



City of Malden

Malden City Hall
110 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Tuesday, October 9, 2018

7:00 PM

John & Christina Markey Community Center,
7 Washington St.

1. CALL TO ORDER

Present - Councillors: 11 - Neal Anderson, David Camell, Paul Condon, Peg Crowe, John P. Matheson, Barbara Murphy, Ryan O'Malley, Jadeane Sica, Craig Spadafora, Stephen Winslow and Deborah DeMaria

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

3. ROLL CALL

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Representatives of the Public Works Department, Board of Health, Engineering Department, and National Grid appeared before the City Council to address the safety of National Grid Infrastructure.

Julie Mangan appeared before the City Council to discuss the Community Garden.

City Council discussed the Open Meeting Law Complaint received on September 21, 2018.

**A motion was made by Councillor Matheson, seconded by Councillor Murphy, that the IT Department review security of City Council e-mails. The motion carried by the following vote:
Yea: 10 - Anderson, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria
Nay: 1 - Camell**

A motion was made by Councillor Murphy, seconded by Councillor Sica, to allow the City Solicitor to respond to the Open Meeting Law complaint on behalf of the City Council. The motion carried by unanimous vote.

A motion was made by Councillor Camell, seconded by Councillor Condon, that the City Council accept the remedial measures recommended by the City Solicitor. The motion carried by unanimous vote.

5. PUBLIC COMMENT

6. APPROVAL OF MINUTES

[411-18](#) Minutes of the meeting of September 25, 2018.

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

[412-18](#) Minutes of the meeting of October 2, 2018.

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

7. APPOINTMENTS & ELECTIONS

[413-18](#) Mayor's Appointment: Frank Cina, 120 Mountain Avenue, #A2, Malden, as a member of the Disability Commission, term to expire September 20, 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.

[414-18](#) Mayor's Appointment: Maria Luise, 1410 Eastern Ave., Malden, as a member of the Disability Commission, term to expire September 20, 2021. (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.

[415-18](#) Mayor's Appointment: Marilyn Andrews, 83 Cleveland St., Malden as a member of the Disability Commission, term to expire September 20, 2021. (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.

[416-18](#) Mayor's Appointment: Nichole Mossalam, 64 Essex St; #1, Malden, as a member of the Disability Commission term to expire September 20, 2020. (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.

[417-18](#) Mayor's Appointment: Kerlyne Pacombe, 157 Pleasant St. #404, Malden, as a member of the Disability Commission, term to expire September 20, 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

[418-18](#) Extended Hours: Planet Fitness, 795 Eastern Ave., 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.

[419-18](#) Livery: Eishun Maki, 51 Sammett 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.

9. MOTIONS, ORDERS AND RESOLUTIONS

[420-18](#) Resolved: That the Mayor establish a five member, Long-Term Transportation Advisory Committee.

Sponsors: Stephen Winslow and Peg Crowe

A motion was made by Councillor Winslow, seconded by Councillor O'Malley, that the Order be amended by making the paper a Resolve, striking "Ordered:" and inserting "Resolved:". The motion carried by a unanimous vote.

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

[421-18](#) Ordered: That the City Clerk notify and warn the inhabitants of the City of Malden who are qualified to vote in the State Election to vote at their respective wards and precincts on TUESDAY, THE SIXTH DAY OF NOVEMBER, 2018 from 7:00 A.M to 8:00 P.M. for the following purpose:

A motion was made by Councillor Condon that the Order be adopted. The motion carried by a unanimous vote.

[422-18](#) Ordered: That the City Council designate the following locations as polling places for the State Election to be held on TUESDAY, THE SIXTH DAY OF NOVEMBER, 2018 from 7:00 A.M to 8:00 P.M.

A motion was made by Councillor Condon that the Order be adopted. The motion carried by a unanimous vote.

[423-18](#) Ordered: That the Rules & Ordinance Committee work with the Friends of the Malden River, the Waterfront Access Committee, the Conservation Commission, and the Planning Board to draft a zoning amendment to require a setback from the Malden River.

Sponsors: Ryan O'Malley, Barbara Murphy, Neal Anderson and Stephen Winslow

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

[424-18](#) Ordered: That, in accordance with M.G.L Ch. 44 Sec. 53A, the City of Malden accept a gift of funds from Dosi Dough Realty Trust, pursuant to the Planning Board Decision dated February 8, 2017 to be used for traffic, safety, and infrastructure improvements in the immediate and surrounding project area.

Sponsors: Ryan O'Malley

A motion was made by Councillor O'Malley that the Order be adopted. The

motion carried by the following vote:

Yea: 11 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria

[425-18](#) Resolved: That the City urge the Legislature to approve and fully fund a new foundation budget for Public Schools.

