



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - 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 1, 2022

7:00 PM

City Council Chambers
215 Pleasant Street
Malden, MA 02148

1. CALL TO ORDER

Councillor Murphy served as acting President in the absence of Council President Spadafora.

Also in attendance Acting City Solicitor John McNaught and City Planner Michelle Romero.

Acting President Murphy called the meeting to order at 7:09 P.M.

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

3. ROLL CALL

Present - Councillors: 10 - Barbara Murphy, Carey McDonald, Chris Simonelli, Jadeane Sica, Karen Colon Hayes, Ryan O'Malley, Peg Crowe, Amanda Linehan, Paul Condon and Stephen Winslow

Absent - Councillors: 1 - Craig Spadafora

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

5. PUBLIC COMMENT

6. APPROVAL OF MINUTES

[432-22](#)

Minutes for the meeting of October 5, 2022

A motion was made by Councillor Winslow, seconded by Councillor Simonelli, that the Council Minutes be approved. The motion carried by a unanimous vote.

[433-22](#)

Minutes for the meeting of October 11, 2022

A motion was made by Councillor Winslow, seconded by Councillor Simonelli, that the Council Minutes be approved. The motion carried by a unanimous vote.

[427-22](#)

Minutes of the meeting of October 18, 2022

A motion was made by Councillor Winslow, seconded by Councillor Simonelli, that the Council Minutes be approved. The motion carried by a unanimous vote.

[428-22](#)

Minutes of the meeting of October 25, 2022

A motion was made by Councillor Winslow, seconded by Councillor Simonelli, that the Council Minutes be approved. The motion carried by a unanimous vote.

7. APPOINTMENTS & ELECTIONS

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

9. MOTIONS, ORDERS AND RESOLUTIONS

[429-22](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 2.12.170 Recreation Programs/Recreation Coordinator be amended.

Sponsors: Stephen Winslow

Attachments: [MCC 2.12.170 Amendment](#)

Councillor Winslow, the sponsor of the paper said that the paper will address the permitting process with the Recreational Department. If people in the parks are not following the rules there is no enforcement, the paper would allow the Parks and Recreation Department to fine abusers and clarify the permits that are issued by the Parks and Recreation Department would be good for one year and anything above that would need to be approved by the City Council.

Councillors Simonelli and Colon-Hayes spoke in favor of the paper.

Acting President Murphy asked Councillor Crowe that when Rules and Ordinance takes the paper up that the committee address that only certain agents of the city are allowed to issue fines and the Parks and Recreation Department isn't one of those agents.

Councillor O'Malley suggested that there should be pararel language with MCC 1.08.010.

A motion was made by Councillor Winslow, seconded by Councillor Simonelli, that the Ordinance be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

ENROLLED ORDINANCES

[317-22](#)

Order: That MCC 12.12.190.H.2 be amended

Sponsors: Amanda Linehan

Attachments: [6.15.21 Prop #3](#)

[CCP 317 2022 PBR 8.22](#)

Chair Crowe said that the hope was to take the next three papers in a package with all the cannabis papers that were originally submitted but we are not able to do that and the three papers on the docket will expire if not ordained by November 14th. The papers were all enrolled back in September and are on the docket tonight because it is the last council meeting before November 14th because of the Election on November 8th. Chair Crowe continued that 317-22, 318-22 and 319-22 are administrative changes and explained each one.

Councillor O'Malley stated that we promised to take all the papers as a package and we are renegeing on that promise. Councillor O'Malley asked about paper 316-22 that is also on the docket as a Committee Report and is one of the original cannabis papers. Councillor O'Malley continued we should not rush these papers and made a motion to table the papers. There was no second.

Acting Council President Murphy said from the chair that papers 317-22, 318-22, 319-22 need to be ordained tonight or they will expire on November 14th.

Chair Crowe stated all 3 papers were enrolled unanimously in September. Councillor O'Malley voted present that counted as a yes with the majority.

