



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final 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*

Tuesday, February 2, 2021

7:00 PM

REMOTE VIRTUAL MEETING

31-21

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 webinar:

<https://cityofmalden.zoom.us/j/98150457535?pwd=UGxBWkpqWG0rNUxySEYwQmN2bEp0Zz09>

Passcode: 867344

Or iPhone one-tap :

US: +19294362866,,98150457535#,,,,*867344#
+16465189805,,98150457535#,,,,*867344#

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1. CALL TO ORDER

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

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

3. ROLL CALL

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

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

[32-21](#)

Communication: Alex Pratt from the Malden Redevelopment Authority (MRA) will speak before the Council on the Eviction Prevention Program and the Rental Assistance Program as well as give updates on upcoming microenterprise program that uses CDBG-CV to provide grants to eligible businesses.

Sponsors: Neal Anderson

Alex Pratt from the MRA gave a presentation to the council on the city addressing the housing instability and small business needs during COVID-19. Mr. Pratt outlined the relief that has been given regarding owed rents and the partnerships formed with no-profits to facilitate actions for those that are requiring assistance to help get through the pandemic.

5. PUBLIC COMMENT

Karen Buck, 323 Forest Street gave comment by zoom in favor of papers 40-21, 41-21 and 42-21 with the important attention towards the Malden River site.

6. APPROVAL OF MINUTES

[34-21](#)

Minutes of the Meeting of January 19, 2021.

Councillor O'Malley requested that the agenda item announcing Guillermo Hamlin as appearing for MATV be corrected because other people appeared not Mr. Guillermo.

A motion was made by Councillor Winslow, seconded by Councillor DeMaria,

that the Council Minutes be approved. The motion carried by the following vote:

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

[33-21](#)

Minutes of the Meeting of January 26, 2021.

A motion was made by Councillor Winslow, seconded by Councillor DeMaria, that the Council Minutes be approved. The motion carried by the following vote:

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

7. APPOINTMENTS & ELECTIONS

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[35-21](#)

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

Sponsors: Paul Condon

A motion was made by Councillor Condon, seconded by Councillor Sica, that the Petition be referred to the License Committee. The motion carried by the following vote:

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

[36-21](#)

Extended Hours: Speedway #2504, 214 Broadway, Malden, Hours: 24/7 (Renewal)

Sponsors: Paul Condon

A motion was made by Councillor Condon, seconded by Councillor Sica, that the Petition be referred to the License Committee. The motion carried by the following vote:

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

[37-21](#)

Petition: Livery: David Ulysse, 230 Bryant St. #3, Malden, 1 livery (Renewal)

Sponsors: Paul Condon

A motion was made by Councillor Condon, seconded by Councillor Sica, that the Petition be referred to the License Committee. The motion carried by the following vote:

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

[38-21](#)

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

Sponsors: Paul Condon

A motion was made by Councillor Condon, seconded by Councillor Sica, that the Petition be referred to the License Committee. The motion carried by the

following vote:

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

[39-21](#)

Petition: Livery: Roman Kerm, 150 Sylvan St., Malden, 3 liveries (Renewal)

Sponsors: Paul Condon

A motion was made by Councillor Condon, seconded by Councillor Sica, that the Petition be referred to the License Committee. The motion carried by the following vote:

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

9. MOTIONS, ORDERS AND RESOLUTIONS[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

THE PAPER WAS REFERRED TO JOINT ORDINANCE/PLANNING

A motion was made by Councillor Spadafora, seconded by Councillor O'Malley, that the Order be referred to the Rules & Ordinance Committee. The motion carried by the following vote:

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

[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

THE PAPER WAS REFERRED TO JOINT ORDINANCE/PLANNING

A motion was made by Councillor Spadafora, seconded by Councillor O'Malley, that the Order be referred to the Rules & Ordinance Committee. The motion carried by the following vote:

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

[42-21](#)

Order: Be it hereby ordained that Chapter 12 of the Revised Ordinances of 2020 be amended as follows:

#1.

