



# City of Malden

Malden City Hall  
110 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final City Council

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Tuesday, November 27, 2018

7:00 PM

John & Christina Markey Community Center,  
7 Washington St.

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### 1. CALL TO ORDER

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

### 3. ROLL CALL

**Present - Councillors:** 9 - Neal Anderson, David Camell, Peg Crowe, John P. Matheson, Barbara Murphy, Ryan O'Malley, Craig Spadafora, Stephen Winslow and Deborah DeMaria

**Absent - Councillors:** 2 - Paul Condon and Jadeane Sica

### 4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

School Committee member, Tara Beardsley, appeared before the Council to talk about "Little Free Libraries" project.

### 5. PUBLIC COMMENT

### 6. APPROVAL OF MINUTES

[474-18](#)

Minutes of the meeting of November 13, 2018.

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

[475-18](#)

Minutes of the meeting of November 20, 2018.

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

### 7. APPOINTMENTS & ELECTIONS

[476-18](#)

Mayor's Appointment: Bwann K. Gwann, 1 Main St. #204, Malden, MA 02148, as a member of the Human Rights and Fair Housing Commission, term to expire November 16, 2019. (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.

### 8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[477-18](#)

Christmas Tree Sales: Jay's Pizza & Ice Cream, 167 Centre St., Malden

(Renewal)

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

[478-18](#)

Amusement Machines: Provo Corp. dba Patrick's-Franny's, 36-40 Lebanon St., Malden, 3 machines (Renewal)

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

[479-18](#)

Amusement Machines: Loyal Order of the Moose Lodge 1910, 562 Broadway, Malden, 2 machines (Renewal)

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

[480-18](#)

Amusement Machines: Flaming Grill & Buffet, 52 Broadway, Malden, 2 machines (Renewal)

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

[481-18](#)

Amusement Machines: Dockside Restaurant, 229 Centre St., Malden, 8 Machines (Renewal)

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

[482-18](#)

Extended Hours: Supreme Food Mart, 1018 Eastern, Ave., Hours: 24/7 (Renewal)

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

[483-18](#)

Extended Hours: Planet Fitness, 795 Eastern Ave., Malden, Hours: Mon. 12am- Fri. 9pm, Sat. & Sun. 7am-7pm. (Renewal)

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

[484-18](#)

Extended Hours: Dunkin Donuts, 980 Eastern Ave., Malden, Hours: 7 Days, 4am-12am (Renewal)

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

[485-18](#)

Livery: Abdulkadir Haji, 11 Stevens St., Malden, 1 car (New)

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

[486-18](#)

Class II: Malden Auto Brokers II, Inc., 189 Eastern Ave., Malden, 35 cars (Renewal)

**A motion was made by Councillor Anderson that the Petition be referred to the**

License Committee. The motion carried by a unanimous vote.

[487-18](#)

Class II: Malden Auto Brokers, Inc., 225 Eastern Ave., Malden, 20 cars (Renewal)

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

[488-18](#)

Class II: Rio Auto Group Corp. dba Dealer One Motors, 77 Broadway, Malden, 48 cars (Renewal)

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

[489-18](#)

Class II: 99 Towing & Truck, 469 Broadway, Malden, 7 cars (Renewal)

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

[490-18](#)

Class II: Hub Starters & Alternators, Inc., 172 Broadway, Malden, 4 cars (Renewal)

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

[491-18](#)

Class II: Louis Foreign Car Garage, Inc., 191 Salem St., Malden, 3 cars (Renewal)

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

[492-18](#)

Class II: River Auto Sales, Inc., 77 Eastern Ave., Malden, 25 cars (Renewal)

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

[493-18](#)

Class II: Malden Auto Sales, 147 Ferry St., Malden, 25 cars (Renewal)

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

[494-18](#)

Class II: Autotech II, Inc., 1236 Eastern Ave., Malden, 5 cars (Renewal)

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

[495-18](#)

Class II: AGM Auto Sales, Inc., 135 Eastern Ave., Malden, 15 cars (Renewal)

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

[496-18](#)

Class II: Bay State Auto Gallery, LLC., 616 Broadway, Malden, 30 cars (Renewal)

