



City of Malden

Malden City Hall
110 Pleasant Street
Malden, MA 02148

Meeting Agenda - Final City Council

Tuesday, March 5, 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

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Announcement pursuant to MGL c. 30A, Section 22(g)(1), of results of periodic review of Executive Session minutes for continued non-disclosure, and recommendations for release. Minutes recommended for release to be referred for review in Executive Session at next scheduled Council meeting.

5. PUBLIC COMMENT

6. APPROVAL OF MINUTES

[74-19](#) Minutes of the Council Meeting of February 5, 2019.

[75-19](#) Minutes of the Council Meeting of February 19, 2019.

[76-19](#) Minutes of the Council Meeting of February 26, 2019.

7. APPOINTMENTS & ELECTIONS

[77-19](#) Mayoral Re-Appointment: Charles Ferguson, 44 Ashland Street, Malden, MA, as an associate member of the Planning Board.

[78-19](#) Mayoral Re-appointment: Kathryn Pakenham Bilgen, 63 Upham Street, Malden, MA as the build/architect member of the Zoning Board of Appeal.

[79-19](#) Mayoral Appointment: Emily Kibblerl, 50 Concord Street, Apt. 1, Malden, MA as an associate member of the Board of Appeal.

[80-19](#) Council Re-appointment: Kate Fallon, Malden, MA as the City Solicitor.

Sponsors: Neal Anderson

[81-19](#) Mayoral Re-Appointment: William Coleman, 53 Kimball Street, Malden, MA as a member of the Department of Public Works Commission.

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[82-19](#) Livery: David G. Ulysse, 230 Bryant St. #3, Malden, 1 car (Renewal)

[83-19](#) Taxi Cabs: Malden Transportation, 292 Eastern Ave., 39 cabs (Renewal)

9. MOTIONS, ORDERS AND RESOLUTIONS

[84-19](#) Ordered: That the sum of Three Hundred Thirty-Seven Thousand Nine Hundred Seventy Three Dollars and Seventy Cents (\$337,973.70) be and the same is hereby transferred from Salary Reserve (0010-996-5110) to the following accounts:

[85-19](#) ORDERED: That the appropriations enumerated below, being in the amount of \$637,549 (Six Hundred Thirty Seven Thousand Five Hundred Forty Nine Dollars) be appropriated from the Community Preservation Fund for the following projects:

[86-19](#) Be it hereby ordained that Section 9.28 of the Revised Ordinances of 1991 be further amended to allow for the purchase of city approved trash barrels and recycling barrels as an alternative to city approved trash bags and recycling bins.

(John Matheson)

Sponsors: John P. Matheson

[87-19](#)

Ordered that Section 17 of the Malden City Council Rules be amended as follows:

Members to Observe Rules of Decorum of the Malden City Council rules as follows:

Strike Section 17 Members to Observe Rules of Decorum in its entirety and insert in its place:

Sponsors:

Ryan O'Malley

10. COMMUNICATIONS[88-19](#)

Communication from the Planning Board Re: CCP#554-18 (Be it Hereby Ordained that Chapter 12 of the R.O. of 1991, as amended, be further amended by adding new sections: 800.6.2.24.b, 300.3.2.13, 400.1.2.10, 500.1.2.9, and 500.2.23 relative to Co-Housing.)

[89-19](#)

Communication from the Planning Board Re: CCP#470-18) Be it hereby ordained by the Malden City Council that Chapter 12 of the Revised Ordinances of 1991 as amended; be and the same are hereby further amended by adding a new Section 700.15 as follows: Section 700.15 Development Impact Mitigation.

[90-19](#)

Communication from the Planning Board Re: CCP#525-18 (Be it hereby ordained that Chapter 12 of the Revised Ordinances of 1991 as amended be further amended relative to the table of intensity regulations for hotel).

11. CLAIMS[91-19](#)

Claim: Donald Breault, 9 Milton Street, Malden, MA

12. COMMITTEE REPORTS[92-19](#)

Committee Report: Rules & Ordinance (Paper # 65-19) Order: That the City Council establish a Cannabis Control Commission consisting of five (5) members: (police chief, financial expert, building commissioner - city employees) and (1) Council Appointment and (1) Mayoral Appointment.

[93-19](#)

Committee Report: Rules & Ordinance (Paper #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.

- [94-19](#) Committee Report: Finance (Paper #28-19 order that the sum of Eighty Thousand Dollars (\$80,000) be and the same is hereby transferred to DPW Equipment Parks from the following accounts: \$44,500 from Revenue Reserve, \$35,500 from DPW Labor.)
- [95-19](#) Committee Report: Finance (Paper #507-18 order that the City of Malden accept the provisions of MGLCh59Sec5, clause 17,17C, 17C ½ & 17D with the following amendment: ordered that the City of Malden accept the provisions of MGLCh59 Section 5, clause 17F, MGLCh59 Section 5 clause 22G and MGLCh59 Section5, clause 22H.)
- [96-19](#) Committee Report: Public Property (Paper #20-19 Petition: AT&T to construct and maintain telecomm wires, etc. Nat'l Grid Pole-Evelyn Place.)
- [97-19](#) Committee Report: Public Property (Paper#21-19 Petition: AT&T to construct and maintain telecomm wires, etc. Nat'l Grid Pole Linden Avenue with the following amendment: to require that the equipment be brown in color.)

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

[64-19](#)

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

1. Insert "or a public crosswalk" after "abutting a public sidewalk";
2. Insert "or crosswalk" after "shall make said sidewalk";
3. Insert "or crosswalk" after "slush from said sidewalk";
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."

Sponsors:

Ryan O'Malley and Stephen Winslow

14. PERSONAL PRIVILEGE**15. ADJOURNMENT**

THOMAS E. BRENNAN, CITY CLERK