Amend Chapter 12.08.040 FLOODPLAINS by adding:

C. To mitigate the risks of flooding, all parcels, entirely or partially within, directly adjacent to, or within 500 feet of a Zone AE, Flood Plain District, as defined by 12.08.040 A, must maintain a 100 ft setback of publicly accessible open space from

the edge of any watercourse, river, or channel. Watercourses, rivers, and channels shall include but are not limited to the Malden River, a channelized waterway, and Little Creek which are located in map panel 25017C0437E of the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA.) The publicly accessible open space shall include a 10 foot wide pathway which complies with the accessibility requirements of the Americans with Disabilities Act, and shall be planted with plants with a wetland indicator category of FAC, FAC+, FACW-, FACW, FACW+, or OBL as identified in the U.S. Fish and Wildlife Service's National List of Plant Species that Occur in Wetlands: Massachusetts (Reed, 1988.) Furthermore, the publicly accessible open space shall be kept clear of plants identified as "invasive", "likely invasive", or "potentially invasive" in "The Evaluation of Non-Native Plant Species for Invasiveness in Massachusetts" (April, 2005) by the Massachusetts Invasive Plant Advisory Group.

#2.

Amend FLOODPLAIN DISTRICTS 12.12.110 A, by inserting "4. 12.08.040 C and 12.16.140 A."

#3.

Amend IN INDUSTRIAL DISTRICTS 12.16.050 A, by striking "rivers or water courses, and associated properties or easements in public ownership".

#4.

Amend YARD REQUIREMENT FOR ALL DISTRICTS by adding "K. All parcels shall comply with FLOODPLAINS 12.08.040 C and 12.16.140 A."

#5.

Amend USEABLE OPEN SPACE REQUIREMENTS FOR ALL DISTRICTS 12.16.080 by inserting "E. Usable open space in all districts shall comply with FLOODPLAINS 12.08.040 C and 12.16.140 A."

#6.

Amend 12.16 by inserting a new section "12.16.140 SETBACK FROM RIVERS, CHANNELS, AND WATERCOURSES FOR ALL DISTRICTS

1. To mitigate the risks of flooding, all parcels, entirely or partially within, directly adjacent to, or within 500 feet of a Zone AE, Flood Plain District, as defined by 12.08.040 A, must maintain a 100 ft setback of publicly accessible open space from the edge of any watercourse, river, or channel. Watercourses, rivers, and channels shall include but are not limited to the Malden River, a channelized watercourse, and Little Creek which are located in map panel 25017C0437E of the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA.) The publicly accessible open space shall include a 10 foot wide pathway which complies with the accessibility requirements of the Americans with Disabilities Act, and shall be planted with plants with a wetland indicator category of FAC, FAC+, FACW-, FACW, FACW+, or OBL as identified in the U.S. Fish and Wildlife Service's National List of Plant Species that Occur in Wetlands: Massachusetts (Reed, 1988.)^{[1][1]} Furthermore, the publicly accessible open space shall be kept clear of plants identified as "invasive", "likely invasive", or "potentially invasive" in "The Evaluation of Non-Native Plant Species for Invasiveness in Massachusetts" (April, 2005) by the Massachusetts Invasive Plant Advisory Group^{[2][2]}."

#7.

Amend TABLE OF INTENSITY REGULATIONS 12.16.010 by inserting a new column between "Rear" and "Min, Usable Open Space" titled "Setback from Watercourse, River, and Channel" and further inserting "100' " in all rows in the new column from "AGRICULTURE" to "Public Service Corporation".

Sponsors: Ryan O'Malley

THIS PAPER WAS REFERRED TO JOINT ORDINANCE/PLANNING

A motion was made by Councillor O'Malley, seconded by Councillor DeMaria, that the Order be referred to the Rules & Ordinance Committee. The motion carried by the following vote:

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

43-21

Resolve: That the City Council acknowledge the work of the Administration and thank them as they continue to navigate through the pandemic. We request that a disclosure and review of all COVID-19 funds received and expended to date be provided to the Council along with a programmatic description of the sources and uses of these funds; past, present and future.

Sponsors: Deborah DeMaria and Amanda Linehan

A motion was made by Councillor DeMaria, seconded by Councillor Linehan, that the Resolution be referred to the Finance Committee. The motion carried by the following vote:

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

44-21

Resolve: That it is the sense of the City Council, that in response to the impact that the COVID-19 pandemic, the City of Malden shall promote economic development to recover and grow the local economy by the creation of 2,000 private sector jobs in Malden by 2025.

Sponsors: Ryan O'Malley, Stephen Winslow and Deborah DeMaria

Councillors Condon and Camell requested to be added as sponsors.

A motion was made by Councillor O'Malley, seconded by Councillor Condon, that the Resolution be passed. The motion carried by the following vote:

Councillor Spadafora voted present

Yea: 10 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Sica and Winslow

10. COMMUNICATIONS**45-21**

Communication: From Mayor Gary Christenson regard update on Inclusionary Zoning along with the Feasibility Report.