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

[497-18](#)

Class II: Richard's Motor Cars, Inc., 672 Broadway, Malden, 80 cars (Renewal)

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

[498-18](#)

Class II: Greenleaf Auto Enterprises, Inc., 28 Broadway, Malden, 55 cars (Renewal)

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

[499-18](#)

Class II: Greenleaf Auto Sales II, Inc., 69 Newland St., Malden, 37 cars (Renewal)

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

[500-18](#)

Class II: Prestige Motors of Malden, Inc., 600 Broadway, Malden, 67 cars (Renewal)

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

[501-18](#)

Class II: Maxima Auto Sales, Corp. 105 Broadway, Malden, 31 cars (Renewal)

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

[502-18](#)

Class II: John's Service, 200 Beach St., Malden, 15 cars (Renewal)

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

[503-18](#)

Class II: Smart Buy USA, 497 Broadway, Malden, 27 cars (Renewal)

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

[504-18](#)

Class III: Malden Broadway Auto Body, 590 Broadway, Malden (Renewal)

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**

[505-18](#)

Resolve: That it is the sense of the Malden City Council that representatives of the Mayor's Office and the Water Department appear before the City Council at its second full City Council meeting in January 2019 to report on the status of lead pipe replacement in 2018, the

estimated number of lead service lines remaining to be replaced, and to discuss the City's long-term strategy to expedite elimination of this risk to the health of many Malden residents.

**Sponsors:** Stephen Winslow

**A motion was made by Councillor Winslow that the Resolution be passed. The motion carried by a unanimous vote.**

[506-18](#)

Order: That the City of Malden no longer accept the provisions of M.G.L. Ch. 40v, and terminate further application of its market rate housing development zone effective January 1, 2019.

**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.**

[507-18](#)

Order: That the City of Malden accept the provisions of M.G.L. Ch. 59 Section 5, clause 17, 17C, 17C ½, & 17D relative to increasing veterans tax abatements annually.

**Sponsors:** Paul Condon

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

[508-18](#)

Order: That the sum of Ninety Thousand Six Hundred and Four Dollars and Thirty Cents (\$90,604.30) be and the same is hereby appropriated from the TNC Surcharge Municipal Distribution Account.

**Sponsors:** Paul Condon

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

[509-18](#)

Be it hereby Ordained that Chapter 12 of the R.O. of 1991, as amended, be further amended relative to allowing multifamily dwellings only up to seven stories.

**Sponsors:** Barbara Murphy

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

## **10. COMMUNICATIONS**

## **11. CLAIMS**

[510-18](#)

Claim: Aleksandra Sores/Alexandre Vieira, 99 Boylston 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**

[511-18](#) Committee Report: Finance (Paper #452-18 ordered that One Million Forty-Eight Thousand Dollars (\$1,048,000) is appropriated to pay costs of design and construction of sewer system improvements.)

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

[452-18](#) Order: That One Million Forty-Eight Thousand Dollars (\$1,048,000) is appropriated to pay costs of design and construction of sewer system improvements. Deadline for 45% full reimbursement opportunity for project is December 31, 2018.

**Sponsors:** Paul Condon

**A motion was made by Councillor Camell that the Order be adopted. The motion carried by the following vote:**

**Yea:** 9 - Anderson, Camell, Crowe, Matheson, Murphy, O'Malley, Spadafora, Winslow and DeMaria

[512-18](#) Committee Report: Finance (Paper #461-18 Order that the sum of Three Thousand Ninety One Dollars and Sixty Seven Cents (\$3,091.67) be and the same is hereby transferred from Revenue Reserve to Board of Health Operating Costs)

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

[461-18](#) Order: That the sum of Three Thousand Ninety One Dollars and Sixty Seven Cents (\$3,091.67) be and the same is hereby transferred from Revenue Reserve (0010-997-5725) to Board of Health Operating Costs (0010-510-5300).

