



City of Malden

Malden City Hall
110 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Tuesday, November 12, 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 - Neal Anderson, David Camell, Paul Condon, Peg Crowe, Ryan O'Malley, Craig Spadafora, Stephen Winslow, Deborah DeMaria, Jadeane Sica and John P. Matheson

Absent - Councillors: 1 - Barbara Murphy

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

James O'Brien and Steve Farma will appear before the Council to discuss the Residential Tax Abatement.

Assessor James O'Brien and Steve Farma gave an overview of the Residential Tax Abatement Program. Mr. O'Brien handed out an informational sheet with tax, participation and valuations for the 12 years the program has been in existence. Mr. O'Brien indicated there were approximately 205 properties that needed to take a closer look at to see if the properties do qualify. He has currently been able to exam 95 of these properties.

Ken Mazonson - Founder and Commissioner of the Malden Neighborhood Basketball League will appear before the Council to receive citation from the Council.

Mr. Mazonson came before the Council at the request of Councillor DeMaria. The Council wanted to congratulate and show their support for Mr. Mazonson's 35 years with the Neighborhood Basketball Association. Mr. Mazonson gave a history of the program and shared personal stories.

5. PUBLIC COMMENT

6. APPROVAL OF MINUTES

[378-19](#)

Minutes of the Meeting City Council of October 22, 2019.

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

[379-19](#)

Minutes of the Meeting City Council of October 29, 2019.

A motion was made by Councillor Crowe, seconded by Councillor Condon, that

the Council Minutes be approved. The motion carried by a unanimous vote.

7. APPOINTMENTS & ELECTIONS

[380-19](#)

Mayoral Appointment: David Senatillaka, 32 Perkins Avenue, Malden, MA as an associate member of the Board of Appeal, said term to expire on March 1, 2022.

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

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[381-19](#)

Petition: Applicant: Cellco Partnership d/b/a/ Verizon Wireless; Vendor: Nexius Solutions, Inc.- Five (5) Small Cell Petitions

A motion was made by Councillor O'Malley that the Petition be referred to the Public Property Committee. The motion carried by a unanimous vote.

[382-19](#)

Petition: Second-Hand Dealer or Pawnbroker - Briley's Jewelry, 366 Ferry Street, Malden, MA 02148

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

9. MOTIONS, ORDERS AND RESOLUTIONS

[383-19](#)

Resolve: To file and accept grants with and from the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs for the Parkland Acquisitions and Renovations for Communities Program for Improvements to Trafton Park.

A motion was made by Councillor Camell, seconded by Councillor Winslow, that the Resolution be tabled. The motion carried by a unanimous vote.

[384-19](#)

Ordinance: Chapter 3, Building Regulations: Be it hereby ordained that Section 3.37 of the Revised Ordinances of 1991 as amended be further amended to require notice by posting with the City Clerk and by mail to all property owners of land located within 500 feet of the property lines of the subject property for demolition permits and further amend Chapter 6, Licensing Ordinance: Be it hereby ordained that Section 6.49 of the Revised Ordinances of 1991 as amended be further amended to require notice by posting with the City Clerk and by mail to all property owners of land located within 500 feet of the property lines of the installation for all small cell petitions.

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

[385-19](#)

Ordinance: Chapter 12 Zoning Ordinance: Be it hereby ordained that Section 800.2.11 of Chapter 12 of the Revised Ordinances of 1991, as amended, be further amended to change the notice requirement as follows: to require notice by mail to all property owners of land located within 500 feet of the property lines of the subject property; and for the notice provisions to apply to Community Outreach Meetings for Marijuana Establishments.

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

[386-19](#)

Ordinance: Be it hereby ordained that the Revised Ordinances of 1991 as amended be further amended to amend Chapter 12 to add the following language as a new Section 300.1.3 (existing Section 300.1.3 to be renumbered to Section 300.1.4):

A motion was made by Councillor Spadafora that the Ordinance be referred to the Ordinance Committee and a joint meeting with the Rules & Ordinance Committee and Planning Board. The motion carried by a unanimous vote.

10. COMMUNICATIONS

11. CLAIMS

12. COMMITTEE REPORTS

[387-19](#)

Committee Report Rules & Ordinance Paper # 320-19 - Ordinance: Be it hereby ordained that the City Council establish an Affordable Housing Trust Fund.

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

[320-19](#)

Ordinance: Be it hereby ordained that the City Council establish an Affordable Housing Trust Fund.

A motion was made by Councillor Spadafora, seconded by Councillor Winslow, that the Ordinance be enrolled. The motion carried by the following vote:

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

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

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

[388-19](#)

Committee Report: Rules & Ordinance Paper # 321-19 - Ordinance: Be it hereby ordained that the City Council amend the Expendable Trust Fund Ordinance.

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

[321-19](#)

Ordinance: Be it hereby ordained that the City Council amend the Expendable Trust Fund Ordinance.

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

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

A motion was made by Councillor Spadafora, seconded by Councillor O'Malley, that the Ordinance be ordained. The motion carried by a unanimous vote:

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

[389-19](#)

Committee Report: Rules & Ordinance Paper # 64-19 Ordinance: Be it hereby Ordained that Section 35, Subsection 1 of Chapter 11 of the Rules & Ordinance of 1991 be further amended as follows:

4. Strike "Remove snow, slush and ice from said sidewalk within 24 (twenty-four) hours after snowfall has ended or the Public Works Director has declared that snow removal operations are complete." and insert:

"For Non-Commercial Properties" (excluding multifamily properties of 5 or more units) - Remove snow, slush and ice from said sidewalk within 24 (twenty-four) hours after snowfall has ended or the Public Works Director has declared that snow removal operations are complete.

"For Commercial Properties and Multifamily Properties" of 5 of more units - Remove snow, slush and ice from said sidewalk within 12 (twelve) hours after snowfall has ended or the Public Works Director has declared that snow removal operations are complete.

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

[64-19](#)

Be it hereby Ordained that Section 35, Subsection 1 of Chapter 11 of the Rules & Ordinance of 1991 be further amended as follows:

Strike "Remove snow, slush and ice from said sidewalk within 24 (twenty-four) hours after snowfall has ended or the Public Works Director

has declared that snow removal operations are complete." and insert:

"For Non-Commercial Properties" (excluding multifamily properties of 5 or more units) - Remove snow, slush and ice from said sidewalk within 24 (twenty-four) hours after snowfall has ended or the Public Works Director has declared that snow removal operations are complete.

"For Commercial Properties and Multifamily Properties" of 5 or more units - Remove snow, slush and ice from said sidewalk within 12 (twelve) hours after snowfall has ended or the Public Works Director has declared that snow removal operations are complete.

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

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

A motion was made by Councillor Spadafora, seconded by Councillor Winslow, that the Ordinance be ordained. The motion carried by the following vote:

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

[390-19](#)

Committee Report: License - Petition Paper # 356-19 Livery - Yoseph Tesfaye; Paper # 363-19 Amusement Machines - Dockside Restaurant.

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

[356-19](#)

Livery: Yoseph Tesfaye, 29 Main Street Park, Malden, 1 car (New)

A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.

[363-19](#)

Amusement Machines: Dockside Restaurant, 229 Centre St., Malden, 20 machines (change: no. of machines)

A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.

13. TABLED PAPERS

14. PERSONAL PRIVILEGE

15. ADJOURNMENT

A motion was made by Councillor Peg Crowe that this meeting be adjourned.. The motion carried unanimously.

GREGORY LUCEY, CITY CLERK