



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, May 10, 2022

7:00 PM

City Council Chambers
215 Pleasant Street
Malden, MA 02148

1. CALL TO ORDER

Council President Spadafora called the meeting to order at 7:00 P.M.

Also in attendance was Assistant City Solicitor John McNaught.

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

3. ROLL CALL

Present - Councillors: 11 - Barbara Murphy, Carey McDonald, Chris Simonelli, Jadeane Sica, Karen Colon Hayes, Ryan O'Malley, Craig Spadafora, Peg Crowe, Amanda Linehan, Paul Condon and Steven Winslow

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Maria Luise will appear before the Council on behalf of Mayor Christenson's office to introduce the City's new Language Access Coordinator, Elena Martinez.

Special Assistant to the Mayor Maria Luise introduced newly hired Language Access Coordinator, Elena Martinez to the Council. Ms. Martinez told the Council that she has been a resident of Malden for 19 years and discussed her goals for improving language access to all residents.

The Board of Urban Media Arts will appear before the Council to introduce their newly appointed Executive Director, Tina LeGarde.

Ari Taylor, President of the UMA Board introduced the newly appointed Executive Director Tina LeGarde to the Council. Ms. LeGarde previously resided in Minnesota before moving to Malden and take on her new position.

5. PUBLIC COMMENT

Clerk Lucey read 2 emails he received in support of paper 144-22. The emails were from Karen Buck 323 Forest Street on behalf of the Friends of the Malden River and Deborah Kershner, 131 Pierce Street #306.

6. APPROVAL OF MINUTES

223-22

Minutes of the meeting of April 26, 2022

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

224-22

Minutes of the meeting of May 3, 2022

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

7. APPOINTMENTS & ELECTIONS

225-22

Mayoral Re-appointment: Michael B. Fixman of 14 Norwood Street, Everett as Constable to serve process in the City of Malden effective June 1, 2022. Said term to expire on June 1, 2025.
Confirmation not required

Sponsors: Chris Simonelli

A motion was made by Councillor Simonelli that the Appointment be placed on file. The motion carried by a unanimous vote.

226-22

Mayoral Re-appointment: Inna Babitskaya, 557 Pleasant Street, Apartment 339, Malden to the Historical Commission, said term to expire August 3, 2025
Confirmation not required

Sponsors: Chris Simonelli

A motion was made by Councillor Simonelli that the Appointment be placed on file. The motion carried by a unanimous vote.

227-22

Mayoral Re-appointment: Faten Shelbayeh, 40 Cedar Street, Malden as resident member of the Human Rights and Fair Housing Commission, said term to expire May 5, 2023
Confirmation not required

Sponsors: Chris Simonelli

A motion was made by Councillor Simonelli that the Appointment be placed on file. The motion carried by a unanimous vote.

228-22

Mayoral Re-appointment: Robert Rotondi, 130 Linden Avenue, Malden as a member of the Malden Redevelopment Authority Board, upon confirmation by the City Council, said term to expire on May 1, 2027
Council confirmation required

Sponsors: Chris Simonelli

Chair of Personnel Appointments Simonelli requested that Mr. Rotondi be voted on the

floor. Mr. Rotondi has health issues and someone that is very well known in the community and has served on the MRA Board for many years and is a reappointment.

Councillor O'Malley agreed with Chair Simonelli that the reappointment of Mr. Rotondi should be voted on the floor and not sent to committee.

Councillor McDonald asked for clarification on the MRA Board now that the MRA has been merged with the city. Council President Spadafora Councillor, Linehan and Councillor Winslow all added explanations for the need of the MRA Board to exist until all properties and outstanding issues are finalized while the MRA was not merged with the city.

A motion was made by Councillor Simonelli, seconded by Councillor O'Malley, that the Appointment be confirmed. The motion carried by a unanimous vote.