**Sponsors:** Paul Condon

**A motion was made by Councillor Camell that the Order be adopted. The motion carried by the following vote:**

**Yea:** 8 - Anderson, Camell, Crowe, Matheson, Murphy, Spadafora, Winslow and DeMaria

[513-18](#) Committee Report: Finance (Paper #462-18 ordered that the sum of Five Hundred Ninety Five Dollars (\$595) be and the same is hereby transferred from Revenue Reserve to Board of Health Auto Mileage)

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

[462-18](#) Order: That the sum of Five Hundred Ninety Five Dollars (\$595) be and the same is hereby transferred from Revenue Reserve (0010-997-5725) to

Board of Health Auto Mileage (0010-510-5195).

**Sponsors:** Paul Condon

**A motion was made by Councillor Camell that the Order be adopted. The motion carried by the following vote:**

**Yea:** 8 - Anderson, Camell, Crowe, Matheson, Murphy, Spadafora, Winslow and DeMaria

[514-18](#)

Committee Report: Finance (Paper #463-18 ordered that the sum of One Thousand Eight Hundred Three dollars (\$1,803) be and the same is hereby transferred fro Revenue Reserve to Board of Health Vaccine Program)

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

[463-18](#)

Order: That the sum of One Thousand Eight Hundred Three Dollars (\$1,803) be and the same is hereby transferred from Revenue Reserve (0010-997-5725) to Board of Health Vaccine Program (0010-510-5257).

**Sponsors:** Paul Condon

**A motion was made by Councillor Camell that the Order be adopted. The motion carried by the following vote:**

**Yea:** 8 - Anderson, Camell, Crowe, Matheson, Murphy, Spadafora, Winslow and DeMaria

[515-18](#)

Committee Report: Finance (Paper #464-18 that the sum of Five thousand dollars (\$5,000) be3 and the same is hereby transferred from Revenue Reserve to the Board of Health Professional Services)

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

[464-18](#)

Order: That the sum of Five Thousand Dollars (\$5,000) be and the same is hereby transferred from Revenue Reserve (0010-997-5725) to Board of Health Professional Services (0010-510-5300).

**Sponsors:** Paul Condon

**A motion was made by Councillor Camell that the Order be adopted. The motion carried by the following vote:**

**Yea:** 8 - Anderson, Camell, Crowe, Matheson, Murphy, Spadafora, Winslow and DeMaria

[516-18](#)

Committee Report: Public Property (Paper #206-18 petition AT&T to construct and maintain telecommunication wires, wireless attachments, and appurtenances to be attached to existing National Grid utility pole located on Dutton St; and to install conduit. (as amended)

**A motion was made by Councillor Camell that the petition be tabled. The motion carried by unanimous vote.**

[517-18](#)

Committee Report: Public Property (Paper #208-18 petition AT&T to

construct and maintain telecommunication wires, wireless attachments, and appurtenances to be attached to existing National Grid utility pole located on Broadway; and to install conduit. (as amended)

**A motion was made by Councillor Camell that the petition be tabled. The motion carried by unanimous vote.**

[518-18](#)

Committee Report: Public Property (Paper #209-18 petition AT&T to construct and maintain telecommunication wires, wireless attachments, and appurtenances to be attached to existing National Grid utility pole located on Central Ave; and to install conduit. (as amended)

**A motion was made by Councillor Camell that the petition be tabled. The motion carried by unanimous vote.**

[519-18](#)

Committee Report: Public Property (Paper #210-18 petition AT&T to construct and maintain telecommunication wires, wireless attachments, and appurtenances to be attached to existing National Grid utility pole located on Vining Street; and to install conduit. (as amended)

**A motion was made by Councillor Camell that the petition be tabled. The motion carried by unanimous vote.**

A motion was made by Councillor Crowe that the docket rules be suspended for the purposes of receiving the Committee Report. The motion carried by unanimous vote.

[526-18](#)

Committee Report: Personnel/Appointments (Paper #440-18 ordered that Kathryn Pakenham Bilgen, 63 Upham Street, Malden, MA be appointed as the builder/architect member of the Zoning Board of Appeal term to expire March 1, 2019)

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

[440-18](#)

Mayor's Appointment: Kathryn Pakenham Bilgen, 63 Upham Street, Malden as the builder/architect member of the Zoning Board of Appeal, said term to expire March 1, 2019.

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

### **13. TABLED PAPERS**

[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.

[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**