



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

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

Tuesday, February 11, 2025

7:00 PM

City Council Chambers
215 Pleasant Street
Malden, MA 02148

Watch the meeting with Teams: <https://tinyurl.com/5n8663mj>

1. CALL TO ORDER

Council President O'Malley called the meeting to order at 7:05 PM.

2. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE IN HONOR OF SERVICE MEMBERS

3. ROLL CALL

Also in attendance was Maria Luise, Ron Hogan, Dan Grover, Nate Cramer, Nelson Miller, and Zaheer Samee.

Present - Councillors: 10 - Karen Colon Hayes, Paul Condon, Peg Crowe, Amanda Linehan, Carey McDonald, Ryan O'Malley, Chris Simonelli, Craig Spadafora, Ari Taylor and Stephen Winslow

Absent - Councillors: 1 - Jadeane Sica

4. PUBLIC COMMENT

Public comment consisted of one person speaking against Paper 80-25 and six written submissions.

Of the written submissions, one was in opposition to Paper 356-24, three were in opposition to Paper 80-25, and two in opposition to Paper 77-25, which is having a public hearing during this evening's meeting.

5. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councillor Simonelli, seconded by Councillor Condon to approve the Consent Agenda. The motion carried by unanimous vote.

[64-25](#) Minutes for the meeting of January 28, 2025

The Council Minutes was approved.

[65-25](#) Minutes for the meeting of January 29, 2025

The Council Minutes was approved.

[66-25](#) Minutes for the meeting of January 30, 2025

The Council Minutes was approved.

[67-25](#) Minutes for the meeting of February 4, 2025

The Council Minutes was approved.

[68-25](#) Order: That One Million Four Hundred Fifty Thousand Dollars (\$1,450,000) is re-appropriated to pay costs of revitalization of Devir Park in the amount of \$450,000 and the River Works park in the amount of \$1,000,000, and for the payment of all costs incidental and related thereto, and that to meet this appropriation, \$1,450,000 shall be re-appropriated from a portion of the amount borrowed on August 2, 2023 under the Loan Order passed by the City Council on June 11, 2019 to pay costs of Roosevelt Park revitalization, which project is abandoned and no liability remains, in accordance with G. L. c. 44 s. 20.

Sponsors: Carey McDonald

Attachments: [CPA Bond Recommendation Letter Feb 6 2025](#)

[Mayor's Letter of Support 2 6 2025](#)

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

[69-25](#) Order: That the appropriation enumerated below, being in the amount of \$319,596 be appropriated from the Community Preservation Act Fund for the following project: Devir Park Revitalization Phase II:

Open Space Reserve	\$94,000
Budgeted Reserve	\$225,596

Total Appropriation= \$319,596

Sponsors: Carey McDonald

Attachments: [Devir Park Recommendation Letter Jan 29 2025](#)

[Mayor's Letter of Support 2 6 2025](#)

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

70-25

Order: That the appropriation enumerated below, being in the amount of \$8,000 be appropriated from the Community Preservation Act Fund for the following project:

Pearl Street Fire Station (176 Pearl Street) Envelope Assessment Project:

Historic Preservation Reserve	\$8,000
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Total Appropriation	\$8,000
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Sponsors: Carey McDonald

Attachments: [Pearl Street Envelope Recommendation Letter Feb 4 2025](#)

[Mayor's Letter of Support 2 6 2025](#)

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

71-25

Order: That the appropriation enumerated below, being in the amount of \$8,000 be appropriated from the Community Preservation Act Fund for the following project:

Oliver Street Fire Station (139 Oliver Street) Envelope Assessment Project:

Historic Preservation Reserve	\$8,000
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Total Appropriation	\$8,000
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Sponsors: Carey McDonald

Attachments: [Oliver Street Envelope Recommendation Letter Feb 4 2025](#)

[Mayor's Letter of Support 2 6 2025](#)

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

72-25

Order: That the appropriation enumerated below, being in the amount of \$349,166.52 be appropriated from the Community Preservation Act Fund for the following project: Affordable Housing Trust Fund:

Community Housing Reserve	\$349,166.52
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Total Appropriation=	\$349,166.52
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Sponsors: Carey McDonald

Attachments: [Affordable Housing Trust Fund Recommendation Letter Jan 28 2025](#)

[Mayor's Letter of Support 2 6 2025](#)