229-22

Mayoral Re-appointment: Deborah A. Burke, Executive Director of Office of Strategic Planning & Community Development, as the City of Malden representative to the Metropolitan Area Planning Council, said term to expire July 1, 2025
Confirmation not required

Sponsors: Chris Simonelli

A motion was made by Councillor Simonelli that the Appointment be placed on file. The motion carried by a unanimous vote.

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

230-22

Petition: Open Air Parking Lot, Rigano's Inc. of 1152 Eastern Avenue, 10 spaces, renewal

Sponsors: Jadeane Sica

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

231-22

Petition: Open Air Parking Lot, Rigano's Inc. of 1176 Eastern Avenue, 15 spaces, renewal

Sponsors: Jadeane Sica

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

232-22

Petition: Open Air Parking Lot, Rigano's Inc. of 1081 Fellsway, 20 spaces, renewal

Sponsors: Jadeane Sica

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

233-22

Petition: Open Air Parking Lot, Emmanuel Baptist Church, 20 Madison Street 27 spaces, renewal

Sponsors: Jadeane Sica

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

[234-22](#)

Petition: Second Hand Dealer or Pawnbroker, Great Eastern Vintage, 258 Highland Avenue, Second Hand Dealer, renewal

Sponsors: Jadeane Sica

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

9. MOTIONS, ORDERS AND RESOLUTIONS

[235-22](#)

Motion for Reconsideration: On the date of April 27, 2022, prior to the deadline of 12:15 AM per the previous evening's adjournment of the City Council meeting, both Councillors O'Malley and Linehan independently moved for reconsideration of Paper 190-22, which confirmed Deano Summers as a member of the Cannabis Licensing and Enforcement Commission.

Councillor Linehan said that her reconsideration of her vote had nothing to do with the person that was appointed but rather after she had thought about it she didn't feel she gave the proper time thinking about the appointment. Councillor Linehan continued that the personnel appointments committee is an extremely active committee. Councillor Linehan stated she did have a lengthy discussion with Chair Simonelli on her reconsideration.

Councillor O'Malley said that he shared the concerns that Councillor Linehan expressed. He also moved for reconsideration because he never had seen a process where there is a dozen applicants and only one candidate gets interviewed. Councillor O'Malley also stated there was a secret ballot used in the process and the person that was disqualified was not a legitimate reason for disqualification. Councillor O'Malley continued that he does not sit on personnel/appointments and relies on the committee for the process.

Chair Simonelli stated we had 11 candidates not 12 or 13 that has been stated. Chair Simonelli continued that personnel appointments is a busy committee and he has made the case on three separate occasions that reappointments get voted on the floor unless there is an issue. Chair Simonelli also stated that councillors can reach out to applicants anytime to ask questions and that the committee didn't have the time to interview all 11 applicants. Chair Simonelli went onto to explain the process that was used, the committee took a vote that was not a secret ballot of their top three choices from the 11 applicants and the 3 applicants with the most support were the ones that would be interviewed. All 3 applicants were notified of their interview and one ended up backing out so two candidates were interviewed and Mr., Summers was chosen.

Councillor McDonald stated that he appreciated the motion for reconsideration and this is difficult because it is about process but it affects an individual. Councillor McDonald stated he abstained in committee because he wanted a determination from Legal with the candidate that backed out if the reason was valid.

Councillor Sica said last year for the Board of Health, the committee followed the same process. This is the process used many times, you go through the resumes and get

down to three candidates to be interviewed. Councillor Sica stated she does not appreciate that it was said the process was done by secret ballot, that is not what took place. Councillor Sica said she is standing with her vote that took place 2 weeks ago.

Councillor Colon-Hayes said she is staying away from the details because she is not on the committee but we answer to the people and having only one interview is not doing due diligence.

Chair Simonelli made a point of information that there were 3 final candidates not 1.

