



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, January 12, 2021

5:30 PM

REMOTE VIRTUAL MEETING

3-21

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 as soon as practicable after the meeting.

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

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Roll Call

Councillor Camell joined the meeting at 6:45 P.M.

Also in attendance was Asst. City Solicitor Rossetti, Councillors Linehan, Murphy, Sica and Council President Anderson.

Minutes to be Approved

4-21

Minutes of the Meeting of December 15, 2020.

Councillors O'Malley and Winslow were unable to vote because they were attending a Public Properties meeting while the December 15th Rules and Ordinance meeting was taking place.

A motion was made by Councillor Crowe to accept the minutes, seconded by Councillor Camell.

A motion was made that the Committee Minutes be approved. The motion carried by the following vote:

Yea: 3 - Chairperson Spadafora, Vice Chair Crowe and Camell

Yea: 3 - Chairperson Spadafora, Vice Chair Crowe and Camell

Business

466-20

Order: Be it hereby Ordained that Sections 2.08.040 and 2.16.060 of Chapter 2 of the R.O. of 2020 be amended to read "COMMISSION ON ENERGY EFFICIENCY AND SUSTAINABILITY".

Sponsors: David Camell

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

Yea: 4 - Chairperson Spadafora, Vice Chair Crowe, O'Malley and Winslow

Yea: 4 - Chairperson Spadafora, Vice Chair Crowe, O'Malley and Winslow

[468-20](#)

Order: Be it hereby ordained that the City of Malden Revised Ordinances of 2020 Section 4.16 Sign Control be amended by adding the following additional language:

1. Definitions: By adding a definition for "Recreational Trail" and "Sign, Recreational Trail Facing".
2. Regulations of signs; by sign type: By adding regulations for this new type of sign.
3. Regulations of signs, by district: By adding this sign type to the allowed signs in Residence A, B & C Zoning Districts.
Recreational Trail Facing Signs must be wall signs, cannot be illuminated, and are limited to 50% of the area of the allowable wall sign for that district.
These signs will not count against the total signage allowed for building or tenant.
These signs are restricted to non-residential uses.
Allowing the signs in Residence A, B & C Zoning districts makes them allowable in all districts which accounts for the numerous parcels located along the trail.

Sponsors: Craig Spadafora

A motion was made by Winslow, seconded by O'Malley, that the Ordinance be recommended favorably. The motion carried by the following vote:

Yea: 4 - Chairperson Spadafora, Vice Chair Crowe, O'Malley and Winslow

Yea: 4 - Chairperson Spadafora, Vice Chair Crowe, O'Malley and Winslow

[254-20](#)

Order: That the City Council adopt the Rules of the Council Rule Book 2021.

Sponsors: Jadeane Sica

It is the hope of Council President Anderson and Chair Spadafora that a Rules Book will be finalized in February as a target date.

There was discussion around Rule 5.03, Public Comment and the ability of the Council President having flexibility on the 30 minute total time set aside and the 2 minute limit per speaker. Councillor O'Malley felt the entire council needs to have involvement not just the President and was concerned with the process. Councillor Winslow was more deferential to the President on the 30 minutes but that the 2 minute cap per speaker should hold. Councillor Winslow made a motion to delete the second sentence in paragraph 2 in section 5.03 President shall have the ability to regulate Public Comment as circumstances warrant, including modifying the allotted time to speak to afford each speaker the opportunity to be heard, Councillor O'Malley Seconded the vote by the following roll call vote: Camell (present) Crowe (y), O' Malley (y), Spadafora (y), Winslow (y)

Councillor Winslow suggested there are 2 meetings regarding the Council Rules, 1 with ideas and 1 on specific topics.

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

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

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

[393-20](#)

Order: Be it hereby ordained that Section 11.24.020 of the Revised Ordinances of 2020 be amended by adding guidelines to applicants and the reviewing authority regarding the preferred locations and configurations for wireless telecommunication facilities in the City, provided that nothing in this section shall be construed to permit a wireless telecommunication facility in any location or configuration that it is otherwise prohibited by this chapter. Adding in section that the City of Malden ordinance prohibits any new 5G wireless telecommunications facilities in areas zoned residential and requires annual EMF readings to determine that the wireless facility is within compliance of federal and state laws. New wireless telecommunication facilities are permitted in commercial, industrial, and open space zoning districts.

Sponsors: Craig Spadafora

Because of time constraints and documentation received, the paper will be discussed at a future meeting.

No action was taken on the paper.

[473-20](#)

Order: That prior to any hearing held before the City Council for any street work; that the petitioner's representative shall be required to contact the ward councillor for respective location.

Sponsors: Barbara Murphy

Councillor Murphy spoke for the need for the paper and that the hearing process would be more efficient if the ward councillor (s) knew the scope of the project before brought to the full council. Asst. City Solicitor Rossetti made two points 1) there needs to be a time frame added to the text regarding when the ward councillor (s) needs to be notified 2) Legal would need to get an appropriate look.

There was discussion around should the paper be an Order or Ordinance. Councillor Crowe sided that it should be an Ordinance. Councillor O'Malley shared his screen with Municode and suggested that it be placed in section 11.04.010.

Councillor Murphy, the sponsor of the paper would like to craft the correct language for an Ordinance.

Councillor Crowe made a motion, Councillor Camell seconded to amend the paper and add that the ward councillor (s) need to be contacted by a National Grid representative 2 weeks prior to the public hearing being scheduled, it was so voted by roll call vote: Camell (y), Crowe (y) O'Malley (y), Spadafora (y), Winslow (y)

Councillor Camell made a motion that the National Grid representative contact the ward councillor (s) by email and cc the City Clerk, seconded by Councillor Winslow, it was so voted by roll vote: Camell (y), Crowe (y), O'Malley (y), Spadafora (y), Winslow(y)

Other Business

Adjournment

A motion was made by Councillor O'Malley, seconded by Councillor Winslow, that this meeting be adjourned.. The motion carried by the following vote:

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

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