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

73-25

Order: That the appropriation enumerated below, being in the amount of \$475,000 be appropriated from the Community Preservation Act Fund for the following project: Forest Dale Cemetery Wall Restoration Project:

Historic Preservation Reserve	\$278,000
Budgeted Reserve	\$197,000
Total Appropriation=	\$475,000

Sponsors: Carey McDonald

Attachments: [Forest Dale Cemetery Wall Recommendation Letter Feb 4 2025](#)
[Mayor's Letter of Support 2 6 2025](#)

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

74-25

Order: That the appropriation enumerated below, being in the amount of \$14,500 be appropriated from the Community Preservation Act Fund for the following project: St. Paul's Parish Envelope Assessment Project:

Historic Preservation Reserve	\$14,500
Total Appropriation=	\$14,500

Sponsors: Carey McDonald

Attachments: [St. Paul's Parish Envelope Recommendation Letter Feb 4 2025](#)
[Mayor's Letter of Support 2 6 2025](#)

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

75-25

Order: That the appropriation enumerated below, being in the amount of \$40,000 be appropriated from the Community Preservation Act Fund for the following project: Housing Subsidy for Older Adults Project:

Budgeted Reserve	\$40,000
Total Appropriation=	\$40,000

Sponsors: Carey McDonald

Attachments: [Housing Subsidy for Older Adults Recommendation Feb 4 2025](#)
[Mayor's Letter of Support 2 6 2025](#)

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

[76-25](#)

Communication: Malden Housing Authority respectfully submits their board approved 2025 Annual Report.

Attachments: [MHA 2025 Annual Report to the City of Malden](#)

The Communication was received and filed.

6. HEARINGS, PETITIONS, MEMORIALS, AND REMONSTRANCES

Council will hold a public hearing on the petition to amend the special permit granted in Council Paper 202-22 and further extended by Council Paper 233-23 to allow Marijuana Retailer use of 36 Charles Street.

77-25

Petition: DMS Trinity, LLC dba Trinity Naturals seeking amendment to special permit application # CMID-040598-2021 as granted by Council Paper 202-22 and further extended by Council Paper 233-23, specifically to revise the approved floor plan for 36 Charles Street to increase the size of the premises by approximately 1,627 SF on the first floor of the building by:

1. Expansion into 2,393 SF area (eastern portion of the building)
2. Elimination of approximately 766 SF area (northwestern corner of building)

(Public Hearing Required)

Attachments: [Notice of Decision Paper 202-22 36 Charles Street DMS Trinity](#)
[Notice of Decision Paper 233-23 36 Charles Street Signed and Stamped Copy](#)
[36 Charles PBR to CC 12.24](#)
[36 Charles Street Abutters List](#)
[DMS Trinity LLC Public Hearing Notice](#)
[Public Comment Ltr - Trinity Naturals - Malden - 2-3-25](#)
[Public Comment PublicHearing-February 10, 2025,Final](#)
[Proposed Condition 18](#)
[Notice of Decision Paper 77-25 Signed and Stamped](#)

A public hearing was held wherein Attorney Roberto DeMarco spoke on behalf of DMS Trinity Naturals, as did Timothy Halpin. There were two letters read into the record against the petition. One was from Brian DeLacey and the other RE Centers representing Stop & Shop stating they will not allow Trinity customers to park in their lot.

Attorney DeMarco explained the need for the amendment to this special permit is due to an error caused by the job's contractor. His entire presentation may be viewed at the 26:19 mark in the above noted Teams video link. He apologized for the discrepancy and further stated DMS is not contesting any of the 20 recommendations as presented by the Planning Board. The amendment to the special permit will not increase the amount of people expected to frequent the business. It is only to increase the size of the back vault. The hope is the business will open by springtime and they have an agreement with New England Coffee to use parking as well as a plan to purchase two-hour parking permits for CBD Garage as to not impede on the Stop & Shop parking lot. Further, DMS is working with the City and the abutting property owner to connect the Spot Pond Greenway Project to the bike path, per recommendation number 18 from the Planning Board's report. Councillor O'Malley circulated a hand out with an amended version of number 18, which is attached to the history of Paper 77-25.

Councillor Crowe stated she needs further information about the handout for proposed condition #18, as it was not previously discussed with her, the Ward Councillor. She is prepared to vote in support of the petition but not on proposed condition #18.