Sponsors: Neal Anderson

A motion was made by Councillor Crowe that the Communication be received

and filed. The motion carried by the following vote:

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

11. ENROLLED ORDINANCES

466-20

Order: Be it hereby Ordained that Sections 2.08.040 and 2.16.060 of Chapter 2 of the R.O. of 2020 be amended to read "COMMISSION ON ENERGY EFFICIENCY AND SUSTAINABILITY".

Sponsors: David Camell

A motion was made by Councillor Winslow, seconded by Councillor DeMaria, that the Ordinance be ordained. The motion carried by the following vote:

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

468-20

Order: Be it hereby ordained that the City of Malden Revised Ordinances of 2020 Section 4.16 Sign Control be amended by adding the following additional language:

1. Definitions: By adding a definition for "Recreational Trail" and "Sign, Recreational Trail Facing".
2. Regulations of signs; by sign type: By adding regulations for this new type of sign.
3. Regulations of signs, by district: By adding this sign type to the allowed signs in Residence A, B & C Zoning Districts.
Recreational Trail Facing Signs must be wall signs, cannot be illuminated, and are limited to 50% of the area of the allowable wall sign for that district.
These signs will not count against the total signage allowed for building or tenant. These signs are restricted to non-residential uses.
Allowing the signs in Residence A, B & C Zoning districts makes them allowable in all districts which accounts for the numerous parcels located along the trail.

Sponsors: Craig Spadafora

A motion was made by Councillor Winslow, seconded by Councillor Murphy, that the Ordinance be ordained. The motion carried by the following vote:

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

12. COMMITTEE REPORTS

46-21

Committee Report: License Committee -Papers (Listed Below): Recommends favorably the following Petitions:

- | | |
|-------|---|
| 20-21 | Class II: Andy's Service Center , Inc. 356 Lebanon St., Malden 3 cars renewal |
| 12-21 | Class II: Broadway Auto Motors, Inc. 495 Broadway, Malden 27 cars renewal |

- 13-21 Class II: Rigano's 1081 Fellsway, Malden 20 cars renewal
 452-20 Class II: Culleton Bros. Inc. 61 Clinton St. Malden 2 cars renewal
 453-20 Class II: Malden Middlesex Motors Sales, Inc. 129 Charles St, Malden 15 cars renewal
 454-20: Class II: Next Level Motors Inc. 189 Eastern Ave., Malden 35 cars renewal
 455-20: Class II: Smart Buy USA 616 Broadway Malden 26 cars renewal
 285-20: Class II: GP Motorcycle Supply , 420 Broadway, Malden granted **w/conditions (no vehicles motorcycles only) - 15 vehicles - new**
 338-20: Class II: Auto Tech II, 1236 Eastern Ave., Malden 5 cars renewal
 14-21: Class III: Malden Broadway Auto Body Inc. 590 Broadway Malden renewal
 456-20: Class III: Malden Middlesex Motors Sales, Inc. 129 Charles St. Malden renewal
 15-21: Extended Hours: Walgreens 185 Centre St. Malden Hours 24/7 renewal
 16-21: Livery: Linda Dellolacono, 259 Mountain Ave., # 1 Malden 1 Livery renewal
 457-20: Second-Hand Dealer: Great Eastern Vintage, 258 Highland Ave., Malden new

Councillor Condon requested the licenses be taken in batches with the first five Class II Dealers Licenses be taken together.

Councillor Sica motioned to recuse herself from the first batch being voted on because of paper 13-21 being a relative. Councillor Crowe seconded the motion, It was so voted by a roll call vote:

Camell (y), Condon (y), Crowe (y), DeMaria (y), Linehan (y), Murphy (y), O'Malley (y), Sica (y), Spadafora (y), Winslow (y) Anderson (y)

A motion was made by Councillor Condon that the Committee Report be received and filed. The motion carried by the following vote:

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

20-21

Class II: Andy's Service Center, Inc., 356 Lebanon St., Malden, 3 cars (Renewal)

A motion was made by Councillor Condon, seconded by Councillor Crowe, that the Petition be granted. The motion carried by the following vote:

Yea: 10 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Spadafora and Winslow

Recused: 1 - Sica

12-21

Class II: Broadway Auto Motors, Inc., 495 Broadway, Malden, 27 cars (Renewal)

