



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

Tuesday, January 17, 2023

6:15 PM

215 Pleasant Street
Room 113
Malden, MA 02148

Roll Call

Also in attendance were Compliance Officers Dave Morse and Jim Tuxbury, Treasurer Dan Grover, Assistant City Solicitor Alicia McNeil, Christiane Fischer.

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

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

Minutes to be Approved

[12-23](#)

Minutes for the meeting of December 20, 2022

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

Yea: 3 - Sica, Councillor Condon and Councillor at Large Colon Hayes

Business

[3-23](#)

Petition: Class II License for Malden Auto Brokers of 225 Eastern Avenue, renewal, 20 cars

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 the following vote:

Yea: 3 - Sica, Councillor Condon and Councillor at Large Colon Hayes

[4-23](#)

Petition: Class II License for Frank's Auto Sales of 189 Highland Avenue, renewal, 4 cars

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 the following vote:

Yea: 3 - Sica, Councillor Condon and Councillor at Large Colon Hayes

5-23

Petition: Class II License for Uni Auto Center, Inc. of 369 Salem Street, renewal, 20 cars

The discussion on Paper 5-23 for Uni Auto Center, Inc. opened with Councillor Sica asking the Compliance Officers about any money owed by the company, which is the reason the owner was asked to attend this meeting. Dave Morse stated Uni Auto Center, Inc. has no outstanding compliance liabilities, but they do have \$1,170 in parking tickets that are owed by Uni Auto Rental, Inc. Dan Grover, representing the Treasurer's Office, stated these two businesses are owned by the same person, under the same address; it is the position of the city treasurer that no license should be granted to the auto center so long as the rental company owes money to the city.

Representing Uni Auto Center, Inc. was owner Christiane Fischer who explained corporations are different entities by state law, therefore the Auto Center and the Rental company are independent of each other. She explained further that the corporation has the right to transfer tickets obtained through rentals from the company's name to the renter of the car. In this case, if the renter does not pay the ticket, Kelly and Ryan will put a note on the person's account through the RMV. She invited the treasurer to learn the process because Malden did not do their part in completing the transfer of these tickets and if the renter does not pay the ticket, it is the City's responsibility to send a late notice. She also stated she is in ongoing conversations about this with City Solicitor John McNaught.

Dan countered that he knows very well the process of transferring tickets and the City follows that process when the business properly submits their information. The Treasurer's Office had been presented no evidence that Fischer initiated a transfer of tickets until this moment when Fischer handed him a pile of documentation, claiming it was proof of her transfer attempts. Councillor Sica asked, how long does it take to make a transfer on a ticket because the oldest one on this list was six years old.

Councillor Condon asked for clarification on just who the parking tickets were written to and said if the rental company is keeping cars on the street, they need to take responsibility for the business liabilities. It was clarified that none of these tickets belong directly to Uni Rental, but rather to the people that rented the cars. Dan explained to Paul that the process of transferring a ticket needs to be done in a timely manner, and if they are even one day late in submitting, the business loses the privilege of transferring the ticket, and therefore they get stuck with the liability. Councillor Condon further inquired about having both businesses run out of the same location because Class II requires primary business status. Dave Morse stated there are more cars on the lot for rent than there are for sale. Christiane pointed out that any car on the lot may be bought and the rental fleet was purchased through the Class II license held by Uni Auto.

Councillor Colon-Hayes asked if this is a common occurrence and practice to hold up a license on outstanding liabilities. Dave Morse pointed out that we have held applications on other companies because of unpaid tickets but the licenses were always approved in the end because the company paid the bills. Karen asked if tabling this motion was going to prevent her from doing further business, because she did not want to hurt a small business by holding up their license. They are still doing business, even while the petition is being tabled.

Councillor Condon suggested tabling this application to give the treasurer time he needs to review the evidence as it was presented by this business owner.

A motion was made by Councillor Condon, seconded by Councillor Colon-Hayes

that this paper be tabled to give Treasurer Grover time to review evidence documents presented by Petitioner. This Petition was tabled to the License Committee

Yea: 3 - Sica, Councillor Condon and Councillor at Large Colon Hayes

[6-23](#)

Petition: Livery License for Linda Dellolacono dba RubyLynn Transportation, LLC of 259 Mountain Avenue, renewal, 1 livery license

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 the following vote:

Yea: 3 - Sica, Councillor Condon and Councillor at Large Colon Hayes

Tabled Papers

[279-22](#)

Petition: Self-Service Gas Station, Gibbs Oil Company Limited Partnership of 728 Main Street. 30,000 gallons Renewal

Sponsors: Jadeane Sica

A motion was made by Councillor Condon, seconded by Councillor at Large Colon Hayes, that the Petition be taken off the table. It was so voted 3-0.

Councillor Sica stated this petition has been on the table since last June with no further action on behalf of the City and the business is still operational. She is of the opinion that the license should be granted.

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 the following vote:

Yea: 3 - Sica, Councillor Condon and Councillor at Large Colon Hayes

[407-22](#)

Petition: Class II license for Auto Bazaar, Corp. of 17 Charles Street, renewal. 21 cars

A motion was made by Councillor Condon, seconded by Councillor at Large Colon Hayes, that the Petition be taken off the table. It was so voted 3-0.

Councillor Sica stated this petition had been tabled secondary to outstanding fees owed to the City but the business is now in good standing. She is of the opinion this license should be granted.

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 the following vote:

Yea: 3 - Sica, Councillor Condon and Councillor at Large Colon Hayes

[409-22](#)

Petition: Class II license for One Dealer Solutions and Wholesalers, Inc., of 93 Maplewood Street, new. 15 cars

A motion was made by Councillor Condon, seconded by Councillor at Large Colon Hayes, that the Petition be taken off the table. It was so voted 3-0.

Councillor Sica stated this petition had been tabled to give the business a chance to

make right the qualifications needed for business to receive a Class II License for this location. That was three months ago and the petitioner has not since returned. She is of the opinion this license should be denied.

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

Yea: 3 - Sica, Councillor Condon and Councillor at Large Colon Hayes

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 the following vote:

Meeting was adjourned at 6:47 PM.

Yea: 3 - Sica, Councillor Condon and Councillor at Large Colon Hayes