



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Agenda - Final City Council

*Council President Craig Spadafora*  
*Councillor at Large Karen Colon-Hayes*  
*Councillor Paul Condon*  
*Councillor Peg Crowe*  
*Councillor Amanda Linehan*  
*Councillor at Large Carey McDonald*  
*Councillor Barbara Murphy*  
*Councillor Ryan O'Malley*  
*Councillor Jadeane Sica*  
*Councillor Chris Simonelli*  
*Councillor Stephen Winslow*

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Tuesday, March 29, 2022

7:00 PM

City Council Chambers  
215 Pleasant Street  
Malden, MA 02148

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### **1. CALL TO ORDER**

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

### **3. ROLL CALL**

### **4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS**

### **5. PUBLIC COMMENT**

### **6. APPROVAL OF MINUTES**

[125-22](#) Minutes of the Meeting of March 22, 2022.

[126-22](#) Minutes of the Meeting of March 15, 2022.

### **7. APPOINTMENTS & ELECTIONS**

[127-22](#) Mayoral Appointment: Nate Bae Kupel, 15 Village Court, Malden, MA to the Racial Equity Commission, said term to expire upon the Commission's presentation to the City Council of a final report which shall be delivered 18 months following the start of the work.

**Sponsors:** Chris Simonelli

**8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES****PUBLIC HEARING CELLCO PARTNERSHIP D/B/A VERIZON**[148-22](#)

Petition: Cellco Partnership d/b/a Verizon - To collocate small wireless facilities (also referred to as "small cells" on existing wooden utility pole #2452 located within the public right of way at the following location:

1. 37-39 Willard Street

[128-22](#)

Petition: Extended Hours License: Speedway # 2504, 214 Broadway, Malden, MA - 24/7 - renewal.

**Sponsors:**

Jadeane Sica

[129-22](#)

Petition: Livery License: Stephanie Licona, 205 Bryant Street, Malden, MA - 1 livery license - renewal.

**Sponsors:**

Jadeane Sica

[130-22](#)

Petition: Second-Hand Dealer or Pawnbroker: AM Design Jewelry, 664 Salem Street, Malden, MA - Second-Hand Dealer - renewal.

**Sponsors:**

Jadeane Sica

[131-22](#)

Petition: Second-Hand Dealer or Pawnbroker: GameStop # 6263, 44 Broadway, Suite A-110, Malden, MA - Second-Hand Dealer License - renewal.

**Sponsors:**

Jadeane Sica

[132-22](#)

Petition: Second-Hand Dealer or Pawnbroker: Art Carl Jewelers & AC Loan, 56 Pleasant Street, Malden, MA - Pawnbroker License & Second Hand Dealer (2) licenses - renewal.

**Sponsors:**

Jadeane Sica

[133-22](#)

Petition: Amusement Machines: Laa Tiendaa, 45 Lebanon Street, Malden, MA - 3 machines, new.

**Sponsors:**

Jadeane Sica

[134-22](#)

Petition: PoolRoom-Billiard License: L & K Billiard Pool Hall, 94B Pleasant Street, Malden, MA - 7 tables renewal.

**Sponsors:**

Jadeane Sica

[135-22](#)

Petition: PoolRoom-Billard License: Loyal Order of the Moose, Lodge 1910, 562 Broadway, Malden, MA - 2 tables - renewal.

**Sponsors:**

Jadeane Sica

[136-22](#)

Petition: PoolRoom-Billard License: Club 24 Inc., 787 Salem Street, Malden, MA

- 2 tables - renewal.
- Sponsors:** Jadeane Sica
- [137-22](#) Petition: Open Air Parking Lot: Malden Middlesex Motor Sales, d.b.a.  
Spadafora Auto, 35 Canal Street, Malden, MA 10 spaces - renewal.
- Sponsors:** Jadeane Sica

## **9. MOTIONS, ORDERS AND RESOLUTIONS**

- [138-22](#) Resolve: That the City of Malden City Council establish "The Malden Youth Council" Ad Hoc Committee with three (3) City Councillors as voting members assigned by the Council President; to provide an opportunity for the youth of Malden and foster civic engagement and an opportunity to be involved and participate in local government to acquire a greater knowledge of and appreciation for local government through active participation in the system.
- Sponsors:** Karen Colon Hayes, Amanda Linehan, Carey McDonald and Stephen Winslow
- [139-22](#) Order: That Two Hundred Fifty Thousand Dollars (\$250,000) is appropriated from available general fund free cash to fund Human Resources Professional Services.
- Sponsors:** Barbara Murphy
- [140-22](#) Order: That One Million Dollars (\$1,000,000) is appropriated to pay costs of the Devir Park Revitalization Project, including the payment of all costs incidental and related thereto, and to meet this appropriation, the Treasurer, with approval of the Mayor is authorized to borrow said amount under M.G.L. c. 44, §7(1) or any other enabling authority, and to issue bonds or notes of the City therefor.
- Sponsors:** Barbara Murphy
- [141-22](#) Order: That Four Hundred Forty-Five Thousand Dollars (\$445,000) is appropriated from available water sewer retained earnings to pay costs of designing, and replacing lead water service lines throughout the City, including the payment of all costs incidental and related thereto.
- Sponsors:** Barbara Murphy
- [142-22](#) Order: That Three Million Dollars (\$3,000,000) is appropriated to pay costs of designing, and replacing lead water service lines throughout the City, including the payment of all costs incidental and related thereto, and to meet this appropriation, the Treasurer, with approval of the Mayor is authorized to borrow said amount under M.G.L. c. 44, §8(5) or any other enabling authority, and to issue bonds or notes of the City therefor. All or any portion of this amount may be borrowed through the Massachusetts Water Resources Authority's Lead Service Line Replacement Program, and the Mayor and any other appropriate officials of the City are authorized to execute and deliver any agreements or other documents in connection therewith.

