



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final Rules & Ordinance Committee

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

---

Tuesday, October 6, 2020

5:30 PM

REMOTE

---

### [302-20](#)

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.

In person attendance by members of the public is prohibited, and all effort will be made to permit public attendance of this meeting, in the manner specified below, via remote access by internet, telephone, and if available via public broadcast of the meeting by Malden Access Cable Television on public access television channels.

Public access will also be provided by posting draft minutes, and/or a transcript, recording, or record of the meeting on the city of Malden website at [cityofmalden.org](http://cityofmalden.org) as soon as practicable after the meeting.

Additional information/guidelines for the public can be found here:

<https://www.cityofmalden.org/DocumentCenter/View/2487/Public-information-on-on-Public-Meetings-and-Hearings-during-the-Declared-State-of-Emergency-related-to-COVID19PDF>

Members of the public who wish to attend remotely can do so using the following information:

Please click the link below to join the webinar:

<https://cityofmalden.zoom.us/j/92426165864?pwd=cjZyZzVxRzVyZTNQZXRjSDIzUFc2QT09>

Passcode: 433751

Or iPhone one-tap :

US: +16465189805,,92426165864#,,,,,0#,,433751#  
+19294362866,,92426165864#,,,,,0#,,433751#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 518 9805

+1 929 436 2866

Webinar ID: 924 2616 5864

Passcode: 433751

International numbers available:

<https://cityofmalden.zoom.us/j/abtw77ZxRc>

## Roll Call

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

## Minutes to be Approved

### [303-20](#)

Minutes of the Meeting of September 29, 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

### [304-20](#)

Minutes of the Meeting of June 23, 2020.

**A motion was made by Winslow, seconded by Chairperson Spadafora, 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

### [254-20](#)

**Order:** That the City Council adopt the Rules of the Council Rule Book 2020.

**Sponsors:** Jadeane Sica

*Councillor Spadafora called on President Sica to discuss the rules. President Sica said she wanted to get the draft of the Rules Book in the hands of the committee to get the discussion started. There is some additional information still needed to get added, the cannabis and small cell council process. Councillor Camell asked if there were any changes to the rules that she would like to discuss, President Sica said many of the changes were housekeeping and cleaning up language and there were no major changes. Councillor Winslow said the changes were more extensive than anticipated and he would need more time to digest. Councillor Winslow also suggested that no gender references be used. Councillor O'Malley suggested that a draft agenda be added. The Committee will continue discussions on the Rules in upcoming meetings.*

**A motion was made by Councillor Camell, seconded by Councillor O'Malley, that the Order be tabled. The motion carried by the following vote:**

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

[280-20](#)

Order: Be it hereby ordained that the Revised Ordinances of 2020 Chapter 11 be amended to add Section 11.08.155 Maintenance of Private Fencing Next to Public Property (containing provisions related to fencing adjoining streets, sidewalks and trails) by adding the following language:

A. Every owner of property adjoining any public or private street, alley, sidewalk, trail or other public land shall ensure any fencing along the perimeter of their property remains erect and that any barbed or razor wire remains strung at least 7 feet above ground level. No such owner shall allow any perimeter fence, barbed or razor wire to encroach on or above any public street, private street, alley, sidewalk, trail or other public land or otherwise pose a hazard to members of the public lawfully using such areas.

B. As of January 1, 2020, razor wire may not be installed or replaced on any fence in the City of Malden.

C. This ordinance may be enforced in the manner provided in Mass. Gen. Laws ch 40 § 21D by City Code Enforcement Officers, agents of the Inspectional Service Department, or Department of Public Works supervisory personnel. Penalties for violations of this Ordinance will be strictly enforced, and are as follows:

1. first offense shall be a written, 30-day warning
2. second offense - \$100 for each continuing day of violation.

D. The City may remove the fencing and wiring if: (1) such fencing and wiring has caused an injury to a member of the public present on public property, or (2) if the property owner fails to comply within three days after notice of the second offense. The City may seek reimbursement for the costs of removal of the fencing and wiring in violation of ordinance from the property owner.

**Sponsors:** Stephen Winslow and Barbara Murphy

*Councillor Winslow heard feedback from Building and Legal that the monetary fine should be consistent with other code violations and be raised from \$100 to \$300. Councillor Crowe made a motion to amend.*

**A motion was made by Vice Chair Crowe, seconded by Councillor O'Malley, that the Order be amended. The motion carried by the following vote:**

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

*Under B. Councillor Crowe made a motion to change January 1, 2020 to November 1, 2020.*

**A motion was made by Vice Chair Crowe, seconded by O'Malley, that the Order be amended. The motion carried by the following vote:**

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

**A motion was made by Winslow, seconded by Vice Chair Crowe, that the Order be recommended favorably as amended. The motion carried by the following vote:**

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

## **Other Business**

## **Adjournment**

**A motion was made by Vice Chair Crowe, seconded by Camell, that the meeting be adjourned. The motion carried by the following vote:**

**This meeting was adjourned at 6:06 PM**

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