



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Agenda - Final City Council

Councillor Neal Anderson, Councillor David Camell, Councillor Paul Condon, Councillor Peg Crowe, Councillor Deborah DeMaria, Councillor Amanda Linehan, Councillor Barbara Murphy, Councillor Ryan O'Malley, Council President Jadeane Sica, Councillor Craig Spadafora, Councillor Stephen Winslow

Tuesday, November 24, 2020

7:00 PM

REMOTE - VIRTUAL MEETING

[386-20](#)

In accordance with Governor Baker's 3/12/20 Order Suspending Certain Provisions of the Open Meeting Law, G.L.c.30A,ss18, and the Governor's 3/23/20 Revised Guidance on Order by the Governor Prohibiting Assemblage of More than Ten People, this meeting will be conducted via remote participation.

In person attendance by members of the public is prohibited, and all effort will be made to permit public attendance of this meeting, in the manner specified below, via remote access by internet, telephone, and if available via public broadcast of the meeting by Malden Access Cable Television on public access television channels.

Public access will also be provided by posting draft minutes, and/or a transcript, recording, or record of the meeting on the city of Malden website at cityofmalden.org as soon as practicable after the meeting.

Additional information/guidelines for the public can be found here:

<https://www.cityofmalden.org/DocumentCenter/View/2487/Public-information-on-Public-Meetings-and-Hearings-during-the-Declared-State-of-Emergency-related-to-COVID19PDF>

Members of the public who wish to attend remotely can do so using the following information:

Please click the link below to join the Zoom webinar:

<https://cityofmalden.zoom.us/j/91416892071?pwd=UWNJZDI3dE1MWGhWd1QwSDhXOE1QT09>

Passcode: 212045

Or iPhone one-tap :

US: +19294362866,,91416892071#,,,,,0#,,212045#
+16465189805,,91416892071#,,,,,0#,,212045#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 929 436 2866

+1 646 518 9805

Webinar ID: 914 1689 2071

Passcode: 212045

International numbers available:

<https://cityofmalden.zoom.us/j/ad9lfUUuhZ>

If you would like to request a reasonable accommodation, please contact Maria Luise, ADA Compliance Coordinator at mluise@cityofmalden.org or 781-397-7000, Ext 2005.

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

Nathaniel Cramer, Assessor - will appear before the Council to hold a Tax Classification "REMOTE PUBLIC HEARING".

[387-20](#)

Order: That the City Council adopt a residential exemption of 30% and a residential factor of 1.75 or 0.8999 for the FY2021 tax rate.

Sponsors:

David Camell

5. PUBLIC COMMENT

[434-20](#)

Public Comment Emails Attached.

6. APPROVAL OF MINUTES

[388-20](#)

Minutes of the Meeting of October 13, 2020.

[389-20](#)

Minutes of the Meeting of October 20, 2020.

[390-20](#) Minutes of the Meeting of October 27, 2020.

[391-20](#) Minutes of the Meeting of November 10, 2020.

[392-20](#) Minutes of the Meeting of November 17, 2020.

7. APPOINTMENTS & ELECTIONS

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

9. MOTIONS, ORDERS AND RESOLUTIONS

[393-20](#) Order: Be it hereby ordained that Section 11.24.020 of the Revised Ordinances of 2020 be amended by adding guidelines to applicants and the reviewing authority regarding the preferred locations and configurations for wireless telecommunication facilities in the City, provided that nothing in this section shall be construed to permit a wireless telecommunication facility in any location or configuration that it is otherwise prohibited by this chapter. Adding in section that the City of Malden ordinance prohibits any new 5G wireless telecommunications facilities in areas zoned residential and requires annual EMF readings to determine that the wireless facility is within compliance of federal and state laws. New wireless telecommunication facilities are permitted in commercial, industrial, and open space zoning districts.

Sponsors: Craig Spadafora

[394-20](#)

Order: Be it hereby ordained that Chapter 11 Sections 6.08.070.B, 6.080.070.D.2.b and 12.12.190 of the Revised Ordinances of 2020 be amended by changing the Special Permit granting authority for Marijuana Establishments from the Malden City Council to the Malden Planning Board.

Sponsors: Stephen Winslow, Craig Spadafora and Jadeane Sica

10. COMMUNICATIONS

[395-20](#) Communication from Councillor O'Malley submitting his candidacy for City Council President in 2021 per rule 10.00 - Designation of Presiding Officer (to be placed on file.)