A motion was made by Councillor Condon, seconded by Councillor Crowe, that the Petition be granted. The motion carried by the following vote:

Yea: 10 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Spadafora and Winslow

Recused: 1 - Sica

[13-21](#)

Class II: Rigano's, 1081 Fellsway, Malden, 20 cars (Renewal)

A motion was made by Councillor Condon, seconded by Councillor Crowe, that the Petition be granted. The motion carried by the following vote:

Yea: 10 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Spadafora and Winslow

Recused: 1 - Sica

[452-20](#)

Class II: Culleton Bros. Inc., 61 Clinton St., Malden, 2 cars (Renewal)

Sponsors: Barbara Murphy

A motion was made by Councillor Condon, seconded by Councillor Crowe, that the Petition be granted. The motion carried by the following vote:

Yea: 10 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Spadafora and Winslow

Recused: 1 - Sica

[453-20](#)

Class II: Malden Middlesex Motors Sales, Inc., 129 Charles St., Malden, 15 cars (Renewal)

Sponsors: Barbara Murphy

A motion was made by Councillor Condon, seconded by Councillor Crowe, that the Petition be granted. The motion carried by the following vote:

Yea: 10 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Spadafora and Winslow

Recused: 1 - Sica

[454-20](#)

Class II: Next Level Motors, Inc., 189 Eastern Ave., 35 cars (Renewal)

Sponsors: Barbara Murphy

A motion was made by Councillor Condon, seconded by Councillor Crowe, that the Petition be granted. The motion carried by the following vote:

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

[455-20](#)

Class II: Smart Buy USA, 616 Broadway, Malden, 26 cars (Renewal)

Sponsors: Barbara Murphy

A motion was made by Councillor Condon, seconded by Councillor Crowe, that the Petition be granted. The motion carried by the following vote:

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

[285-20](#)

Class II: GP Motorcycle Supply, 420 Broadway, Malden, 4 motorcycles (New)

Sponsors: Barbara Murphy

THE CONDITIONS ARE THAT THE LICENSE IS FOR 15 SPACES AND THE LICENSE IS GOOD FOR MOTORCYCLE SALES ONLY

A motion was made by Councillor Condon, seconded by Councillor Crowe, that the Petition be granted with conditions. The motion carried by the following vote:

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

[338-20](#)

Petition: Class II - Auto Tech II, 1236 Eastern Avenue, Malden, MA - 5 cars needs dealer plates registration (incomplete application)

A motion was made by Councillor Condon, seconded by Councillor DeMaria, that the Petition be granted. The motion carried by the following vote:

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

[14-21](#)

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

A motion was made by Councillor Condon, seconded by Councillor Linehan, that the Petition be granted. The motion carried by the following vote:

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

[456-20](#)

Class III: Malden Middlesex Motors Sales, Inc., 129 Charles St., Malden (Renewal)

Sponsors: Barbara Murphy

A motion was made by Councillor Condon, seconded by Councillor Linehan, that the Petition be granted. The motion carried by the following vote:

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

[15-21](#)

Extended Hours: Walgreens, 185 Centre St., Malden, Hours: 24/7 (Renewal)

A motion was made by Councillor Condon, seconded by Councillor Linehan, that the Petition be granted. The motion carried by the following vote:

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

[16-21](#)

Livery: Linda Dellolacono, 259 Mountain Ave. #1, Malden, 1 livery (Renewal)

A motion was made by Councillor Condon, seconded by Councillor Linehan, that the Petition be granted. The motion carried by the following vote:

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

[457-20](#)

Second-Hand Dealer: Great Eastern Vintage, 258 Highland Ave., Malden (New)

Sponsors: Barbara Murphy

A motion was made by Councillor Condon, seconded by Councillor Linehan, that the Petition be granted. The motion carried by the following vote:

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

13. TABLED PAPERS

14. PERSONAL PRIVILEGE

Councillor Camell requested a moment of silence for Sarla Samnotra, mother-in-law of school committee member Joe Gray who passed away.

Councillor Linehan requested a moment of silence for Carol Silverman, mother of former ward three school committee member, Larry Silverman, who passed away.

Councillor O'Malley requested a moment of silence for Marian Bertone. a ward four resident passed away.

15. ADJOURNMENT

A motion was made by Councillor DeMaria, seconded by Councillor Crowe, that the meeting be adjourned. The motion carried by the following vote:

Meeting adjourned at 9:27 P.M.

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

GREGORY LUCEY, CITY CLERK