**Sponsors:** Barbara Murphy

**143-22**

Order: That Five Million Six Hundred Eighty-Three Thousand Two Hundred Dollars (\$5,683,200) is appropriated to pay costs of designing, reconstructing and constructing water mains, including the payment of all costs incidental and related thereto, and to meet this appropriation, the Treasurer, with approval of the Mayor is authorized to borrow said amount under M.G.L. c. 44, §8(5) or any other enabling authority, and to issue bonds or notes of the City therefor. All or any portion of this amount may be borrowed through the Massachusetts Water Resources Authority's Local Water System Assistance Program, and the Mayor and any other appropriate officials of the City are authorized to execute and deliver any agreements or other documents in connection therewith.

**Sponsors:** Barbara Murphy

**144-22**

Order: That pursuant to Massachusetts General Laws Chapter 164, section 134, the City of Malden initiate a process to authorize appropriate department(s) to research, develop and participate in a contract, or contracts, to aggregate the electricity load in the City of Malden and for other related services, in consultation with the Department of Energy Resources, and to develop a plan for review by its citizens, detailing the process and consequences of aggregation.

Electrical Aggregation Program

**Sponsors:** Carey McDonald

**Attachments:** [Municipal electrical aggregation](#)

## **10. COMMUNICATIONS**

## **11. ENROLLED ORDINANCES**

**79-22**

Order: Be it hereby Ordained by the Malden City Council that Sections 4.24.050, 4.24.070, 4.24.080, 4.24.110, 4.24.120 and 4.24.180 of the Delay Before Demolition or Alteration Ordinance of Title 4.24, Code of the City of Malden, Chapter 4, of the City's Revised Ordinances of 2020 be amended as follows: (See attached).

**Sponsors:** Peg Crowe

**Attachments:** [Prop Rev DD MHC rec 9.20](#)  
[20220224 4.24.010 INTENT AND PURPOSE](#)  
[Ordinance Amendment Proposal Letter 2 2022](#)

**452-21**

Order: Be it hereby ordained that the Revised Ordinances of 2020 Section 12.28.060 Obstructions be amended as follows, (See Attached).

**Sponsors:** Craig Spadafora

**Attachments:** [Proposed Ordin.Change.N.Miller](#)

[36-22](#)

Order: Be it hereby ordained that Title 1, Section 12 of the Code of the City of Malden be amended to the new ward/precinct boundaries submitted by the City Council to the Local Election District Review Commission and approved on December 10, 2021.

**Sponsors:**

Ryan O'Malley

**Attachments:**

[2021 Precinct boundaries](#)

**12. COMMITTEE REPORTS**[145-22](#)

Committee Report: Public Property - Order: In compliance with the Court's Order by Justice Camille Sarrouf of February 7, 2022; this order of the City Council, will be referred to the Public Property Committee for the review of 5G Antenna on Utility Pole 2452, adjacent to 37-39 Willard Street, Malden, MA; associated with (Paper 581-21) as amended: to receive and discuss an opinion from the City Solicitor's Office setting forth whether Verizon's application for a small cell tower on pole located near 37-39 Willard St substantially meets the technical requirements of the City small cell ordinance. To receive public comment on whether the application substantially meets the technical requirements of the City small cell ordinance or was otherwise not issued lawfully. To receive and discuss information by an independent peer reviewer with expertise in preparing radiation reports to FCC standards. For the City to review the opinion and public comment and make one of the following determinations: that the application did not substantially meet the technical requirements of the City's small cell ordinance and therefore was issued in error or that the application substantially meet the technical requirements of the City's small cell ordinance and therefore was issued in error.

COUNCILLOR WINSLOW FOR THE COMMITTEE

[146-22](#)

Committee Report: License: Petitions (Paper #99-22, #100-22, #101-22, #115-22)  
The committee after having been referred the following papers and after reviewing same recommend the petitions be granted.

99-22 Petition: Extended Hours - Supreme Food Mart, 1018 Eastern Avenue, Malden, MA 24/7 - renewal.

100-22 Petition: Taxi Cab Licenses - Malden Transportation, 292 Eastern Avenue, Malden, MA 9 Taxi Cab Licenses - renewals.

101-22 Petition: Lodging House License - BREC, LHP, LLC, 155 Clifton Street, Malden, MA 17 rooms - renewal.

115-22 - Petition: Class II - Rigano's Towing Service, 1152 Eastern Avenue, Malden, MA - new.

**13. TABLED PAPERS****14. PERSONAL PRIVILEGE****15. ADJOURNMENT**

**GREGORY LUCEY, CITY CLERK**