Sponsors: Ryan O'Malley

12. COMMITTEE REPORTS[396-20](#)

Committee Report: Public Properties (Paper #354-19) Petitions: Extenet petitions filed for small cell at 71 Plainfield Ave., 84 Durso Ave., 183 Highland Ave., 52-54 Malden St.

Sponsors:

Ryan O'Malley

[397-20](#)

Committee Report: Finance & Rules & Ordinance (Paper #373-20) Order: Be it hereby ordained that Section 2.20.060 of the Revised Ordinances of 2020 be amended by adding "Primary Operator of the Public Water System" to the unclassified employee salary schedule with a salary of \$20,000.)

Sponsors:

David Camell and Craig Spadafora

[373-20](#)

Order: Be it hereby ordained that Section 2.20.060 of the Revised Ordinances of 2020 be amended by adding "Primary Operator of the Public Water System" to the unclassified employee salary schedule with a salary of \$20,000.

Sponsors:

David Camell and Craig Spadafora

[398-20](#)

Committee Report: Finance & Rules & Ordinance (Paper #374-20) Order: Be it hereby ordained that Section 2.12.100 of the Revised Ordinances of 2020 be amended by adding "Section C to include a Primary Operator of the Public Water System.")

Sponsors:

David Camell and Craig Spadafora

[374-20](#)

Order: Be it hereby ordained that Section 2.12.100 of the Revised Ordinances of 2020 be amended by adding "Section C to include a Primary Operator of the Public Water System."

Sponsors:

David Camell and Craig Spadafora

[399-20](#)

Committee Report: Finance (Paper #369-20) Order: That the sum of Three Million Dollars (\$3,000,000) is appropriated from available general fund free cash to pay costs of street repaving, including the payment of all costs incidental and related thereto adding the following language: any street repaving project funded by this funding source include, to the greatest extent: (1) improvements to ensure crossings meet the standards of the Americans with Disabilities Act (ADA), (2) new pavement markings consistent with Malden's Complete Street Policy and Malden By Bike Plan, and (3) measures to preserve existing trees or replace any tree removed at a nearby location.

Sponsors:

David Camell

[369-20](#)

Order: That the sum of Three Million Dollars (\$3,000,000) is appropriated from available general fund free cash to pay costs of street repaving, including the payment of all costs incidental and related thereto by adding the following language:

Any street repaving project funded by this funding source include, to the greatest extent: (1) improvements to ensure crossings meet the standards of the Americans with Disabilities Act (ADA), (2) new pavement markings consistent with Malden's Complete Streets Policy and Malden By Bike Plan, and (3) measures to preserve existing trees or replace any tree removed at a nearby location.

Sponsors:

David Camell

[400-20](#)

Committee Report: Finance (Paper #370-20) Order: That the sum of \$3,000,000 is appropriated to pay costs of street repaving, including the payment of all costs incidental and related thereto, and that to meet this appropriation of the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44 Section 7(1) of the General Laws or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. Any premium received by the City upon the sale of any bonds or notes approved by this order, or pursuant to any other loan orders approved by the City prior to the date hereof, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote, or pursuant to any other loan orders approved by the City prior to the date hereof, as the case may be, in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount adding the following language: any street repaving project funded by this funding source include, to the greatest extent: (1) improvements to ensure crossings meet the standards of the American with Disabilities Act (ADA), (2) new pavement markings consistent with Malden's Complete Street Policy and Malden By Bike Plan, and (3) measures to preserve existing trees or replace any tree removed at a nearby location.

Sponsors:

David Camell

[370-20](#)

Order: That the sum of \$3,000,000 is appropriated to pay costs of street repaving, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. Any premium

received by the City upon the sale of any bonds or notes approved by this order, or pursuant to any other loan orders approved by the City prior to the date hereof, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote, or pursuant to any other loan orders approved by the City prior to the date hereof, as the case may be, in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount by adding the following language:

Any street repaving project funded by this funding source include, to the greatest extent: (1) improvements to ensure crossings meet the standards of the Americans with Disabilities Act (ADA), (2) new pavement markings consistent with Malden's Complete Streets Policy and Malden By Bike Plan, and (3) measures to preserve existing trees or replace any tree removed at a nearby location.

