



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, June 7, 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 7:05 P.M.

Also in attendance City Solicitor Kate Fallon, City Planner Michelle Romero.

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

Lisa Sulda, Chair of the Community Preservation Committee, will appear before the Council to present on the FY23 budget cycle and report on FY22 expenditures.

The Mayor's Office and the Office of Strategic Planning & Community Development will appear before the Council to introduce the City's new Office of Housing Stability that is operated by Housing Families, Inc. The Office helps residents find and keep housing by providing services, assistance, and information to Malden renters, homeowners, and landlords.

Sponsored by Ryan O'Malley

5. PUBLIC COMMENT

6. APPROVAL OF MINUTES

[268-22](#)

Minutes of the meeting of May 24, 2022

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

[269-22](#)

Minutes of the meeting of May 31, 2022

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

7. APPOINTMENTS & ELECTIONS

[270-22](#)

Council Re-appointment: Molly Pidgeon of 371 Pearl Street, Malden as a member of the Energy Efficiency and Sustainability Committee Said term to expire May 1, 2024. Confirmation required

Sponsors: Chris Simonelli

Personnel Appointments Chair Simonelli stated he would like to approve this appointment on the floor tonight unless any councillors had any issues with the appointment. Councillor Simonelli said he had no issues and it is a reappointment.

Councillor McDonald stated he has served with Ms. Pidgeon on the committee and would make the motion to appoint.

A motion was made by Councillor at Large McDonald, seconded by Councillor Murphy, that the Appointment be appointed. The motion carried by a unanimous vote.

[271-22](#)

Mayoral Appointment: Robert Edward Collins of 12 Wadsworth Street, Malden as Constable to serve process in the City of Malden effective May 25, 2022. Said term to expire on May 25, 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.

[272-22](#)

Mayoral Re-appointment: Joan Chiasson of 274 Summer Street, as a member of the Malden Housing Authority Board, said term to expire May 1, 2027. Council confirmation needed

Sponsors: Chris Simonelli

Personnel /Appointments Chair Simonelli said Ms. Chaisson is another reappointment that he would like to have voted on the floor. He served Ms. Chaisson on the Council and he sees no issues.

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

[273-22](#)

Mayoral Re-appointment: Stacy VanDeveer of 6 Lebanon Terrace as a member of the Commission on Energy Efficiency and Sustainability. Said term to expire May 4, 2024.

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.

[274-22](#)

Mayoral Re-appointment: Joshua Ward Smith of 44 Greystone Road as a member of the Commission on Energy Efficiency and Sustainability. Said term to expire May 4, 2024.

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.

[275-22](#)

Mayoral Re-appointment: Ose Schwab of 55 Granite Street, Malden as a member of the Cultural Council. Said term to expire on July 30, 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.

[276-22](#)

Mayoral Appointment: Stephanie Stone of 19 Pine Street, Malden as an associate member of the Planning Board, said term to commence upon confirmation by the City Council and expire March 1, 2024 to complete the unexpired term of Charles Ferguson.

Confirmation required

Sponsors: Chris Simonelli

A motion was made by Councillor Simonelli that the Appointment be referred to the Personnel/Appointments Committee. The motion carried by a unanimous vote.

[277-22](#)

Mayoral Appointment: Vikas Verma of 85 Harvard Street, Malden as an associate member of the Planning Board, said term to commence upon confirmation by the City Council and expire March 1, 2025 to complete the unexpired term of Resa Gray who moved to full member status.

Confirmation required

Sponsors: Chris Simonelli

A motion was made by Councillor Simonelli, seconded by Councillor Murphy, that the Appointment be referred to the Personnel/Appointments Committee. The motion carried by a unanimous vote.