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

Yea: 10 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, O'Malley, Crowe, Linehan, Condon and Winslow

[318-22](#)

Order: That MCC 12.12.190.H.9 be amended

Sponsors: Amanda Linehan

Attachments: [6.15.21 Prop #4](#)

[CCP 318 2022 PBR 8.22](#)

Councillor O'Malley voted present which counted as a yes with the majority.

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

Yea: 10 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, O'Malley, Crowe, Linehan, Condon and Winslow

[319-22](#)

Order: That MCC 12.12.010.A.1, 12.12.010.A.2, 12.12.010.B.1, 12.12.010.B.2, 12.12.010.C.1, 12.12.010.C.2, 12.12.060.A, 12.12.060.B, 12.12.070.A, 12.12.070.B, 12.12.150.A, 12.12.150.B, 12.12.160.A, 12.12.160.B be amended

Sponsors: Peg Crowe

Attachments: [6.15.21 Prop #5](#)

[CCP 319 2022 PBR 8.22](#)

Councillor O'Malley voted present which counted as a yes vote with the majority.

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

Yea: 10 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, O'Malley, Crowe, Linehan, Condon and Winslow

10. COMMUNICATIONS

12. COMMITTEE REPORTS

[430-22](#)

The Standing Committee on Rules and Ordinance to whom was referred paper number 316-22, having considered the same, make the following report

Sponsors: Peg Crowe

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

[316-22](#)

Order: That MCC 12.12.190.E be amended

Sponsors: Amanda Linehan

Attachments: [6.15.21 Prop #2](#)

[CCP 316 2022 PBR 8.22](#)

Chair Crowe told the Council the ordinance committee did take the paper up but decided because there was work to be done on the paper they would let the paper expire and file a new paper incorporating some of the changes suggested by the Planning Board. The Council had the same time to act on the paper as papers 317-22, 318-22, 319-22 with a November 14th expiration date. City Planner Romero spoke and told the Council to be on the record that the Planning Board's recommendation was to not go forward with paper 316-22 but if the council did they made some recommendations.

Councillor O'Malley made a motion to enroll the paper, there was no second.

Councillor Linehan asked for clarification if the paper was taken up and was tabled what would happen to the paper.

No action was taken on paper 316-22 and will expire on November 14, 2022.

No action was taken on this paper and the paper is due to expire on November 14, 2022. If the paper expires, a new paper will be filed with the Planning Board.

[431-22](#)

The Standing Committee on Rules and Ordinance to whom was referred paper number 367-22, having considered the same, and given that this paper was reviewed and approved by the Building Inspector as requested by Committee, make the following report that the Committee recommends this paper be reported out favorably to the Full City Council as amended by taking out the word "stored" and replacing it with "placed".

Sponsors: Peg Crowe

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

[367-22](#)

Order: Be it ordained that Section 9.20.040 Standards and Regulations for Commercial Waste, of the MCC, be amended by adding new *Section 9.20.040 C (1) (e)*, to include "No dumpster shall be placed on the public way, including for purposes of pickup by the service provider."

Sponsors: Craig Spadafora

Attachments: [Ordinance Amendment Proposal Letter 9 8 2022](#)

[Prop Revisions to 9.20.040](#)

[20220908 9.20.040 STANDARDS AND REGULATIONS FOR COMMERCIAL WASTE](#)

Chair Crowe spoke to the paper and that the paper was voted unanimously in committee to recommend favorable. Chair Crowe continued there was one minor change with taking out the word "stored" and replacing it with "placed".

A motion was made by Councillor Crowe, seconded by Councillor Condon, that the Ordinance be enrolled as amended to the City Council. The motion carried by the following vote:

Yea: 10 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, O'Malley, Crowe, Linehan, Condon and Winslow

13. TABLED PAPERS

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

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](#)

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

Councillor McDonald shared that the public comment period of the Malden Community Electricity plan was open until November 18, noted there was a public meeting for November 3 at 6:00 P.M., and invited all residents to review the plan and submit their comments.

15. ADJOURNMENT

A motion was made by Councillor Sica, seconded by Councillor at Large McDonald, that the meeting be adjourned. The motion carried by a unanimous vote.

The meeting adjourned at 7:58 P.M.

GREGORY LUCEY, CITY CLERK