



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Agenda - Final-revised City Council

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

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Tuesday, June 22, 2021

7:00 PM

215 Pleasant Street  
Malden, MA  
Council Chambers

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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**

[304-21](#) Minutes of the Meeting of June 8, 2021.

[305-21](#) Minutes of the Meeting of June 15, 2021.

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

[306-21](#) Mayoral Re-Appointment: Gladly Montrose Thomas, 80 Wyoming Avenue, Malden, MA to the Cultural Council, said term to begin July 16, 2021 and to expire on July 16, 2024.

**Sponsors:** Peg Crowe

[307-21](#) Mayoral Re-Appointment: Erga Pierrette, 93 Oliver Street, Malden, MA to the Cultural Council, said term to begin July 16, 2021 and to expire on July 16, 2024.

**Sponsors:** Peg Crowe

[308-21](#) Mayoral Re-Appointment: Joseph Cesario, Jr., 296 Charles Street, Malden, MA as a member of the Historical Commission, said term to expire July 16, 2024.

**Sponsors:** Peg Crowe

[309-21](#)

Mayoral Re-Appointment: Robert P. Knox, Jr., 54 Davis Street, Malden, MA, as Director of Public Works, said term to commence upon his confirmation by the City Council and to expire July 1, 2024.

**Sponsors:** Peg Crowe

[310-21](#)

Council Appointment: Brendan Brett, 32 Milton Street, Malden, MA as a member of the Community Preservation Committee; term of office will continue until March 15, 2022. (TO BE PLACED ON FILE).

**Sponsors:** David Camell and Peg Crowe

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

[311-21](#) Bonzer, Cambridge, MA SNAP Vehicle License to Operate in the City of Malden, (see attached document).

**Sponsors:** Stephen Winslow

[326-21](#)

Petition: Class II - AGM, 160 Eastern Ave., Malden, MA - change number of vehicles from 18 to 24.

**Sponsors:** Paul Condon

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

[312-21](#)

Order: That pursuant to Massachusetts General Laws Chapter 44 Section 53A the City of Malden accept a grant from the federal government (American Rescue Plan Act) to be deposited with the City Treasurer and held in a separate account and expended on any and all lawful expenditures as allowed in the Interim Final Rule and/or other guidance issued by the United States Treasury.

**Sponsors:** Barbara Murphy

[313-21](#)

Order: Be it hereby ordained that the City of Malden Ordinances section 2.16 "Board, Commissions, and Committees" be amended to require remote participation by members of the public for all public meetings by inserting a new section 2.16.001 "Remote participation required."

**Sponsors:** Ryan O'Malley, Deborah DeMaria and Amanda Linehan

[314-21](#)

Resolve: That, the Malden City Council authorize the Mayor, as Malden's Chief Executive Officer, to allow remote participation in accordance with the

requirements of 940 CMR 29.10, for all subsequent meetings of all local public bodies in the City of Malden.”

“Whereas, the COVID-19 pandemic revealed the need for emergency preparedness planning for all entities, public and private;

Whereas, the Governor Baker’s 2020 emergency order authorizing remote participation for public meetings, resulted in record public meeting attendance and participation in the City of Malden;

Whereas, remote participation has helped enable the elderly, disabled, evening shift workers, young families, and home bound individuals participate in public meetings,

**Sponsors:**

Ryan O'Malley, Deborah DeMaria and Amanda Linehan

**315-21**

Order: That the appropriation enumerated below, being in the amount of \$124,596 (One Hundred Twenty-Four Thousand Five Hundred Ninety-Six Dollars), be appropriated from the Community Preservation Act Fund for the following project:

Converse Memorial Building Archives Phase 2:                      \$124,596 from General Reserve

Total Appropriation = \$124,596

APPROPRIATION ORDER  
COMMUNITY PRESERVATION ACT FUNDS  
June 22, 2021

**Sponsors:**

Barbara Murphy

**315-21**

Order: That the appropriation enumerated below, being in the amount of \$124,596 (One Hundred Twenty-Four Thousand Five Hundred Ninety-Six Dollars), be appropriated from the Community Preservation Act Fund for the following project:

Converse Memorial Building Archives Phase 2:                      \$124,596 from General Reserve

Total Appropriation = \$124,596

APPROPRIATION ORDER  
COMMUNITY PRESERVATION ACT FUNDS  
June 22, 2021

**Sponsors:**

Barbara Murphy

[316-21](#)

Resolve: to ask the Board of Health to consider expanding it's membership to include an Associate Member.