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[278-22](#)

Petition: Extended Hours, Boda Borg Boston LLC, of 90 Pleasant Street be granted extended hours periodically during the year when needed

Sponsors: Jadeane Sica

A motion was made by Councillor Sica that the Petition be referred to the License Committee. The motion carried by the following vote:

Yea: 11 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, O'Malley, Spadafora, Crowe, Linehan, Condon and Winslow

[279-22](#)

Petition: Self-Service Gas Station, Gibbs Oil Company Limited Partnership of 728 Main Street. 30,000 gallons Renewal

Sponsors: Jadeane Sica

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

[280-22](#)

Petition: Self-Service Gas Station, Speedway, LLC dba Speedway #2504 of 214 Broadway. 40,000 gallons Renewal

Sponsors: Jadeane Sica

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

[281-22](#)

Petition: Self-Service Gas Station, Snap Mart, Inc. dba Petrola of 245 Main Street. 30,000 gallons Renewal

Sponsors: Jadeane Sica

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

[282-22](#)

Petition: Self-Service Gas Station, Wash Depot I, Inc. of 333 Eastern Avnue. 30,000 gallons Renewal

Sponsors: Jadeane Sica

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

[283-22](#)

Petition: Lodging House License, Metro North Housing, Corp. of 280 Salem Street for 11 units located at 22 Charles Street. Renewal

Sponsors: Jadeane Sica

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

[284-22](#)

Petition: Lodging House License, Metro North Housing, Corp. of 280 Salem Street for 14 units located at 115 Washington Street. Renewal

Sponsors: Jadeane Sica

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

[285-22](#)

Petition: Lodging House License, Cedar House, LLC. of 280 Salem Street for 14 units located at 116-118 Cedar Street. Renewal

Sponsors: Jadeane Sica

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

9. MOTIONS, ORDERS AND RESOLUTIONS

[286-22](#)

Order: That in the interest of promoting a fair and transparent marijuana licensing process, free from political influence and the potential for state ethics violations, that the Code of the City of Malden be amended to change the Special Permit granting authority for Marijuana Establishments from the Malden City Council to the Malden Planning Board, including amending the following Sections:

-Section 6.08.070.B. Definition of Special Permit, by deleting "as further amended
by City Council Paper 283 of 2018.";

-Section 6.08.070.D.2.b, by deleting "City Council" where mentioned and replacing
with "Planning Board";

-Section 12.12.010.A, first paragraph, first phrase, by striking "City Council" and replacing with "Planning Board", as follows: "Except for Marijuana Retailer, Marijuana
Cultivator, Independent Marijuana Testing Laboratory, Marijuana Product Manufacturer,
Marijuana Research Facility and Marijuana Transporter, where a special permit shall be required by the Planning Board in accordance with MCC 12.12.020;"

-Section 12.12.190, first paragraph, by striking "City Council" and replacing with "Planning Board" as follows: "A Marijuana Establishment, as defined by this Ordinance
to expressly only include Marijuana Retailer, Marijuana Cultivator, Independent Marijuana
Testing Laboratory, Marijuana Product Manufacturer, Marijuana Research Facility and
Marijuana Transporter, may be allowed only in the Highway Business, Industrial 1 and
Industrial 2 zoning districts or the Marijuana Establishment Overlay District, only by special
permit granted by the Planning Board and only in conformance with the following controls
and requirements:"

-Section 12.12.190.B, Section 12.12.190.G, Section 12.12.190.G.4, Section 12.12.190H,
by deleting "City Council" where written and replacing with "Planning Board";

-Section 12.28.010.E, by deleting "City Council" where mentioned and replacing

with

“Planning Board”

Sponsors: Jadeane Sica and Craig Spadafora

Councillor Sica, the sponsor of the paper stated that the first 3 licenses that were issues there was very little political influence. because of one applicant there is political influence. "I will be a witness in court". We put this paper on the docket tonight so we all can't be corrupt. The Planning Board issues special permits, we tried to do this in 2019.

Councillor Crowe offered a friendly amendment that it could be the Planning Board or CLEC to issue the Special Permit. Councillor Sica responded that CLEC didn't want to do it, it had to be the Planning Board or City Council.