Councillor Winslow said he is not focusing on the candidates and appreciated how Councillor Simonelli conducted the process. Councillor Winslow continued because there were 11 applications, maybe there should have been a couple of alternatives and this is no reflection on the applicant that was appointed, Councillor Winslow stated he would be supportive to taking a step back, the process was well planned but didn't turn out how it was expected too.

Council President Spadafora stated this was not a rushed process. It was advertised twice and has been going on since December. Councillor Spadafora said he had heard from the Cannabis Commission as soon as he was elected President that this position needed to be filled. There are currently 4 members, they wanted to avoid any 2-2 votes.

Councillor Murphy said she has been hiring people for 40 years and how the Personnel Appointments Committee did it, was common practice. The intent was to interview three candidates but there only ended up being two, that was the process the committee had set up. The Legal Department was there for the discussion. Councillor Murphy said she would not be reconsidering her vote.

Councillor Condon stated he has been on the Council for 17 terms and has never seen councillors throw out innuendos like they have on this personnel appointment committee process. Councillor Condon said he never met the person that was appointed and am very comfortable with his vote to appoint and the process that was held.

Councillor Crowe said that she went to all the meetings although not on the committee and the process started last year when she was Chair of the Committee so it has been going on since last October. The process was not rushed and she would not be voting to reconsider the vote.

Councillor Simonelli said he got on the Council 5 months ago and has tried to reach across the aisle, he knows there is friction on the Council but he is offended that you have 24 hours to reconsider and yet nobody could take the time to give him a 10 minute phone call as a courtesy.

Council President Spadafora gave a point of information, that there were three finalists, one backed out, two were interviewed and one candidate was chosen.

Councillor O'Malley said it goes both ways but after the fact some of us feel the process was flawed.

Councillor Murphy stated the two finalists had a 20-25 minute interview, this was fair process and Mr. Summers is a good candidate.

Council President Spadafora said he was going to be the last speaker to go on record. As soon as he was appointed President of the Council, Ron Hogan reached out to him

that this position needs to get filled. The issue has come up at his weekly meetings with the mayor. The idea that this was a flawed process and other departments are involved in some type of conspiracy is insulting.

A motion was made by Councillor Linehan, seconded by Councillor O'Malley, that the Council Item be approved. The motion failed by the following vote:

Yea: 5 - McDonald, Colon Hayes, O'Malley, Linehan and Winslow

Nay: 6 - Murphy, Simonelli, Sica, Spadafora, Crowe and Condon

[236-22](#)

Order: Annual appropriation for FY2023

Sponsors: Barbara Murphy

A motion was made by Councillor Murphy, seconded by Councillor Winslow, that the Order be referred to the Finance Committee. The motion carried by a unanimous vote.

[237-22](#)

Order: That the City Council approve an increase in the COLA base from \$16,000 to \$18,000 for contributory retirees and survivors of the Malden Retirement System.

Sponsors: Barbara Murphy

Attachments: [2022 COLA Recommendation](#)

Councillor O'Malley suggested the paper go to a joint Finance and Long Term Financial Planning and Strategy Committee meeting. Councillor O'Malley discussed that when the item was presented last year, the COLA was requested to go from \$14,000 to \$18,000 there was concern for the long term costs of the increase and it was voted to go from \$14,000 to \$16,000.

A motion was made by Councillor Murphy, seconded by Councillor O'Malley, that the Order be referred to a joint Finance Committee and Long Term Financial Planning and Strategy Committee meeting. The motion carried by a unanimous vote.

[238-22](#)

Order: That the Malden City Council establish a Food Policy Council

Sponsors: Peg Crowe

Attachments: [FPC draft ordinance](#)

A motion was made by Councillor Crowe, seconded by Councillor at Large Colon Hayes, that the Order be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

10. COMMUNICATIONS

12. COMMITTEE REPORTS

[239-22](#)

Committee Report: License Petitions Papers 203-22, 204-22, 205-22, 206-22, 207-22, 208-22

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.