Councillor Colon Hayes thanked the petitioners for admitting their mistake with the contractor but she's having a hard time supporting this without public hearings; the letter from Stop & Shop makes it sound like some of their abutters aren't happy. Attorney DeMarco mentioned Market Basket in Chelsea as an example of how they are able to

work with neighbors. He stated his disappointment in the public comment read this evening for its incorrect information. Further he stated DMS has had more public meetings than any applicant in any city that he has seen so far. DMS has sent mailings to the community and held seven public meetings, which only saw a total of five participants in attendance. Attorney DeMarco also clarified the ownership of this company has not changed. The company does have a team of investors, who have been properly disclosed, but those investors do not have an ownership stake. Council President O'Malley asked a member of Cannabis Licensing and Enforcement Commission to confirm this information. Ronald Hogan spoke to that point on behalf of CLEC.

A motion was made by Councillor Crowe, seconded by Councillor Simonelli, that the Special Permit be granted with the twenty recommendations as provided by the Planning Board. The motion carried by the following vote:

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

Council will hold a public hearing on the National Grid petition to install a new pole.

78-25

Petition: Massachusetts Electric Company dba National Grid and Verizon New England, Inc. Plan No. 30932051 - National Grid to install 1 JO Pole on Eastern Ave. Pole 1944-50 on Eastern Ave in public way approximately 52' east of pole 1944.

(Hearing Required)

Attachments: [Intersection of Eastern Ave & Lisbon St](#)

[Hearing Notice Intersection of Eastern Ave and Lisbon St](#)

[Abutters 698 Eastern Ave](#)

Petra Xheka of 117 Medford Street, Malden spoke as a representative of National Grid in support of this petition. No one spoke in opposition during the public hearing portion of the discussion. The entire discussion may be viewed at the 59:15 minute mark of the above noted Teams video link.

National Grid wishes to install a joint-owned 50' pole with Verizon at 1944-50 Eastern Avenue in between poles 1944 and 1945 to relieve some of the load from one of the other poles that is also being replaced. The sponsoring ward Councillor, Simonelli, waved option to speak on this petition.

Councillor Spadafora asked for further clarification of why National Grid requires an additional pole at this particular location and if anything else was going on the pole, will it be leased out? A disconnect switch and three phase transformer. Councillor Spadafora asked for a condition that they replace the sidewalk to the satisfaction of the DPW Director and that the pole is not used for equipment from any other company besides National Grid. ie: no wi-fi antennas. He stated there are times when a company will put up a pole with an alternative reason just to get around the ordinance disallowing poles just for wi-fi antennas. Councillor Spadafora also asked if National Grid can utilize an on the ground pad transformer, eliminating the need for so many buckets and poles.

Councillor O'Malley pointed out there is already a double pole at this location, only three poles away, having multiple transformer buckets. He asked if Mr. Xheka could bring information back to the Body on taking down the double pole and to meet with the Ward Councillor on site for further review of this plan and pending conditions.

A motion was made by Councillor Simonelli, seconded by Councillor Spadafora, that the Petition be tabled. The motion carried by a unanimous vote.

7. MOTIONS, ORDERS, AND RESOLUTIONS

79-25

Resolve: That it is the sense of the Malden City Council that they request the Finance Committee collaborate with the City Assessor and City Solicitor to draft a proposal aimed at increasing the residential tax break to 35%. It is further requested that the Committee explore the feasibility of doubling the State limits for owner-occupied properties belonging to seniors, Veterans, widowed persons, individuals with disabilities, and qualified affordable housing units.

Sponsors: Craig Spadafora, Ari Taylor and Chris Simonelli

Councillor McDonald asked if the sponsor would entertain a friendly amendment to add 'qualifying affordable housing units' to the list of those eligible for the tax abatement? There was also discussion on changing the word 'widows' to 'widowed persons'. Under unanimous consent, those friendly amendments were so made.

A motion was made by Councillor Spadafora, seconded by Councillor Simonelli, that the Resolution be passed. The motion carried by a unanimous vote.

80-25

Resolve: That it is the sense of the Malden City Council that they express their support for the Sale of Surplus Property for the Purpose of Affordable Home Ownership.

Sponsors: Paul Condon and Craig Spadafora

Attachments: [Public Comment 80-25 Council-Meeting-Melle](#)
[Public Comment Paper 80-25](#)
[Public Comment Paper 80-25 O. Schwab](#)

This paper was introduced as a way to open further discussion in increasing affordable housing in response to the recent law changes revolved around housing with MBTA zoning and the by-right accessory housing units.