Councillor Simonelli said he never felt granting the Special Permits should be with the Council, he would prefer CLEC but supports it going to the Planning Board.

Councillor O'Malley asked the sponsor who wrote this paper, Councillor Sica answered that she wrote the first part and got help from the City Solicitor's Office on the language for the ordinance section. Council O'Malley said he was going to revisit history in that he was ordinance Chair in 2018 and he worked hard to write the ordinance so it wasn't politically driven but community driven. Were held accountable at the ballot box, neither the Planning Board or CLEC are not elected so we are responsible. Councillor O'Malley continued that he does not believe all applicants have been treated fairly. I have never testified for or against any pending applications. I find it interesting.....Changing zoning takes requires 8 votes, I don't see this paper having a snowball in hell chance of passing. You can't shift it from an elected body to an unelected body.

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

A motion was made by Councillor Sica that the Order be referred to the Public Property Committee. The motion carried by a unanimous vote.

288-22

Resolve: That the Malden City Council celebrates LGBTQ Pride Month

WHEREAS, lesbian, gay, bisexual, transgender/nonbinary, and queer (LGBTQ) people in Malden make vital contributions to all areas of business, public service, culture and community life, and

WHEREAS, the celebration of Pride Month each June is rooted in the protests of June 28, 1969, following a law enforcement raid of the Stonewall Inn, an LGBTQ club in New York City, as a pioneering moment in the LGBTQ movement for equality; and

WHEREAS, throughout much of the history of the United States,

non-heteronormative relationships and gender identities were criminalized; LGBTQ people continue to face disparities in employment, healthcare, education, housing, and many other areas; and many states have enacted new anti-LGBTQ legislation in the past few months, and

WHEREAS, LGBTQ people, particularly those who are transgender/nonbinary and Black, Indigenous and People of Color (BIPOC), face a disproportionately high risk of becoming victims of violent hate crimes; and

WHEREAS, LGBTQ youth are at increased risk of bullying, mental health concerns, homelessness, and suicide; and

WHEREAS, Pride is a celebration of the full spectrum of humanity, creative expression, and visibility in spite of marginalization, which is hosted by thousands of communities each year across the globe;

NOW, THEREFORE BE IT RESOLVED, that the Malden City Council supports the rights, freedoms and equal treatment of LGBTQ people, affirms the importance of creating a welcoming community for all, and encourages the celebration of June as “LGBTQ Pride Month” to honor the contributions, struggles and dignity of LGBTQ members of our community.

Sponsors: Carey McDonald, Ryan O'Malley, Paul Condon, Karen Colon Hayes, Steven Winslow, Chris Simonelli, Jadeane Sica and Craig Spadafora

Council President Spadafora took paper 288-22 out of order and discussed at the beginning of the council meeting.

Councillor McDonald talked about the importance for the community to recognize Pride Month. Councillor O'Malley thanked Councillor McDonald for bringing the Resolve forward and it was important to have allies outside of the LGBTQ community like Councillor McDonald. Councillor O'Malley requested a moment of silence for Dee Campbell-Tomkins who recently passed and would like to dedicate the Resolve and the LGBTQ flag raising at city hall which the council will be doing tonight in honor of Dee Campbell-Tomkins.

Councillor McDonald made a motion to recess at 7:11 P.M. for the flag raising ceremony. It was so voted 11-0.

The meeting was called back to order at 7:23 P.M.

A motion was made by Councillor at Large McDonald, seconded by Councillor O'Malley, that the Resolution be passed. The motion carried by a unanimous vote.

[289-22](#)

Resolve: That with the approval to receive the historic M. Ida Converse Building at 15 Ferry Street and move it to 77 Salem Street on the current grounds of Malden High School, the City of Malden should:

- 1) engage in a robust input process with MHS students, teachers, staff and parents, as well as the Malden Public Schools leadership and School Committee, to determine how the building can best be used, and;
- 2) mitigate any environmental consequences to the downtown area due to the loss of green space.