Sponsors: David Camell

[401-20](#) Committee Report: Finance (Paper #371-20) Order: That the FY2021 adopted general fund appropriation order (Schedule B) be hereby amended by reducing the appropriation by \$4,164,407 and the corresponding FY2021 budget contingency expense be eliminated.

Sponsors: David Camell

[371-20](#) Order: That the FY2021 adopted general fund appropriation order (Schedule B) be hereby amended by reducing the appropriation by \$4,164,407 and the corresponding FY2021 budget contingency expense be eliminated.

Sponsors: David Camell

[402-20](#) Committee Report: Finance (Paper #375-20) Order: That the sum of Forty Thousand Dollars (\$40,000) be and the same is hereby transferred from available general fund free cash to the Mayor's Office salary account in order to hire a Diversity, Equity and Inclusion Coordinator for the remainder of the fiscal year.

Sponsors: David Camell

[375-20](#) Order: That the sum of Forty Thousand Dollars (\$40,000) be and the same is hereby transferred from available general fund free cash to the Mayor's Office salary account in order to hire a Diversity, Equity and Inclusion Coordinator for the remainder of the fiscal year.

Sponsors: David Camell and Neal Anderson

[403-20](#)

Committee Report: License - Petitions (Paper #'s) Listed Below:

330 20

Petition: Class II: Malden Auto Brokers, 259 Main St., Malden, 35 cars
(Transfer)

337 20

Petition: Class II Maxima Auto Sales, 105 Broadway, Malden, MA 31
cars renewal

Petition: Class II Dealer One Motors, 77 Broadway, Malden, MA 48 cars
(Rio Auto Group)

342 20

Petition: Class II Hub Starters & Alternator, 172 Broadway, Malden, MA 4
cars

343 20

Petition: Class II John's Service, 200 Beach Street, Malden, MA 15 cars

344 20

Petition: Class II Linden Automotive, 121 Beach Street, Malden, MA 19
cars

345 20

Petition: Class II Malden Auto Brokers, 225 Eastern Avenue, Malden, MA
20 cars

346 20

Petition: Class II Malden Auto Sales, 147 Ferry Street, Malden, MA 25
cars

347 20

Petition: Class II Prestige Motors, 600 Broadway, Malden, MA 67 cars

349 20

Petition: Class II Uni Auto Center, Inc. 369 Salem Street, Malden, MA
20 cars

350 20

Petition: Extended Hours License Supreme Food Mart, 1018 Eastern
Avenue, Malden, MA Hours 24/7 (renewal)

351 20

Petition: Extended Hours Planet Fitness, 795 Eastern Avenue, Malden,
MA Monday 12am Friday 9:00 pm 24 hours (renewal)

352 20

Petition: Extended Hours License Honey Dew Donuts, 691 Eastern
Avenue, Malden, MA 5am 8pm (renewal)

353 20

Petition: Extended Hours License Dunkin, 424 Main Street, Malden, MA
7 days, 5am 9 pm (renewal)

354 20

Petition: Extended Hours License Dunkin, 980 Eastern Avenue, Malden,

MA 7 days, 4 am 12 a.m. (renewal).

355 20

Petition: Extended Hours License Dunkin, 57 Eastern Avenue, Malden,
MA 24/7 (renewal)

356 20

Petition: Extended Hours License Dunkin, 200 Commercial Street,
Malden, MA 7 days, 5am 9pm (renewal)

357 20

Petition: Extended Hours License Dunkin, 617 Broadway 7 days, 4am
11pm, (renewal)

358 20

Petition: Extended Hours License Dunkin, 245 Pleasant Street, Malden,
MA 7 days, 5 am to 11 pm (renewal)

359 20

Petition: Amusement Machine License Dockside, 229 Centre Street,
Malden, MA 15 machines (renewal)

360 20

Petition: Amusement Machiune License Flaming Grill & Buffet, 52
Broadway, Malden, MA 3 machines (renewal)

361 20

Petition: Amusement Machine License GLS Associates, 50 Holden
Street, Malden, MA 9 machines (renewal)

362 20

Petition: Amusement Machine License ITAMS Post 16, 40 Oakland
Street, Malden, MA 4 machines (renewal)

363 20

Petition: Amusement Machine License Loyal Order of the Moose, 562
Broadway, Malden, MA 1 machine (renewal)

364 20

Petition: Amusement Machine License Pearl Street Station, 53 Summer
Street, Malden, MA 2 machines (renewal)

365 20

Petition: Amusement Machine License Town Line Ten Pin, 665
Broadway, Malden, MA 25 machines (renewal)

The standing committee on License to whom was referred the above
papers having considered same, make the following report: Committee
recommends that the papers be reported our favorably; and that the
petitions be granted.

