



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Tuesday, April 2, 2019

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 - John P. Matheson, Neal Anderson, David Camell, Paul Condon, Peg Crowe, Deborah DeMaria, Barbara Murphy, Jadeane Sica, Craig Spadafora and Stephen Winslow

Absent - Councillors: 1 - Ryan O'Malley

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Chris Webb, Director of the Board of Health will appear before the council to update the Council on regulations on vaping products in Malden convenient stores.

5. PUBLIC COMMENT

6. APPROVAL OF MINUTES

[101-19](#) Minutes of the Council Meeting of March 5, 2019.

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

[147-19](#) Minutes of the Meeting of March 19, 2019.

A motion was made by Councillor Murphy, seconded by Councillor Camell, that the Council Minutes be amended. by striking paper 51-16 and the actions taken therein The motion carried by a unanimous vote.

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

[148-19](#) Minutes of the Meeting of March 26, 2019.

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

7. APPOINTMENTS & ELECTIONS

Mayoral Re-Appointment: Deano Summers, 36 Gilbert Street, Malden, MA as an associate member of the Board of Appeal, said term to expire March 1, 2022.
(Confirmation required).

A motion was made by Councillor Crowe that the Appointment be referred to the personal & appointments Committee. The motion carried by a unanimous vote.

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[130-19](#) Outdoor Parking: Caycort Realty LLC, 17 Green St., Malden, 25 spaces (Renewal)

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

[131-19](#) Outdoor Parking: SL Realty Holdings LLC, 11 Charles St., Malden, 15 spaces (New)

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

[132-19](#) Outdoor Parking: T.J. Automotive, 315 Pleasant St., Malden, 28 cars (Renewal)

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

[133-19](#) Fortune Teller: Angie Marks, 495 Broadway, Malden (Renewal)

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

[134-19](#) Pool Tables: Loyal Order of the Moose, 562 Broadway, Malden, 2 tables (Renewal)

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

[135-19](#) Pool Tables: Club 24, Inc., 787 Salem St., Malden, 2 tables (Renewal)

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

[136-19](#) Lodging House: Robert H. Laquidara, 155 Clifton St., Malden (New)

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

[137-19](#) Second-Hand Dealer: AM Design Jewelry, 664 Salem St., Malden (Renewal)

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

[138-19](#)

Second-Hand Dealer & Pawnbroker: Art Carl Jewelers, 56 Pleasant St., Malden (Renewal)

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

[139-19](#)

Second-Hand Dealer: Gold & Diamonds Etc. Inc., 25-29 Pleasant St., Malden (Renewal)

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

9. MOTIONS, ORDERS AND RESOLUTIONS

[140-19](#)

Order: Be it hereby ordained that Section 1.2 of the revised ordinances of 1991 be hereby amended by striking, in their entirety, the second, third, and fourth paragraphs as follows:

“Any provision or part of this code which conflicts with state or federal law shall be invalid; provided that, for purposes of this section, federal law shall take priority over state law.

A written determination by the City Solicitor, the Massachusetts Attorney General, the United States Attorney General or any federal law enforcement official shall be sufficient to render a specific section or sections invalid.

No officer or employee of the city shall take action to enforce any section or part of this code which has been determined, in accordance with the preceding paragraph, to be invalid and, any action so taken, shall relieve the city of any obligation to indemnify said officer or employee for any damages arising therefrom.”

Sponsors: Ryan O'Malley and Jadeane Sica

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

[141-19](#)

Be it hereby ordained that Section 2.31 of the Revised Ordinances of 1991 be amended by adding the following “the provisions of this ordinance shall not apply to city employees ability to serve on boards or commissions.

Sponsors: John P. Matheson

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

10. COMMUNICATIONS

11. CLAIMS

[142-19](#) Claim: Jeffery Querusio, 8 Munroe Street, Somerville, MA

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

[143-19](#) Claim: Kathryn Valovcin, 60 Ashland Street, Malden, MA

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

12. COMMITTEE REPORTS

13. 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](#) Order: 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.

[385-18](#) Order: That the City Council create a five member ad hoc committee to investigate the Condition and Safety of the Natural Gas Infrastructure in Malden. The committee shall be composed of three City Councillors, the DPW Director and the City Engineer, or their designees.

Sponsors: Ryan O'Malley and David Camell

14. PERSONAL PRIVILEGE

15. ADJOURNMENT

A motion was made by Councillor Matheson that the meeting be adjourned. The motion carried by a unanimous vote.

THOMAS E. BRENNAN, CITY CLERK