



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Agenda - Final City Council

Council President Craig Spadafora
Councillor at Large Karen Colon-Hayes
Councillor Paul Condon
Councillor Peg Crowe
Councillor Amanda Linehan
Councillor at Large Carey McDonald
Councillor Barbara Murphy
Councillor Ryan O'Malley
Councillor Jadeane Sica
Councillor Chris Simonelli
Councillor Stephen Winslow

Tuesday, November 29, 2022

7:00 PM

City Council Chambers
215 Pleasant Street
Malden, MA 02148

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

[467-22](#) Minutes for the meeting of November 15, 2022

[468-22](#) Minutes for the meeting of November 22, 2022

7. APPOINTMENTS & ELECTIONS

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[469-22](#) Petition: Amusement Machines - Tend Da Inc., dba Flaming Grill & Buffett of 52 Broadway, three machines, renewal

[470-22](#) Petition: Amusement Machines - Alben, Inc. dba Pearl Street Station of 53 Summer Street, two machines, renewal

[471-22](#) Petition: Amusement Machines - Malden Veterans of Irish Ancestry, Inc. of 177

West Street, four machines, renewal

[472-22](#) Petition: Extended Hours License - G&V Convenience, Inc. dba Supreme Food Mart of 1018 Eastern Avenue, 24 hours seven days, renewal

[473-22](#) Petition: Extended Hours License - Boda Borg Boston of 90 Pleasant Street, 10:00 AM to 10:00 PM seven days and as requested for annually held special events, renewal

[474-22](#) Petition: Extended Hours License - Walgreens #03130 of 185 Centre Street, 24 hours seven days, renewal

[475-22](#) Petition: Extended Hours License - Speedway # 2504 of 214 Broadway, 24 hours seven days, renewal

[476-22](#) Petition: Class II License for Wentworth Auto Sales of 730 Eastern Avenue, renewal, 15 cars

[477-22](#) Petition: Class II License for Next Level Motors, Inc. of 189 Eastern Avenue, renewal, 35 cars

[478-22](#) Petition: Class II License for Greenleaf Auto Sales of 28 Broadway, renewal, 50 cars

[479-22](#) Petition: Class II license for Sega Auto Sales & Service, Inc. of 449 Ferry Street, renewal, 15 cars

[480-22](#) Petition: Class II license for Nick's Foreign Car Center, LLC of 121 Beach Street, renewal, 15 cars

[481-22](#) Petition: Class II License for Quality Auto Sales, Inc. of 856 Eastern Avenue, renewal, 0 cars

[482-22](#) Petition: Class II License for Prestige Motors of Malden, Inc. of 600 Broadway, renewal, 67 cars

[483-22](#) Petition: Class II License for Broadway Auto Motors, Inc. of 495 Broadway, renewal, 27 cars

[484-22](#) Petition: Class II License for Andy's Service Center, Inc. of 356 Lebanon Street, renewal, 3 cars

9. MOTIONS, ORDERS AND RESOLUTIONS

[485-22](#) Order: That the City Council adopt a residential exemption of 30% and a minimum residential factor for the FY 2023 tax rate

Sponsors: Barbara Murphy

[486-22](#) Order: That the Malden City Council adopts the Hazard Mitigation Plan 2022 Update, established by Committee during public meetings held by the Malden Conservation Commission on May 6, 2022 and by the Malden Emergency Management Team on June 15, 2022 outlining several potential future projects to mitigate potential impacts from natural hazards in the City of Malden and to further authorize responsible departments and/or agencies to execute their responsibilities demonstrated in the plan, on behalf of the City of Malden.

Sponsors: Craig Spadafora

Attachments: [Malden MA Draft Plan 2022-08-05](#)

[487-22](#)

Order: That the Malden City Council endorses the Malden Community Electricity Plan for a municipal electrical aggregation program and authorizes submission of this plan to the Massachusetts Department of Public Utilities for its review and approval.

Sponsors:

Carey McDonald

[488-22](#)

Resolve: That City Engineer Yem Lip appear before the Malden City Council at the meeting of November 29, 2022 to provide an update on the signalization and lane striping project on Centre Street/Route 60, and that the same update be made available to the public.

Sponsors:

Peg Crowe and Craig Spadafora

[489-22](#)

Resolve: That the Malden City Council Calls for an Update of Stadium and Athletic Commission Rules and Regulations related to Permitting of Fields, Parks, Stadiums or other Recreational Facilities

Sponsors:

Stephen Winslow, Karen Colon Hayes, Barbara Murphy and Ryan O'Malley

Attachments:

[Field Permit Policies Handbook - 2.13.18](#)

10. COMMUNICATIONS

12. COMMITTEE REPORTS

[490-22](#)

Committee Report: License Petitions Papers 437 through 451 of 2022 The Standing Committee on License to whom was referred the following papers having considered the same, make the following report that these papers be reported out favorably to the Full City Council.

