



City of Malden

Malden City Hall
110 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Tuesday, May 15, 2018

7:00 PM

John & Christina Markey Community Center,
7 Washington St.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE IN HONOR OF SERVICEMEN & WOMEN

3. ROLL CALL

Present - Councillors: 10 - David Camell, Paul Condon, Peg Crowe, John P. Matheson, Barbara Murphy, Ryan O'Malley, Jadeane Sica, Craig Spadafora, Stephen Winslow and Deborah DeMaria

Absent - Councillors: 1 - Neal Anderson

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

The Mayor appeared before the City Council to submit the proposed FY2019 City Budget.

[281-18](#) Annual Appropriation order for FY2019.

Naomi Brave appeared before the Council to give a presentation on ARTLine.

[284-18](#) Naomi Braves's presentation of the ARTLine project.

5. APPROVAL OF MINUTES

[259-18](#) Minutes of the meeting of May 1, 2018.

A motion was made by Councillor Camell that the Council Minutes be approved. The motion carried by a unanimous vote.

[260-18](#) Minutes of the meeting of May 8, 2018.

A motion was made by Councillor Camell that the Council Minutes be approved. The motion carried by a unanimous vote.

6. APPOINTMENTS & ELECTIONS

[261-18](#) Mayor's Re-appointment: Stacy VanDeveer, 6 Lebanon St., Malden, as a member of the Commission on Energy Efficiency, term to expire May 4, 2020. (Confirmation Not Required)

A motion was made by Councillor Crowe that the Appointment be placed on file. The motion carried by a unanimous vote.

[262-18](#) Mayor's Re-appointment: Andrew Zeiberg, 86 Lawrence St., Malden, as a member of the License Board, term to expire June 1, 2024. (Confirmation Required)

A motion was made by Councillor Crowe that the Appointment be referred to the Personnel/Appointments Committee. The motion carried by a unanimous vote.

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[263-18](#) Class II: Family Auto Mall, 1176 Eastern Ave. (New)

A motion was made by Councillor Sica that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[264-18](#) Class II: West End Auto, 1 Malden St., 3 cars (Renewal)

A motion was made by Councillor Sica that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[265-18](#) Livery: Brahim Boudlal, 1 Maple St. #10, Malden (New)

A motion was made by Councillor Sica that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[266-18](#) Outdoor Parking: Robert McNulty, 28 Cedar St. 14 Spaces (Renewal)

A motion was made by Councillor Sica that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[267-18](#) Pool Table: Club 24, Inc. 787 Salem St., 2 tables, (Renewal)

A motion was made by Councillor Sica that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

8. MOTIONS, ORDERS AND RESOLUTIONS

[272-18](#) Order: That marijuana retail establishment licenses be limited in number to no greater than 20% of package store liquor licenses allowed by state law in the City of Malden.

Sponsors: John P. Matheson

A motion was made by Councillor Matheson that the Order be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

[273-18](#) Order: That prior to local licensure, initial community agreements for each marijuana retail establishment be subject to an open and public bidding process, with bids to be selected by the Malden City Council, subject to Mayor approval.

Sponsors: John P. Matheson

A motion was made by Councillor Matheson that the Order be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

[274-18](#) Order: That the Malden Licensing Board be the license approval authority for marijuana retail establishments, in consultation with the Malden Board of Health.

Sponsors: John P. Matheson

A motion was made by Councillor Matheson that the Order be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

[275-18](#) Order: That marijuana retail establishments be prohibited:

- 1) within a residence A zone; or
- 2) within 500 feet of a residence A zone, or a primary or secondary school or daycare; or
- 3) within 100 feet of a public park or bike path.

Sponsors: John P. Matheson

A motion was made by Councillor Matheson that the Order be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

[268-18](#) Order: That the sum of One Hundred Thirty Thousand Dollars (\$130,000) be and the same is hereby transferred from Revenue Reserve (0010-997-5725) to Treasurer Tax Title (0010-146-5765).