**Sponsors:** Peg Crowe

## **10. COMMUNICATIONS**

## **11. COMMITTEE REPORTS**

[317-21](#)

Committee Report: Rules & Ordinance (Paper # 285-21) Order: Be it hereby ordained that Chapter 2, Section 6.08.070 (d) of the Revised Ordinances of 2020 be amended by adding social and Economic Empowerment applicants and designate minority business owned applicants for a retail cannabis license. The standing committee on Rules & Ordinance after having been referred Paper #285-21 recommend this paper out of committee favorably to the full council.

[285-21](#)

Order: Be it hereby ordained that Chapter 2, Section 6.08.070 (d) of the Revised Ordinances of 2020 be amended by adding social and Economic Empowerment applicants and designate minority business owned applicants for a retail cannabis license.

**Sponsors:** Craig Spadafora

[285-21](#)

Order: Be it hereby ordained that Chapter 2, Section 6.08.070 (d) of the Revised Ordinances of 2020 be amended by adding social and Economic Empowerment applicants and designate minority business owned applicants for a retail cannabis license.

**Sponsors:** Craig Spadafora

[318-21](#)

Committee Report: Public Property (Paper # 226-21) Petition: Cellco Partnership d/b/a Verizon, 118 Flanders Road, Westborough, MA . Installation of necessary telecommunication equipment and corresponding aerial fiber optic cable on National Grid owned Utility Poles within the Public Way at the following locations;

1. 17 Waite St. Ext.
2. **1308 Salem St. - Withdrawn**
3. 1 Beach St.
4. 110-112 Beach St.
5. 206 Oliver St.
6. 2 Evelyn Ave., Pole on Granite St.
7. 56 Rockingham Ave.
8. 50-52 Rockwell St.
9. 39-41 Baker St., Fairview Ave. side
10. 100 Sylvan St., Winship St. side
11. 45-47 Forest St.
12. 30-36 Winter St.

13. 746 Main St., Vernon St. side
14. 59 Meridian St.
15. 35 Green St.
16. 257 Pearl St., Thacher St. side
17. 3 Hawthorne St., Elm St. side
18. 71 Washington St., Linden Ave., side

### 226-21

Petition: Cellco Partnership d/b/a Verizon, 118 Flanders Road, Westborough, MA .  
Installation of necessary telecommunication equipment and corresponding aerial  
fiber optic cable on National  
Grid owned Utility Poles within the Public Way at the following locations;

1. 17 Waite St. Ext.
2. 1308 Salem St.
3. 1 Beach St.
4. 110-112 Beach St.
5. 206 Oliver St.
6. 2 Evelyn Ave., Pole on Granite St.
7. 56 Rockingham Ave.
8. 50-52 Rockwell St.
9. 39-41 Baker St., Fairview Ave. side
10. 100 Sylvan St., Winship St. side
11. 45-47 Forest St.
12. 30-36 Winter St.
13. 746 Main St., Vernon St. side
14. 59 Meridian St.
15. 35 Green St.
16. 257 Pearl St., Thacher St. side
17. 3 Hawthorne St., Elm St. side
18. 71 Washington St., Linden Ave., side

#### **Sponsors:**

Amanda Linehan

### 319-21

Committee Report: License - Petition (Paper #280-21, Paper #281-21, Paper  
#366-20, Paper # 38-21, Paper # 227-21, Paper # 228-21 and Paper #229-21).  
Paper 280-21 Livery Stephanie M. Licon, 205 Bryant St., 1 livery (new)  
Paper 281-21 Livery Prime Limo Service, 1 Maple Street # 10, 1 livery (renewal)  
Paper 366-20 Livery Chardin, LLC, 33 Maple Street # 402, 1 livery (new)  
Paper 38-21 Livery Ideal Park Limo. Serv. Inc., 61 High Rock Rd., 1 livery (renewal)  
Paper 227-21 Outdoor Parking, Rigano's, 1081 Fellsway, 20 cars (renewal)  
Paper 228-21 Outdoor Parking, Rigano's 1152 Eastern Ave., 10 cars (renewal)  
Paper 229-21 Outdoor Parking, Rigano's 1175 Eastern Ave., 15 cars (renewal)

### 280-21

Livery: Stephanie M. Licon, 205 Bryant St. Malden, 1 livery (New)

#### **Sponsors:**

Paul Condon

[281-21](#)

Livery: Prime Limo Service, 1 Maple St. #10, Malden, 1 livery (Renewal)

**Sponsors:**

Paul Condon

[366-20](#)

Petition: Livery Chardin, LLC - 33 Maple Street # 402, Malden, MA - 1 livery (new)

[38-21](#)

Petition: Livery: Ideal Park Limousine Services, Inc., 61 High Rock Rd., Malden, 1 livery (Renewal)

**Sponsors:**

Paul Condon

[227-21](#)

Outdoor Parking: Rigano's, 1081 Fellsway, Malden, 20 cars (Renewal)

**Sponsors:**

Paul Condon

[228-21](#)

Outdoor Parking: Rigano's, 1152 Eastern Ave, Malden, 10 spaces (Renewal)

**Sponsors:**

Paul Condon

[229-21](#)

Outdoor Parking: Rigano's, 1176 Eastern Ave. Malden, 15 spaces (Renewal)

**Sponsors:**

Paul Condon

[320-21](#)

Committee Report: Rules & Ordinance - (Paper # 232-21) Order: Be it ordained that Section 12 of the Revised Ordinances of 2020 be amended by adding Section 12.12.200 entitled Inclusionary Zoning.