[437-22](#)

Petition: Amusement Machines - Lodge 1910 Loyal Order of the Moose of 562 Broadway, one (1) machine, renewal

[438-22](#)

Petition: Amusement Machines - Italian American War Vets, Post 16 of 40 Oakland Street, four (4) machines, renewal

[439-22](#)

Petition: Amusement Machines - Town Line Ten Pin Corp. dba Town Line Luxury Lanes of 665 Broadway, twenty-five (25) machines, renewal

[440-22](#)

Petition: Amusement Machines - GLS Associates, Inc. of 50 Holden Street, six (6) machines, renewal

[441-22](#)

Petition: Class II license for AGM Auto Sales, Inc., of 160 Eastern Avenue, renewal, 24 cars

[442-22](#)

Petition: Class II license for Maxima Auto Sales, Corp., of 105 Broadway, renewal, 34 cars

[443-22](#)

Petition: Class II license for GP Motorcycle Supply of 420 Broadway, renewal, 4 motorcycles

[444-22](#)

Petition: Class II license for Broadway Auto Sales of 628 Broadway, renewal, 8 cars

- [445-22](#) Petition: Class II license for John's Service of 200 Beach Street, renewal, 15 cars
- [446-22](#) Petition: Class II license for Richard's Motorcars, Inc. of 672 Broadway, renewal, 80 cars
- [447-22](#) Petition: Class II license for River Auto Sales, Inc. of 77 Eastern Avenue, renewal, 21 cars
- [448-22](#) Petition: Extended Hours License - Maia Donuts, LLC dba Dunkin' of 200 Commercial Street, 5:00 AM to 7:00 PM seven days, renewal
- [449-22](#) Petition: Extended Hours License - C.M.B. Medeiros, Inc. dba Dunkin' of 57 Eastern Avenue, 24 hours seven days, renewal
- [450-22](#) Petition: Extended Hours License - Aires & Helena, Donuts, Inc. dba Dunkin' of 424 Main Street, 5:00 AM to 7:00 PM seven days, renewal
- [451-22](#) Petition: Extended Hours License - Honey Dew Donuts of 691 Eastern Avenue, 5:00 AM to 7:00 PM seven days, renewal
- [491-22](#) Committee Report: Personnel/Appointments (Paper #417-22 Ordered: That Carol Ann Desiderio, 440 Lebanon Street, Malden, MA be moved out unanimously to be interviewed by the Full Council for the position of City Clerk to fill the unexpired term created by the pending retirement of Greg Lucey, said term to commence January 5, 2023 and expire on February 28, 2024 upon council Confirmation.) The Standing Committee on Personnel/Appointments, to whom was referred Paper # 417 Series of 2022, having considered the same make the following report: Committee recommends this paper out favorably to the Full Council.
- Sponsors:** Chris Simonelli
- [417-22](#) Order: That the Personnel/Appointments Committee review and interview candidates for the position of City Clerk to fill the unexpired term created by the pending retirement of Greg Lucey
- Sponsors:** Craig Spadafora
- [492-22](#) Committee Report: Personnel/Appointments (Paper #362-22 Mayoral Appointment: Paul Lee, 52 Lyle Street, as a member of the License Board, said term to commence upon confirmation by the City Council and to expire on June 1, 2028 to fill the vacancy of Frances Lin who has stepped down from the Board. The Standing Committee on Personnel/Appointments, to whom was referred Paper #362 Series of 2022, having considered the same make the following report: Committee recommends this appointment out favorably to the Full Council.
- Sponsors:** Chris Simonelli
- [362-22](#) Mayoral Appointment: Paul Lee of 52 Lyle Street as a member of the License Board, said term to commence upon confirmation by the City Council and to expire on June 1, 2028 to fill the vacancy of Frances Lin who has stepped down from the Board.
- Confirmation required
- Sponsors:** Chris Simonelli
- [493-22](#) Committee Report: Personnel/Appointments (Paper #435-22, Ordered: That John

Colangeli, 9 Lynn Street, Malden, be appointed as a member of the Board of Health Commission, said term to commence upon council confirmation and to expire on October 1, 2023, to fill the vacancy of Cherlie Magny-Normilus.) The Standing Committee on Personnel/Appointments, to whom was referred Paper #435 Series of 2022, having considered the same make the following report: Committee recommends this appointment out favorably to the Full Council.

