



City of Malden

Malden City Hall
110 Pleasant Street
Malden, MA 02148

Meeting Minutes - Draft Rules & Ordinance Committee

*Chairperson Craig Spadafora,
Vice Chair Peg Crowe,
Ryan O'Malley,
David Camell,
Stephen Winslow*

Tuesday, May 12, 2020

5:30 PM

REMOTE MEETING

Roll Call

Also in attendance Councillors Linehan, Condon, Anderson, DeMaria, Sica and Murphy.

Present: 5 - Craig Spadafora, Peg Crowe, Ryan O'Malley, David Camell and Stephen Winslow

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.

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Minutes to be Approved

[124-20](#) Minutes of the Meeting of February 18, 2020.

A motion was made by Winslow, seconded by Vice Chair Crowe, that the Committee Minutes be approved. The motion carried by the following vote:

Yea: 5 - Chairperson Spadafora, Vice Chair Crowe, O'Malley, Camell and Winslow

[125-20](#) Minutes of the Meeting of March 2, 2020.

A motion was made by Winslow, seconded by Vice Chair Crowe, that the Committee Minutes be approved. The motion carried by the following vote:

Yea: 5 - Chairperson Spadafora, Vice Chair Crowe, O'Malley, Camell and Winslow

[126-20](#) Minutes of the Meeting of March 10, 2020.

A motion was made by Winslow, seconded by Vice Chair Crowe, that the Committee Minutes be approved. The motion carried by the following vote:

Yea: 5 - Chairperson Spadafora, Vice Chair Crowe, O'Malley, Camell and Winslow

Business

[120-20](#)

Order: That the City of Malden review the special municipal status employees.

Sponsors: Craig Spadafora

Councillor Spadafora gave background on what is considered special employee status. Councillor Spadafora informed the committee some employees are granted the status because of their primary role but other positions need to be approved and some positions need to be approved yearly. The Committee was provided a list of positions that have been designated special employee status positions but the list needs to be updated. Councillor Spadafora has been in contact with the Controller and Treasurer to obtain a list of employees that get two pay checks. Councillor Spadafora asked that City Solicitor Fallon address the issue and Attorney Fallon cited the law (268A) and that the City Council needs to authorize special municipal employee positions. Attorney Fallon agreed with Councillor Spadafora, the current list needs to be updated and the City Council needs to clarify the position under the ethics law. The examples Attorney Fallon gave were Special Ed tutors/Summer Youth Programs and that it is position specific not person. Should the council grant the position and why? Attorney Fallon advised that the Council look at position by position and some may need to be revoked. Councillor Spadafora said the discussion will continue at a future meeting and he will have the requested information from the Controller and Treasurer.

[464-19](#)

Order: That the City Council review and evaluate Section 2.30 of its ordinances known as “Community Preservation Committee, Composition: Duties, etc.”

Sponsors: Deborah DeMaria, Craig Spadafora and Stephen Winslow

Councillor Winslow referenced the Ordinance meetings held in February and March addressing CPC appointments. Councillor Winslow's desire is to make the appointments clear going forward with the expiring positions in March 2022. A suggestion was to have the ward councillors that do not currently have a pick (2,3,4,6) have the appointments in 2022. Following that procedure, wards 1,5,7 and 8 would choose in 2026. There was discussion regarding the potential Charter change that would address Boards and Commissions but several councilors were of the opinion that the CPC appointments need to be addressed because of the uncertainty time frame of a Charter change being addressed. Councillor Winslow told the Committee he would work on wording for their next meeting.

Other Business

Adjournment

A motion was made by Councillor Winslow, seconded by Vice Chair Crowe, that the meeting be adjourned. The motion carried by a unanimous vote. The meeting was adjourned at 6:44 PM.