Councillor Spadafora explained that the Malden Court House was obtained by the City of Malden in August of 2022 with restrictions by the previous Governor on selling the building. He believes if the current Governor was approached with a proposal to sell the court house for the purpose of affordable housing, it would now be allowed. The building needs at least \$19m to bring it up to code for the purpose of using it as an arts center but the city doesn't have the funds to see this through to fruition. Malden is having a similar funding issue with the Oak Grove Community Building.

There is significant Council and community support for keeping both of these building for their intended purposes. Councillor Linehan acknowledges the Affordable Housing Trust Fund Action Plan identifies that surplus property should be on the table for discussion but also asked for an amendment to strike mention of these two buildings from the paper so that discussion may revolve around only affordable housing. She further stated her continued believe in the future of a successful arts center in the old courthouse.

Councillor Simonelli spoke about the stage area in the temple site in Ward Seven, when he was originally hoping to use it for the arts and was told it couldn't be done. The entire building is now being used for affordable housing.

Councillor McDonald stated he is happy to introduce a similar resolve to incentive building of more affordable housing. They agree with opening discussion of surplus properties, prioritizing properties that are without current plans for future use. They also believe the city should allow changes to zoning ordinances that will allow people to more easily build affordable housing. Other cities incentivize this and so too should Malden.

A motion was made by Councillor Spadafora, seconded by Councillor Simonelli, that the Resolution be tabled. The motion failed by the following vote:

Yea: 4 - Condon, Crowe, Simonelli and Spadafora

Nay: 6 - Colon Hayes, Linehan, McDonald, O'Malley, Taylor and Winslow

A motion was made by Councillor Linehan, seconded by Councillor Winslow, that the Resolution be amended to remove reference to Oak Grove Community Center and Court House from the language of the paper. The motion carried by the following vote:

Yea: 8 - Colon Hayes, Crowe, Linehan, McDonald, Simonelli, Spadafora, Taylor and Winslow

Nay: 2 - Condon and O'Malley

A motion was made by Councillor Colon Hayes, seconded by Councillor Winslow to refer the Resolution to the Community Engagement & Inclusion Committee. Motion to withdraw approved by unanimous vote.

A motion was made by Councillor McDonald, seconded by Councillor Simonelli, to refer the Resolution to the Public Property Committee. Motion to withdraw approved by unanimous vote.

A motion was made by Councillor Simonelli, seconded by Councillor Colon Hayes, that the Resolution be referred to a joint session of the Community Engagement & Inclusion and Public Property Committees. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Simonelli, Spadafora, Taylor and Winslow

Nay: 1 - Condon

8. ENROLLED PAPERS

[32-25](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 2.24.020 LIBRARY SALARY SCHEDULE is hereby amended by adding the updated salary schedule chart effective July 1, 2024

Sponsors: Stephen Winslow

Attachments: [Library Salary Schedule 2024-2026](#)

A motion was made by Councillor Winslow, seconded by Councillor Taylor, that the Ordinance be ordained. The motion carried by a unanimous vote.

[33-25](#)

Order: That the sum of Fifty Thousand Dollars (\$50,000) be and the same is hereby transferred from Salary Reserve (0010-996-5110) to Library Salaries (0010-610-5110)

Sponsors: Carey McDonald

A motion was made by Councillor McDonald, seconded by Councillor Simonelli, to approve the paper for final action with this second vote. The motion carried by a unanimous vote.

9. COMMITTEE REPORTS

[81-25](#)

Committee Report: The Standing Committee on Rules and Ordinance to whom was referred Papers 356 Series of 2024 and 47 Series of 2025, having considered the same make the following report: Committee recommends these papers out favorably, by unanimous vote, to the Full Council.