Sponsors: Paul Condon

A motion was made by Councillor Condon that the Order be referred to the Finance Committee. The motion carried by a unanimous vote.

[269-18](#) Order: That the sum of Thirty Thousand Dollars (\$30,000) be and the same is hereby transferred from Salary Reserve (0010-996-5110) to Library Salaries (0010-610-5110).

Sponsors: Paul Condon

A motion was made by Councillor Condon that the Order be referred to the Finance Committee. The motion carried by a unanimous vote.

[270-18](#) Be it hereby Ordained that Section 8.42.1 of Chapter 8 of the R.O. of 1991 be amended relative to Library Salary Schedule.

Sponsors: Ryan O'Malley

A motion was made by Councillor O'Malley that the Ordinance be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

[271-18](#) Be it hereby Ordained that Section 8.42.2 of Chapter 8 of the R.O. of 1991 be amended relative to Public Works, Traffic, Water, Sewer, and Cemetery Salary Schedule.

Sponsors: Ryan O'Malley

A motion was made by Councillor O'Malley that the Ordinance be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

9. COMMUNICATIONS

10. CLAIMS

11. COMMITTEE REPORTS

[276-18](#) Committee Report: Personnel/Appointments (Paper #96-18 Council confirmation Mayoral re-appointment of Emery L Haskell, 129 Wallace Street, Malden, MA as Fire Commissioner, said term to expire February 2, 2021.)

A motion was made by Councillor Crowe that the Committee Report be received and filed. The motion carried by a unanimous vote.

[96-18](#) Mayor's Re-appointment: Emery L. Haskell, 129 Wallace St., Malden as the Fire Commissioner, said term to expire March 1, 2021.

A motion was made by Councillor Crowe that the Appointment be confirmed. The motion carried by a unanimous vote.

[277-18](#) Committee Report: Rules & Ordinance (Paper #247-18 Order: That the City Council establish an Ad-Hoc committee for the purpose of drafting a recommendation to the Public Works Commission for an updated Community Forestry Program pursuant to Section 11.55 of the Revised Ordinances of 1991.)

A motion was made by Councillor O'Malley that the Committee Report be received and filed. The motion carried by a unanimous vote.

[247-18](#) Order: That the City Council establish an Ad-Hoc Committee for the purpose of drafting a recommendation to the Public Works Commission for an updated Community Forestry Program pursuant to Section 11.55 of the Revised Ordinances.

Sponsors: Ryan O'Malley

A motion was made by Councillor O'Malley that the Ad Hoc Committee on Community Forestry Prgram Advisory be created. The motion carried by a unanimous vote.

Yea: 10 - Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria

[278-18](#) Committee Report: Rules & Ordinance (Paper #123-18 Be it hereby Ordained that Sections 300.3.6.2, 300.9, and 500.2.13 of Chapter 12 of the R.O. of 1991 be amended relative to Use Regulations of Offsite Parking Facilities, Special Permit Regulations for Offsite Parking Facilities, and General Offstreet Parking Requirements, Landscaping Requirements for Parking Areas.)

A motion was made by Councillor O'Malley that the Committee Report be received and filed. The motion carried by a unanimous vote.

[123-18](#) Be it hereby Ordained that Sections 300.3.6.2, 300.9, and 500.2.13 of

Chapter 12 of the R.O. of 1991 be amended relative to Use Regulations of Offsite Parking Facilities, Special Permit Regulations for Offsite Parking Facilities, and General Offstreet Parking Requirements, Landscaping Requirements for Parking Areas.

Sponsors: Ryan O'Malley

A motion was made by Councillor O'Malley that the Ordinance be enrolled. The motion carried by the following vote:

Yea: 9 - Camell, Condon, Crowe, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria

Excused: 1 - Matheson

[279-18](#)

Committee Report: Rules & Ordinance (Paper #124-18 Be it hereby Ordained that Section 300.3 of Chapter 12 of the R.O. of 1991 be amended relative to Use Regulations for Various Business, Industrial, and Other Uses.)