Sponsors:

Chris Simonelli

435-22

The committee will meet to interview the following two candidates for the vacant seat of member of the Board of Health Commission

494-22

Committee Report: The Standing Committee on Rules and Ordinance to whom was referred paper number 403-22 having considered the same make the following report that this paper be reported out favorably to the Full City Council as amended.

Sponsors:

Peg Crowe

403-22

Be it hereby Ordained by the Malden City Council that the Code of the City of Malden (MCC) 7.20.010 (A) (12) is hereby amended by striking "from 8 a.m. to 8 p.m. Monday through Saturday and 10 a.m. to 8 p.m. on Sunday" and replaced with "the same hours as Trafton Park unless the Stadium and Athletic Commission establishes different hours."

Sponsors:

Stephen Winslow

13. TABLED PAPERS

Tabled to a Future Meeting

138-22

Resolve: That the City of Malden City Council establish "The Malden Youth Council" Ad Hoc Committee with three (3) City Councillors as voting members assigned by the Council President; to provide an opportunity for the youth of Malden and foster civic engagement and an opportunity to be involved and participate in local government to acquire a greater knowledge of and appreciation for local government through active participation in the system.

Sponsors:

Karen Colon Hayes, Amanda Linehan and Carey McDonald

286-22

Order: That in the interest of promoting a fair and transparent marijuana licensing process, free from political influence and the potential for state ethics violations, that the Code of the City of Malden be amended to change the Special Permit granting authority for Marijuana Establishments from the Malden City Council to the Malden Planning Board, including amending the following Sections:

-Section 6.08.070.B. Definition of Special Permit, by deleting "as further amended
by City Council Paper 283 of 2018.";

-Section 6.08.070.D.2.b, by deleting "City Council" where mentioned and replacing
with "Planning Board";

-Section 12.12.010.A, first paragraph, first phrase, by striking "City Council" and replacing with "Planning Board", as follows: "Except for Marijuana Retailer, Marijuana Cultivator, Independent Marijuana Testing Laboratory, Marijuana Product Manufacturer, Marijuana Research Facility and Marijuana Transporter, where a special permit shall be required by the Planning Board in accordance with MCC 12.12.020;"

-Section 12.12.190, first paragraph, by striking "City Council" and replacing with "Planning Board" as follows: "A Marijuana Establishment, as defined by this Ordinance to expressly only include Marijuana Retailer, Marijuana Cultivator, Independent Marijuana Testing Laboratory, Marijuana Product Manufacturer, Marijuana Research Facility and Marijuana Transporter, may be allowed only in the Highway Business, Industrial 1 and Industrial 2 zoning districts or the Marijuana Establishment Overlay District, only by special permit granted by the Planning Board and only in conformance with the following controls and requirements:"

-Section 12.12.190.B, Section 12.12.190.G, Section 12.12.190.G.4, Section 12.12.190H, by deleting "City Council" where written and replacing with "Planning Board";

-Section 12.28.010.E, by deleting "City Council" where mentioned and replacing with "Planning Board"

Sponsors: Jadeane Sica and Craig Spadafora

Attachments: [CCP 286-22 Staff Report 10.11.22](#)
[CCP 286 2022 PBR 10.22 wAtt](#)

287-22

Order: That the City Council discuss the disposition of property owned by the City identified as Parcel No. 185-575-507 in the City of Malden Assessor's Maps, also known as Louis Cohn Way/Robbins Street. Such discussion to include a description of the parcel and it's present use and possible alternatives for future use, care, custody, and control of the property, which will be maintained at the sole expense of the lessee, and that payments include the amount of any taxes that would otherwise be due to the city as well as including whether or not to enter a License Agreement for business use of said property.

Sponsors: Jadeane Sica

Attachments: [Assessors Handout Pub Prop Meeting 62822](#)

315-22

Order: That MCC 12.12.190.A and 12.12.190.B be amended

Sponsors: Amanda Linehan

Attachments: [6.15.21 Prop #1](#)
[CCP 315 2022 Staff Report 10.11.22](#)
[CCP 315 2022 PBR 10.22 wAtt](#)

[399-22](#) Petition: Boston Gas d/b/a National Grid, 40 Sylvan Road, Waltham MA, W.O. No. 90000XX to install a new gas Regulator Station on Green Street near the intersection of Medford Street in accordance with the attached plans.
Hearing required

Attachments: [National Grid Green Street WO #90000XX](#)
[Notice of Public Hearing & Abutters Green and Medford](#)

14. PERSONAL PRIVILEGE

15. ADJOURNMENT

GREGORY LUCEY, CITY CLERK