Sponsors:

Barbara Murphy

330-20

Petition: Class II: Malden Auto Brokers, 259 Main St., Malden, 35 cars

(Transfer)

- [337-20](#) Petition: Class II - Maxima Auto Sales, 105 Broadway, Malden, MA 31 cars renewal
- [342-20](#) Petition: Class II - Hub Starters & Alternator, 172 Broadway, Malden, MA 4 cars
- [343-20](#) Petition: Class II - John's Service, 200 Beach Street, Malden, MA - 15 cars
- [344-20](#) Petition: Class II - Linden Automotive, 121 Beach Street, Malden, MA - 19 cars
- [345-20](#) Petition: Class II - Malden Auto Brokers, 225 Eastern Avenue, Malden, MA - 20 cars
- [346-20](#) Petition: Class II - Malden Auto Sales, 147 Ferry Street, Malden, MA - 25 cars
- [347-20](#) Petition: Class II - Prestige Motors, 600 Broadway, Malden, MA 67 cars
- [349-20](#) Petition: Class II - Uni Auto Center, Inc. - 369 Salem Street, Malden, MA - 20 cars
- [350-20](#) Petition: Extended Hours License - Supreme Food Mart, 1018 Eastern Avenue, Malden, MA - Hours 24/7 (renewal)
- [351-20](#) Petition: Extended Hours - Planet Fitness, 795 Eastern Avenue, Malden, MA - Monday 12am - Friday 9:00 pm - 24 hours (renewal)
- [352-20](#) Petition: Extended Hours License - Honey Dew Donuts, 691 Eastern Avenue, Malden, MA - 5am - 8pm (renewal)
- [353-20](#) Petition: Extended Hours License - Dunkin, 424 Main Street, Malden, MA - 7 days, 5am - 9 pm (renewal)
- [354-20](#) Petition: Extended Hours License - Dunkin, 980 Eastern Avenue, Malden, MA - 7 days, 4 am - 12 a.m. (renewal).
- [355-20](#) Petition: Extended Hours License - Dunkin, 57 Eastern Avenue, Malden, MA - 24/7 (renewal)

- [356-20](#) Petition: Extended Hours License - Dunkin, 200 Commercial Street, Malden, MA - 7 days, 5am - 9pm (renewal)
- [357-20](#) Petition: - Extended Hours License - Dunkin, 617 Broadway - 7 days, 4am - 11pm, (renewal)
- [358-20](#) Petition: Extended Hours License - Dunkin, 245 Pleasant Street, Malden, MA - 7 days, 5 am to 11 pm (renewal)
- [359-20](#) Petition: Amusement Machine License - Dockside, 229 Centre Street, Malden, MA - 15 machines - (renewal)
- [360-20](#) Petition: Amusement Machiune License - Flaming Grill & Buffet, 52 Broadway, Malden, MA - 3 machines (renewal)
- [361-20](#) Petition: Amusement Machine License - GLS Associates, 50 Holden Street, Malden, MA - 9 machines (renewal)
- [362-20](#) Petition: Amusement Machine License - ITAMS Post 16, 40 Oakland Street, Malden, MA - 4 machines (renewal)
- [363-20](#) Petition: Amusement Machine License - Loyal Order of the Moose, 562 Broadway, Malden, MA - 1 machine (renewal)
- [364-20](#) Petition: Amusement Machine License - Pearl Street Station, 53 Summer Street, Malden, MA - 2 machines (renewal)
- [365-20](#) Petition: Amusement Machine License - Town Line Ten Pin, 665 Broadway, Malden, MA - 25 machines (renewal)
- [341-20](#) Petition: Class II - Dealer One Motors, 77 Broadway, Malden, MA - 48 cars (Rio Auto Group)

13. TABLED PAPERS**14. PERSONAL PRIVILEGE****15. ADJOURNMENT****GREGORY LUCEY, CITY CLERK**