A motion was made by Councillor O'Malley that the Committee Report be received and filed. The motion carried by a unanimous vote.

[124-18](#)

Be it hereby Ordained that Section 300.3 of Chapter 12 of the R.O. of 1991 be amended relative to Use Regulations for various Business, Industrial and Other uses.

Sponsors: Ryan O'Malley

A motion was made by Councillor Murphy, seconded by Councillor O'Malley, that the Ordinance be tabled. The motion carried by the following vote:

Yea: 9 - Camell, Condon, Crowe, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria

Excused: 1 - Matheson

[280-18](#)

Committee Report: License (Various License Renewals for Amusement Machine, Lodging House, Outdoor Parking, Pool Table, Second Hand Dealer)

Amusement Machine

-Flaming Grill & Buffet, 52 Broadway

Lodging House

-Mitoan, LLC, 52 Maple St.

-Cedar House LLC, 116-118 Cedar St.

Outdoor Parking

-Caycort Realty, LLC, 17 Green St.

Pool Table

-Malden Veterans of Irish Ancestry, 177 West St.

Second Hand Dealer

-AM Design Jewelry, 664 Salem St.

A motion was made by Councillor Sica that the Committee Report be received and filed. The motion carried by a unanimous vote.

- [240-18](#) Amusement Machine: Flaming Grill & Buffet, 52 Broadway, Malden, 2 machines (New)
A motion was made by Councillor Sica that the Petition be granted. The motion carried by a unanimous vote.
- [211-18](#) Lodging House: Mitoan, LLC, 52 Maple St. (Renewal)
A motion was made by Councillor Sica that the Petition be granted. The motion carried by a unanimous vote.
- [212-18](#) Lodging House: Cedar House LLC, 116-118 Cedar St. (Renewal)
A motion was made by Councillor Sica that the Petition be granted. The motion carried by a unanimous vote.
- [243-18](#) Outdoor Parking: Caycort Realty LLC, 17 Green St., Malden, 25 spaces (New)
A motion was made by Councillor Sica that the Petition be granted. The motion carried by a unanimous vote.
- [241-18](#) Pool Table: Malden Veterans of Irish Ancestry, 177 West St. 2 tables (Renewal)
A motion was made by Councillor Sica that the Petition be granted. The motion carried by a unanimous vote.
- [242-18](#) Second Hand Dealer: AM Design Jewelry, 664 Salem St., Malden (Renewal)
A motion was made by Councillor Sica that the Petition be granted. The motion carried by a unanimous vote.

12. TABLED PAPERS

- [137-16](#) Petition: National Grid to replace existing 25 psig to LP 4" Regulator Station in the sidewalk area of 158 Washington St., Malden, MA
- [379-17](#) Petition of National Grid and Verizon New England Inc. to install a jointly owned pole on Cross St approximately 200 feet from the intersection of Main St.

(HEARING REQUIRED)
- [380-17](#) Petition of Verizon Wireless to install Small Cell antenna on an existing utility pole on Glenwood St.
(HEARING REQUIRED)
- [411-17](#) National Grid and Verizon New England, Inc request permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: Bryant St. for service to

new customer's Pad Mount transformer
(HEARING REQUIRED).

[224-18](#)

The Fellsmere Housing Group and Friends of Fellsmere Heights to present their proposal of a zoning overlay allowing clustered mixed of residential housing at the former Malden Hospital Site to the Rules & Ordinance Committee.

Sponsors: Craig Spadafora

13. PERSONAL PRIVILEGE

14. ADJOURNMENT

A motion was made by Councillor Jadeane Sica that this meeting be adjourned.
The motion carried unanimously.

THOMAS E. BRENNAN, CITY CLERK