Sponsors: Deborah DeMaria

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

[426-18](#) Resolved: That the City urge the Legislature to approve and fund a foundation budget for Public Higher Education.

Sponsors: Deborah DeMaria

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

10. COMMUNICATIONS

City Council had a discussion of the upcoming election and the competency of staff in the Clerk's office.

A motion was made by Councillor Spadafora, seconded by Councillor Matheson, that a Personnel/Appointments Committee meeting be scheduled to review the capacity of the City Clerk's Office to run the election. The motion carried by the following vote:

Yea: 11 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria

A motion was made by Councillor Murphy, seconded by Councillor Matheson, that the previous motion be amended by adding "and to understand what went wrong with the Sept. Primary election. The motion carried by the following vote:

Yea: 11 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria

A motion was made by Councillor Condon, seconded by Councillor Matheson, that the City Clerk provide an action plan for the next election. The motion carried by the following vote:

Yea: 11 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria

[427-18](#) 2018 Annual Reports of Boards and Commissions

- A. Board of Appeal
- B. Board of Assessors
- C. Board of Health
- D. Cemetery Trustees
- E. Community Preservation Committee

- F. Conservation Commission
- G. Cultural Council
- H. Energy Efficiency Commission
- I. Historical Commission
- J. Housing Authority
- K. Library
- L. License Board
- M. Pine Banks
- N. Planning Board
- O. Public Works Commission
- P. Scholarship Committee
- Q. Stadium Commission
- R. Traffic Commission

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

11. CLAIMS

[428-18](#)

Claim: Glen Ellis, 110 Gilbert St., Malden

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

[429-18](#)

Claim: Marion Giordano, 32 Garden St., Malden

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

12. COMMITTEE REPORTS

[430-18](#)

Committee Report: Personnel/Appointments (Paper #204-18 Council Confirmation Mayoral Appointment of Allyson Pardek, 15 Winn Terrace, Malden, as an associate member of the Commission on Energy Efficiency, term to expire April 11, 2020.)

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

[204-18](#)

Mayor's Appointment: Allyson Pardek, 15 Winn Ter., Malden, as an associate member of the Commission of Energy Efficiency, term to expire April 11, 2020.

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

[431-18](#)

Committee Report: Personnel/Appointments (Paper #262-18 Council confirmation Mayoral re-appointment of Andrew Zeiberg, 86 Lawrence Street,

Malden, MA as a member of the License Board, term to expire June 1, 2024.)

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

[262-18](#)

Mayor's Re-appointment: Andrew Zeiberg, 86 Lawrence St., Malden, as a member of the License Board, term to expire June 1, 2024. (Confirmation Required)

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

[432-18](#)

Committee Report: Personnel/Appointments (Paper #356-18 Council confirmation Mayoral reappointment of Barbara Tolstrup, 44 Noble Street, Malden, MA as a member of the Historical Commission, term to expire September 1, 2021.)

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

[356-18](#)

Mayor's Re-Appointment: Barbara L. Tolstrup, 44 Noble St., Malden, as a member of the Historical Commission, term to expire September 1, 2021. (CONFIRMATION REQUIRED)

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

[433-18](#)

Committee Report: Personnel/Appointments (Paper #377-18 Council confirmation Mayoral appointment of Mark Linehan, 83 Blomerth Street, Malden, MA as a member of the Cultural Council term to expire September 10, 2021.)

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

[377-18](#)

Mayor's Appointment: Mark Linehan, 83 Blomerth St., Malden, as a member of the Cultural Council, term to expire September 10, 2021. (CONFIRMATION REQUIRED)

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

[434-18](#)

Committee Report: Personnel/Appointments (Paper #354-18 Council confirmation Mayoral reappointment of George Laskey, 52 Blue Hill Ave, Malden, MA as a member of the Conservation Commission, term to expire September 15, 2020.)

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

[354-18](#)

Mayor's Re-Appointment: George Laskey, 52 Blue Hill Ave., Malden, as a member of the Conservation Commission, term to expire September 15, 2020. (CONFIRMATION REQUIRED)

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

[435-18](#)

Committee Report: Personnel/Appointments (Paper #355-18 Council confirmation Mayoral re-appointment of Roberto DiMarco, 17 Division Street, Malden, MA as a member of the Conservation Commission term to expire September 15, 2020.)

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

[355-18](#)

Mayor's Re-Appointment Roberto DiMarco, 17 Division St., Malden, as a member of the Conservation Commission, term to expire September 15, 2020. (CONFIRMATION REQUIRED)

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

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](#)

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.

Sponsors: Craig Spadafora

[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 Anderson that the meeting be adjourned. The motion carried by a unanimous vote.

THOMAS E. BRENNAN, CITY CLERK