
The police report of the incident at ECDC at 89 Dartmouth Street will be addressed by Captain Gatcomb. He will send someone out there to speak to the licensee.

Meeting adjourned at 7:20 p.m. Next meeting will be at the call of the Chair.

Submitted by:

Diane M. Anthony, Clerk
Malden Licensing Board
Minutes Approved by:







June 25, 2019

Mr. Gideon Coltof

RE: On-Premises Liquor License Application – BitBar/Electric Bugaboo

To Whom It May Concern:

As many of you are aware, Jefferson Apartment Group has been working in collaboration with the City of Malden for several years to transform the entrance to Malden Center with the redevelopment of the old Government Center into a new mixed-used development featuring retail, entertainment, residential and civic uses. We are on the cusp of finishing the project and re-opening Pleasant Street to Commercial/Florence Streets.

As part of this transformation, we have sought out high-caliber operators for our retail spaces in an effort to activate the streets in and around Malden Center and help bring economic vitality back to the west end of Malden Center.

We are excited to bring Bit Bar to Malden Center and believe that this business will greatly complement the existing businesses in Malden Center and further enhance Malden Center as a destination. Vital to Bit Bar's success is the application before you.

We wholly support this application for an on-premises liquor license and believe this business will benefit the current and future residents of Malden.

Based upon our interactions with the ownership and management of this operation, we believe that this business will be operated safely and cleanly, and provide a uniquely welcoming and entertaining destination for all those who come to Malden Center to experience Bit Bar.

We look forward to Bit Bar becoming a part of the Malden Center transformation.

With best regards,


Sandi Silk
SVP, Development Partner

On 05/17/2019 (**Friday night**), Captain Gatcomb and I (Sgt. Powell) assisted members of the Malden Liquor Licensing Board in conducting unannounced compliance checks at several establishments within the City of Malden. Listed below are the locations that we visited:

1. **Dockside Restaurant** (spoke with manager and bartender)
2. **3 Amigos Restaurant** (spoke with manager and owner)
3. **Ming's Seafood** (spoke with manager and owner)
4. **Hugh O'Neil's Restaurant** (spoke with bar manager and owner)
5. **All Seasons Table** (spoke with owner and manager)
6. **Mystic Station** (spoke with bartender and owner)
7. **Idle Hands** (spoke with bartender)
8. **Pappa's Restaurant** (spoke to bartender/manager)
9. **Exchange Street Bistro** (spoke with manager)
10. **Station Bistro & KTV** (spoke with manager)
11. **Infused Kreyol** (spoke with owner/manager)

All locations appeared to be in good order and abiding by the guidelines set out by the Malden Liquor Licensing Board, at the time of the visits. There appeared to be *no one overserved, or underage drinking*. We finished the night without incident.

Respectfully,

Det. Sgt. Michael Powell