Sponsors: Karen Colon Hayes, Amanda Linehan, Carey McDonald and Steven Winslow

Councillor O'Malley requested to be added as a sponsor.

Councillor McDonald the sponsor of the paper stated he wanted to get it into the record what was discussed at the prior meeting for both items, bringing in the school community into the discussion of the use of the building and the loss of the green space. Councillor McDonald further stated that he will donate his council funds to move the garden at the site where the building is being placed.

Councillor O'Malley said that we may have another chance to look at where the building is being moved too once the building is accepted by public properties.

Councillor Winslow said we should be working with the schools on the moving of the building.

Councillor Linehan stated she was glad to bring in the voices of the community and she will put in her council funds as well to move the garden.

Councillor Condon said the building will fit in with the surrounding building, its a historical corridor.

Council President Spadafora said before final approval of the move the public properties should have a final look.

City Planner Romero stated that she along with Building Commission Miller are currently in discussions on the building move.

A motion was made by Councillor at Large McDonald, seconded by Councillor O'Malley, that the Resolution be passed. The motion carried by a unanimous vote.

10. COMMUNICATIONS

12. COMMITTEE REPORTS

[290-22](#)

Committee Report: The Standing Committee on Parking Review having considered Paper 294-22 make the following report that the Committee recommends this resolve be reported out favorably to the Full Council.

Sponsors: Paul Condon

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

[294-22](#)

Resolve: That it is the sense of the Malden City Council that the traffic regulations be updated with the addition of the following sections.

Addition of Section 5.10(A)

Vehicles to be Registered in Malden

Persons becoming residents of Malden having relocated from out of state or within state are required to register their vehicle to their Malden address. No vehicle bearing out of state plates or vehicle registered to or principally garaged in another

city or town in Massachusetts shall be permitted to park on any City Street or combination of City Streets more than 4 times over a 30-day period.

Enforcement of the above regulation shall take place from Sunday to Thursday between 10 pm and 6 am, provided that an initial one time 14-day grace period shall apply to each vehicle.

The Parking Department may issue a Monthly Visitor Parking Permit to those requiring the ability to park on city streets for more than the time permitted by this regulation. Passes issued shall only be valid for parking in the immediate vicinity of the address of the permit holder. Monthly Visitor Passes will not be issued as a substitute for a resident properly registering their vehicle in Malden. Each permit shall contain the registration number of the vehicles to which it was issued.

The Parking Department may issue a Monthly Visitor Parking Permit to those Residents who have submitted the following documentation:

1. A completed application in a form determined by the Parking Department;
2. A copy of the applicant's driver's license with an address within the city;
3. A copy of a valid vehicle registration for the vehicle for which application is made.

Monthly Visitor Parking Permits shall expire 30 days from the date of issuance. The fee for a Monthly Visitor Parking Permit shall be \$25.

Parking permits shall be provided to those residing in Malden who have vehicle(s) registered outside of Malden due to active military service or who are actively enrolled as a full-time student in college. Additionally, parking permits for caregivers shall be provided. Permits for military, students and caregivers shall be provided at no cost.

Update through addition to section 5.15

5.15 Penalty for Violation of Parking Regulations

Vehicle not registered to Malden AIO \$25.00 Section 5.10(A)

Sponsors: Paul Condon

Parking Review Chair Condon thanked Ron Hogan for his guidance with the process. Chair Condon continued that the committee did try to implement a citywide parking permit program but it was too difficult for too many residents. This plan is a good compromise and gets tom the issue of nonresidents and out of state plates parking on the streets overnight. The plan has no affect to Malden residents who 's vehicles are currently registered in Malden. The Resolve would go to the Traffic Commission.

Councillor Crowe supports the paper and talked about how difficult the parking program in Everett is.

Councillor Colon-Hayes said that we tried to make this easy for the residents. This paper

will accomplish what it was intended to do.

Councillor O'Malley supports the paper and congratulated Chair Condon, it was a long hard battle.

