



# 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, May 23, 2023

5:30 PM

215 Pleasant Street  
Room 105  
Malden, MA 02148

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### Roll Call

*Chair Sica called the meeting to order at 5:30 PM.*

*Also in attendance were Compliance Officers David Morse and Jim Tuxbury, Acting City Solicitor Alicia McNeil, Councillor McDonald, Building Inspector Nelson Miller, David Ritchie and Steven Fitzpatrick from Malden Police Department, Rebecca Sperling, Hector Zavala from Cash King.*

**Present:** 5 - Councillor Jadeane Sica, Councillor Chris Simonelli, Paul Condon, Karen Colon Hayes and Ryan O'Malley

### Minutes to be Approved

[187-23](#)

Minutes for the meeting of April 18, 2023

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

### Business

After the following papers were read into the record, Compliance Officer Dave Morse reported there are no issues of concern on any of these petitions. The committee was in support of recommending all out favorably to the Full City Council.

[173-23](#)

Petition: Outdoor Parking: T.J. Automotive Corp. 315 Pleasant Street, 20 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.**

[192-23](#)

Petition: Livery: Amarjit Signh, 228 Pearl Street, Malden, 1 vehicle (New)

**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.

[193-23](#)

Petition: Outdoor Parking: Andy's Service Center, Inc. 356 Lebanon Street, 12 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.**

[194-23](#)

Petition: Outdoor Parking: Malden Middlesex Motor Sales, 35 Canal Street, 10 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.**

[195-23](#)

Petition: Pool Tables: L&K Billiard Pool Hall, 94B Pleasant Street, 7 tables (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.**

[196-23](#)

Petition: Second-Hand Dealer: Great Eastern Vintage, 258 Highland Avenue (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.**

## Tabled Papers

[157-23](#)

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

*Discussion on this paper began with Steven Fitzpatrick from Malden Police Department who has been tasked with investigating organized theft from some of the big box stores in the surrounding area. There are specifically five individuals, identified by investigators hired by two big box stores in this area, who have been pawning brand new tools at Cash King. Sgt. Fitzpatrick gave an extensive report on observed activities involving a stolen custom bicycle worth thousands of dollars, a minimum of fifteen Milwaukee power tools in original packaging, a purchase of crack cocaine, pawning of several different types of Roku and Apple devices, DeWalt tools, and a number of street level narcotics transactions taking place immediately after pawning items at Cash King.*

*At this point in the meeting, Councillor Simonelli began questioning Cash King owner, Hector Zavala on the history and practices of his business. Mr. Zavala asked to rebut these charges. He stated many of his customers admit to purchasing items with credit cards then pawn them to receive cash back. This practice typically renders .22 cents on the dollar.*

*David Ritchie, Crime Analyst for MPD offered some statistics based on the daily pawn sheets received from this business. 80% transactions are of tools in original packaging.*

60% are from the same customers, many coming in daily. Loss prevention officers employed by certain big box stores have tracked customers directly to Cash King. Mr. Ritchie asked Mr. Zavala what he does with all this product. Mr. Zavala claims to hold product for the required 30 days before reselling them to the public but surveillance has not shown people exiting the store with any of these tools. Cash King does partake in e-commerce and this appears to be how the company does much of their resale, as is evidenced by Mr. Zavala's name and home address being used in online transactions. A review of some of the pawn records show up to \$5,000 monthly sales in just one particular retailer's merchandise and an overall profit of approximately \$34,000 in online sales during the last year.

Mr. Ritchie asked Mr. Zavala what his thought process is when he sees the same people pawning similar merchandise on a regular basis, sometimes even more than once per day. Mr. Zavala stated the purpose of his business is to help people and if this is the kind of help they need, then he serves them. Councillor Simonelli lectured Mr. Zavala that he is in jeopardy of losing his business and these serious allegations could possibly lead to further legal actions being taken against him by the MPD.

It is the sense of the License Committee that these types of licenses are privileges to hold in the city and if there is any question about the validity of the company that holds the license, the Committee has the right to deny the business owner the privilege of renewal. Further, if a business is in violation of any State or Federal laws, the Building Inspector has the right to revoke the occupancy permit. The License Committee voted to recommend this petition out unfavorably to the Full City Council unanimously, with the exception of Councillor O'Malley who voted 'present' because he was not in attendance for the entire meeting and was not prepared to vote.

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

**A motion was made by Councillor Simonelli, seconded by Councillor Condon, that the Petition be recommended unfavorably to the City Council. The motion carried by the following vote:**

**Yea:** 4 - Sica, Councillor Simonelli, Councillor Condon and Councillor at Large Colon Hayes

**Abstain:** 1 - Councillor O'Malley

### 159-23

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

*Both Building Inspector Miller and Clerk Desiderio have been in contact with Brandon MacPhie from Gibbs Oil Co. LP and have confirmed the landscaping holding up the approval of this petition has been installed in the area behind the gas station. With Nelson Miller's confirmation Gibbs is in compliance of their special permit, the committee was in support of recommending out favorably to the Full City Council.*

**A motion was made by Councillor at Large Colon Hayes, seconded by Councillor Condon, that the Petition be taken from the table to the License Committee. The motion carried by the following vote:**

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

## Adjournment

A motion was made by Councillor at Large Colon Hayes, seconded by Councillor Simonelli, that the meeting be adjourned. The motion carried by a unanimous vote. Meeting was adjourned at 6:03 PM.