



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final License Committee

*Councillor Jadeane Sica, Chair*  
*Councillor Chris Simonelli, Vice Chair*  
*Councillor Paul Condon*  
*Councillor at Large Karen Colon Hayes*  
*Councillor Ryan O'Malley*

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Tuesday, April 18, 2023

5:30 PM

215 Pleasant Street  
Room 108  
Malden, MA 02148

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### Roll Call

*Chair Sica called the meeting to order at 5:33 PM.*  
*Also in attendance were Compliance Officer Dave Morse, MPD Detective Renee Kelly, Assistant City Solicitor Zaheer Samee, Councillor Peg Crowe, and Brandon MacPhie, District Manager from Gibbs Oil Company.*  
*Council President Murphy sat in for a time during the meeting to create a quorum.*

**Present:** 3 - Councillor Jadeane Sica, Paul Condon and Karen Colon Hayes

**Absent:** 2 - Councillor Chris Simonelli and Ryan O'Malley

### Minutes to be Approved

[165-23](#)

Minutes for the meeting of April 11, 2023

**A motion was made by Councillor Condon, seconded by Council President Murphy, that the Committee Minutes be approved. The motion carried by a unanimous vote.**

### Business

[153-23](#)

Petition: Outdoor Parking: Rigano's, Inc. 1081 Fellsway, Malden, 20 spaces  
(Renewal)

*A motion was made to allow Chair Sica to recuse herself from this vote by Council President Murphy, seconded by Councillor at Large Colon Hayes. The motion passed by unanimous vote.*

**A motion was made by Councillor Condon, seconded by Councillor at Large Colon Hayes, that the Petition be recommended favorably to the City Council. The motion carried by a unanimous vote.**

[154-23](#)

Petition: Outdoor Parking: Rigano's, Inc. 1152 Eastern Avenue, Malden, 10 spaces  
(Renewal)

*A motion was made to allow Chair Sica to recuse herself from this vote by Council President Murphy, seconded by Councillor at Large Colon Hayes. The motion passed by unanimous vote.*

**A motion was made by Councillor Condon, seconded by Councillor at Large**

**Colon Hayes, that the Petition be recommended favorably to the City Council. The motion carried by a unanimous vote.**

[155-23](#)

Petition: Outdoor Parking: Rigano's, Inc. 1176 Eastern Avenue, Malden, 15 spaces  
(Renewal)

*A motion was made to allow Chair Sica to recuse herself from this vote by Council President Murphy, seconded by Councillor at Large Colon Hayes. The motion passed by unanimous vote.*

**A motion was made by Councillor Condon, seconded by Councillor at Large Colon Hayes, that the Petition be recommended favorably to the City Council. The motion carried by a unanimous vote.**

[156-23](#)

Petition: Outdoor Parking: Robert McNulty, 28 Cedar Street, Malden, 14 spaces  
(Renewal)

**A motion was made by Councillor Condon, seconded by Councillor at Large Colon Hayes, that the Petition be recommended favorably to the City Council. The motion carried by a unanimous vote.**

[157-23](#)

Petition: Second-Hand Dealer: Cash King, LLC. 41 Lebanon Street, Malden  
(Renewal)

*Detective Renee Kelley was in attendance representing MPD. She stated some concern with this petition based on past business practices and unusually high frequency of transactions made by Cash King, LLC. Cash King is required to report their purchase/sales records to MPD on a daily basis, compared to other pawn shops in the city who are only required to report weekly or monthly.*

*Det. Kelley explained to the Committee stores don't have the ability to scan an item and know if it was originally purchased and/or stolen from their individual store. This has become such a problem, Home Depot, Target, and Lowes have partnered up to hire an outside agency to investigate items that are being stolen from their companies. This investigative company has been in contact with MPD on the issue. Returning stolen merchandise to a large retail store will only provide the person with store credit and limits are set as to how many times a person may return an item without receipt. Bringing items to pawn shops will produce a cash return and no such limits are in place.*

*Chair Sica stated her desire to bring the business owner in to speak with Committee prior to taking a vote on this petition. Council President Murphy asked Assistant City Solicitor Zaheer Samee for guidance on how the License Committee may speak with the business owner without making it sound like they are being accused of bad practices. License Committee agreed to table the petition pending a time the owner of Cash King may be scheduled to appear.*

**A motion was made by Councillor at Large Colon Hayes, seconded by Councillor Condon, that the Petition be tabled to the License Committee. The motion carried by a unanimous vote.**

[158-23](#)

Petition: Second-Hand Dealer: GameStop #6263, 44 Broadway Suite A-110  
(Renewal)

*Compliance Officer Dave Morse reported that there was an issue with Game Stop that was actually more of a misunderstanding in that they were not reporting merchandise to the police department. This is a case of a new store manager who was unaware of the*

reporting requirements, however did keep complete records journaled in house. When visited by MPD, the new manager was able to show a complete accounting of everything the store had bought and sold. C.O. Morse also went to the store with a copy of the ordinance, manager agreed to report in a timely, consistent manner with MPD from now on. There are no other concerns with this business.

**A motion was made by Councillor Condon, seconded by Council President Murphy, that the Petition be recommended favorably to the City Council. The motion carried by a unanimous vote.**

### 159-23

Petition: Self-Service Gas Station: Gibbs Oil Co. LP, 728 Main Street, Malden  
(Renewal)

*Councillor O'Malley had requested the License Committee call in a representative from Gibbs Oil to appear prior to voting on this petition. His concern is that as a requirement of their special permit, Gibbs Oil must plant trees on their property line. District Manager Brandon MacPhie was in attendance representing the company.*

*Mr. MacPhie explained that there once were trees located on the property but due to relentless complaints about the trees from a residential neighbor, the previous manager got to the point where he felt cutting down the trees was easier than having this person complain to the establishment every day. That manager was unaware of the special permit requirements at the time but he no longer works at this location. Mr. MacPhie presented the License Committee with a written estimate from Eduardo's Construction & Paving in the amount of \$11,170.00 for new tree installation and landscaping.*

*License Committee agreed to table the petition pending the completion of tree installation and asked Mr. MacPhie to contact the City Clerk when the job was complete, at which time they will vote on petition.*

**A motion was made by Councillor Condon, seconded by Council President Murphy, that the Petition be tabled to the License Committee. The motion carried by a unanimous vote.**

## Other Business

## Adjournment

**A motion was made by Councillor Condon, seconded by Councillor at Large Colon Hayes, that the meeting be adjourned. The motion carried by a unanimous vote. Meeting was adjourned at 6:05 PM.**