Councillor Linehan thanked Chair Condon saying its simple and will work.

Councillor Winslow said he appreciates the work of the committee and the paper is a good balance and will work for the folks in ward 6.

Council President Spadafora said he appreciates the tenacity of Councillor Condon.

The entire council requested to be sponsors of the Resolve.

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

291-22

Committee Report: The Joint License/Rules & Ordinance Committee having considered Paper 255-22 make the following report that the Committee recommends this Order be reported out favorably to the Full Council, as amended. Be it ordained by the City Council of the City of Malden that the Municipal Code of Malden (MCC) Title 6, Chapter 08, Section 100 (b) (3) be amended by striking, "lined and numbered spaces no smaller than 10'x20'" and replaced with "lined and numbered spaces no smaller than 9'x18".

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.

255-22

Order: That the Malden City Council evaluate and make changes, if necessary, to the Municipal Code of Malden (MCC) Title 6, Chapter 08, Section 100 (b) (3) which states, that the area controlled by the, business is of sufficient size to allow a. storage or display of no fewer than 15 cars in paved, lined and numbered spaces no smaller than 10'X20', and b. employee and customer parking of no fewer than 3 spaces, provided that one additional employee/customer parking space shall be required for each additional 20 spaces of for storage or display. All spaces shall be clearly lined, numbered and designated in yellow traffic paint as storage/display or employee/customer parking.

Sponsors: Jadeane Sica

Councillor Sica talked about the issues in the past with Class II Dealers needing to have 10x20 parking spaces and in the Malden zoning ordinance for business the size is 9X18. This would bring both sections requirement to 9x18.

A motion was made by Councillor Sica, seconded by Councillor Simonelli, that the Ordinance be enrolled to the City Council. The motion carried by the following vote:

Yea: 11 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, O'Malley, Spadafora, Crowe, Linehan, Condon and Winslow

292-22

Committee Report: The Standing Committee on Finance to whom was referred Paper 237-22 having considered the same, make the following report on the

suggested increase in the COLA base from \$16,000 to \$18,000 for contributory retirees and survivors of the Malden Retirement System

Sponsors: Barbara Murphy

This paper was taken out of order and discussed prior to the Hearings, Petitions, Memorials and Remonstrances.

A motion was made by Councillor Murphy that the Committee Report be received and filed. 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](#)

Finance Chair Murphy gave background on the COLA (Cost of Living Allowance) paper. The Finance Committee and Long Term Financial Planning Strategy Committee held a joint meeting regarding the paper.

The Malden Retirement Board voted in favor of increasing the COLA base from \$16,000 to \$18,000 and the council needed to approve. Chair Murphy stated although not unanimous, the joint committee recommends the council vote in favor of the increase.

Councillor Colon-Hayes stated although she voted against in committee because of some confusion she will be voting in favor of the paper on the floor.

Councillor McDonald said he voted against the paper in committee and would have voted for a smaller increase but the truth is inflation is terrible for our seniors and will vote in favor of the paper on the floor. Councillor McDonald further stated we have a commitment from CFO Ranaghan if the economy continues to change that we work through the issues.

Councillor O'Malley thanked Councillor Murphy for docketing the item in committee and on the agenda and although the amount is nominal, about \$60 per retiree, there is a concern that when the total amount is aggregated it is around \$5,000,000. Councillor O'Malley stated it will be challenging if your fund is losing money.

Councillor Winslow state dhe appreciated the work of the Retirement Board and we are ahead of the game and have the capacity to handle the downturn in the economy.

Council President Spadafora stated he supports the paper and the 3% increase is less that Social Security recipients who received a 5.4 % increase.

A motion was made by Councillor Murphy, seconded by Councillor Sica, that the Order be adopted. The motion carried by the following vote:

Yea: 11 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, O'Malley, Spadafora, 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

14. PERSONAL PRIVILEGE

15. ADJOURNMENT

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

The meeting adjourned at 10:47 P.M.

GREGORY LUCEY, CITY CLERK