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

[356-24](#)

Be it ordained by the City Council of the City of Malden that the Code of the City of Malden (MCC) is hereby amended by adding Title 12, Chapter 12, Section 500 SITE PLAN REVIEW - EDUCATIONAL, RELIGIOUS, AND/OR CHILD CARE FACILITY USES

Sponsors: Stephen Winslow and Chris Simonelli

Attachments: [CCP 356-24 PSR](#)

[MVRCS Comment Letter on Proposed Zoning Amendment 12.09.24 \(002\)](#)

[CCP 356 2024 PBR 12.24 wAtts](#)

[12.12.500 Site Plan Review Winslow Edits Feb 4 2025](#)

[Public Comment Paper 356-24 Regarding Revisions to Proposed Amendment](#)

[12.12.500 SITE PLAN REVIEW enrolled as amended](#)

A motion was made by Councillor Winslow, seconded by Councillor Linehan, that the Ordinance be enrolled as amended. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Condon, Crowe, Linehan, McDonald, O'Malley, Simonelli, Taylor and Winslow

Nay: 1 - Spadafora

[47-25](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 9 Chapter 24 Section 010(A) REGULATION OF LEAD PIPES IN RESIDENTIAL HOUSING is hereby amended as follows:

- After the word "sale," inserting the following: "of, addition of an accessory dwelling unit to, or"

Sponsors: Craig Spadafora, Amanda Linehan, Stephen Winslow, Peg Crowe, Carey McDonald, Ryan O'Malley, Ari Taylor, Karen Colon Hayes, Paul Condon and Chris Simonelli

A motion was made by Councillor Spadafora, seconded by Councillor Winslow, that the Ordinance be enrolled. The motion carried by a unanimous vote.

[82-25](#)

The Standing Committee on License to whom was referred Paper 315 Series of 2024 and Papers 58 through 60 Series of 2025 having considered the same, make the following report: Committee recommends Paper 58-25 reported out favorably as amended to reflect license is granted for 5 cars. Committee recommends Papers 59 and 60 be reported out favorably to the Full Council. Committee recommends Paper 315-24 be reported out unfavorably to the Full Council.

A motion was made by Councillor Condon, seconded by Councillor Colon Hayes, that the Committee Report be received and filed. The motion carried by a unanimous vote.

[315-24](#)

Petition: Class II: Beach Street Gas and Service, 200 Beach Street, Malden, 15 cars (New)

A motion was made by Councillor Condon, seconded by Councillor Colon Hayes, that the Petition be denied. The motion carried by a unanimous vote.

[58-25](#)

Petition: Class II: MacMillen Automotive, 388 Eastern Avenue, Malden, 15 cars
(Renewal)

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

[59-25](#)

Petition: Class II: Rigano's Towing Service, Inc., 1081 Fellsway, Malden, 17 cars
(Renewal)

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

[60-25](#)

Petition: Class II: Rigano's Towing Service, Inc., 1152 Eastern Avenue, Malden, 10 cars (Renewal)

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

10. EXECUTIVE SESSION

[83-25](#)

Order: That the City Council will vote to go into Executive Session with Alicia A. McNeil, City Solicitor regarding the matter of Benevolent Botanicals and 926 Eastern Avenue v. The City of Malden for the purposes of Exemption Three Massachusetts General Laws Chapter 30A Section 21(a)(3) to discuss strategy with respect to litigation, where such discussion in open meeting may have a detrimental effect on the litigation position of the City, if so declared by the chair. And if so allowed by the Body, to admit Maria Luise, Special Assistant to the Mayor.
(Roll Call Required)

A motion was made by Councillor Simonelli, seconded by Councillor Crowe, that the Order to enter into Executive Session be adopted. The motion carried by the following vote:

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

11. TABLED PAPERS

99-24

Resolve: That it is the sense of the City Council that the Body would like the Community Preservation Committee to reconsider the application for historic preservation of 15 Ferry Street, the M. Ida Converse Building, (known by City Assessor's Parcel ID 075 272 211) in a modified form so as to preserve the building through an alternative location for the building.

Sponsors: Ryan O'Malley

Attachments: [Parcel id# 075272205 used for 15 Ferry Street relocation.](#)

[100-24 City Council agenda](#)

[CPC Letter to City Council and Mayor re 15 Ferry Street Preservation 2023.01.29](#)

[MHC to Mayor & CC 1.23.24 re 15 Ferry wAtts](#)

[MHC to Mayor CC 2.21.24 re 15 Ferry wAtts](#)

[Re 5 7 24 Public Comment](#)

12. PERSONAL PRIVILEGE

13. ADJOURNMENT

At 9:38 PM, Council President O'Malley announced the Body will now enter into Executive Session and would adjourn directly from there when finished. This meeting will not reconvene for any further business this evening.

CAROL ANN DESIDERIO, CITY CLERK

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