[232-21](#)

Order: Be it ordained that Section 12 of the Revised Ordinances of 2020 be amended by adding Section 12.12.200 entitled Inclusionary Zoning.

**Sponsors:**

Craig Spadafora, Stephen Winslow, Peg Crowe, David Camell, Ryan O'Malley and Amanda Linehan

[321-21](#)

Committee Report: Rules & Ordinance (Papers 40-21, 41-21).

40-21 - Order: Be it ordained that Section 12.16 (Dimensional Controls) of the Revised Ordinances of 2020 be amended by revising Section 12.16.050 as to waiving rear yard setbacks in Industrial Districts by deleting reference to "rivers or water courses."

41-21 - Order: Be it ordained that Section 12.12 (Use Regulation), of the Revised Ordinances of 2020, be amended by adding new Section 12.12.200, to include Malden River Site Plan Review.

[40-21](#)

Order: Be it ordained that Section 12.16 (Dimensional Controls) of the Revised Ordinances of 2020 be amended by revising Section 12.16.050 as to waiving rear yard setbacks in Industrial Districts by deleting reference to "rivers or water courses.

**Sponsors:**

Craig Spadafora

[41-21](#)

Order: Be it ordained that Section 12.12 (Use Regulation), of the Revised Ordinances of 2020, be amended by adding new Section 12.12.200, to include Malden River Site Plan Review.

**Sponsors:**

Craig Spadafora

[322-21](#)

Committee Report: Appointment - Personnel & Appointments - Committee recommends that Scune Carrington fill the vacant seat as a Board of Health Member, term to expire March 1, 2022 and report it out favorably to the Full Council.

**Sponsors:**

Peg Crowe

[348-21](#)

Council Appointment: - Scune Carrington fill the vacant seat as a Board of Health Member, term to expire March 1, 2022.

[323-21](#)

Committee Report: Appointment - Personnel & Appointments - Committee recommends that Cherlie Magny-Normilus fill the vacant seat as a Board of Health Member, term to expire October 1, 2023 and report it out favorably to the Full Council.

**Sponsors:**

Peg Crowe

[349-21](#)

Council Appointment: Personnel & Appt's. Cherlie Magny-Normilus fill the vacant seat as a Board of Health Member, term to expire October 1, 2023.

[324-21](#)

Committee Report: Finance (Paper #234-21) Order: Annual Appropriation order for the FY2022 City Budget).

[234-21](#)

Order: Annual Appropriation Order for the FY2022 Budget.

**Sponsors:**

Barbara Murphy

**12. TABLED PAPERS**

[451-20](#)

Petition: Massachusetts Electric d/b/a National Grid, 1101 Turnpike Street, North Andover, MA

*that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named. Permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked:*

- *108 Charles Street*  
OH - Install an inline pole in front of 124 Charles Street  
UG - Dig across street from newly proposed pole to Ngrid Gas regulator pit. Install 1-3" conduit for underground siphon.
- *105 Mountain Avenue* - Open approximately 10 ft. of sidewalk to install conduit from existing pole to property (#105) This is for an EV charging station.
- *120 Converse Avenue* - Relocate an existing pole per customer's request. Customer states pole is too close to her driveway. Request to move to property line.

**Sponsors:**

Barbara Murphy

[451-20](#)

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- *120 Converse Avenue* - Relocate an existing pole per customer's request. Customer states pole is too close to her driveway. Request to move to property line.

**Sponsors:**

Barbara Murphy

**13. EXECUTIVE SESSION**



[325-21](#)

The City Council will vote to go into executive session, with legal counsel for the City Council, in accordance with Exemption One (MGL c. 30A, § 21 (a) (1), and Exemption Seven (MGL c. 30A, § 21 (a) (7)), to comply with, or act under the authority of, any general or special law or federal grant-in requirements, in order to act on pending complaint of June 15, 2021, by Brian DeLacey against the Malden City Council under the Open Meeting Law, MGL c. 30A, § 23 (b).

**14. PERSONAL PRIVILEGE****15. ADJOURNMENT**

**GREGORY LUCEY, CITY CLERK**