Sponsors: Jadeane Sica

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

[203-22](#)

Petition: Open Air Lot, 29 Madison Street, LLC of 29 Madison Street, 40 spaces, renewal

Sponsors: Jadeane Sica

A motion was made by Councillor Sica, seconded by Councillor Condon, that the Petition be granted. The motion carried by a unanimous vote.

[204-22](#)

Petition: Open Air Lot, 25-37 Florence Street, LLC, 25 Florence Street, 34 spaces, renewal

Sponsors: Jadeane Sica

A motion was made by Councillor Sica, seconded by Councillor Condon, that the Petition be granted. The motion carried by a unanimous vote.

[205-22](#)

Petition: Billiard License Ancient Order of Hibernians, Inc., Division 12, 259 Charles Street, 1 table, renewal

Sponsors: Jadeane Sica

A motion was made by Councillor Sica, seconded by Councillor Condon, that the Petition be granted. The motion carried by a unanimous vote.

[206-22](#)

Petition: Billiard License Malden Vets of Irish Ancestry, 177 West Street, 2 tables, renewal

Sponsors: Jadeane Sica

A motion was made by Councillor Sica, seconded by Councillor Condon, that the Petition be granted. The motion carried by a unanimous vote.

[207-22](#)

Petition: Billiard License, Town Line Ten Pin, Corp., 665 Broadway, 15 tables, renewal

Sponsors: Jadeane Sica

A motion was made by Councillor Sica, seconded by Councillor Condon, that the Petition be granted. The motion carried by a unanimous vote.

[208-22](#)

Petition: Bowling Alley License, Town Line Ten Pin, Corp., 665 Broadway, 48 lanes, renewal

Sponsors: Jadeane Sica

A motion was made by Councillor Sica, seconded by Councillor Condon, that the Petition be granted. The motion carried by a unanimous vote.

[240-22](#)

Committee Report: The Future of Maplewood Square Committee make the following report to the Full City Council that The Council President appoints Barbara Chiue of 19 George Street, Malden (Ward 6) as an additional resident member of the Future of Maplewood Square Committee.

Sponsors: Steven Winslow

Council President Spadafora appointed Barbara Chiuve, 19 George Street as an additional member to the Future of Maplewood Square Committee.

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

241-22

Committee Report: Finance (Paper #144-22 Ordered: That pursuant to Massachusetts General Laws Chapter 164, Section 134, the City of Malden initiate a process to authorize appropriate department(s) to research, develop and participate in a contract, or contracts, to aggregate the electricity loan in the City of Malden and for other related services, in consultation with the Department of Energy Resources, and to develop a plan for review by its citizens, detailing the process and consequences of aggregation. Electrical Aggregation Program)

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

144-22

Order: That pursuant to Massachusetts General Laws Chapter 164, section 134, the City of Malden initiate a process to authorize appropriate department(s) to research, develop and participate in a contract, or contracts, to aggregate the electricity load in the City of Malden and for other related services, in consultation with the Department of Energy Resources, and to develop a plan for review by its citizens, detailing the process and consequences of aggregation.

Electrical Aggregation Program

Sponsors: Carey McDonald

Attachments: [Municipal electrical aggregation](#)

Councillor McDonald said the paper had broad support in the City and allows the City to negotiate electrical rates. While it does not guarantee lower rates it will stabilize them for our residents. Currently neighboring cities Melrose, Stoneham and Medford have the plan in place. Councillor McDonald thanked the Energy Efficiency and Sustainability Committee on their work on the paper. Councillor Linehan acknowledged previous Ward 6 Councillor, David Camell for his work on the topic. Councillor McDonald stated the state needs to be brought into the process.

A motion was made by Councillor at Large McDonald, seconded by Councillor Simonelli, that the Order be adopted. The motion carried by a unanimous vote.

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

14. PERSONAL PRIVILEGE

15. ADJOURNMENT

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

The meeting adjourned at 9:12 P.M.

GREGORY LUCEY, CITY CLERK