



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, September 13, 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 7:07P.M.

The Boy Scout Troop 609 (Weeblos) led the Council in the Pledge of Allegiance and later received a Citation from the Council.

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

3. ROLL CALL

Also present Acting City Solicitor John McNaught., City Planner Michelle Romero.

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

Absent - Councillors: 1 - Jadeane Sica

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

5. PUBLIC COMMENT

Casey Leon McDougall, 34 Glenmere Ave. was at the meeting and spoke in opposition to papers 373-22, 374-22, 375-22 and in favor of 379-22.

Clerk Lucey read 3 letters into the record:

Debbie and Al DeMaria, 144 Maple Street were in favor of paper 374-22.

Councillor Sica could not attend the meeting was in opposition of papers 373-22 and 375-22.

Kathleen Sullivan from Friends of Roosevelt Park wrote in favor of paper 374-22.

There was a fourth letter from Sean Hickey that was not read because of the personal content not suitable for public comment.

6. APPROVAL OF MINUTES

[358-22](#)

Minutes for the meeting of June 28, 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.

[359-22](#)

Minutes of the meeting of August 9, 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

[360-22](#)

Mayoral Re-appointment: George Laskey of 52 Blue Hill Avenue as a member of the Conservation Commission, said term to commence upon confirmation by the City Council and to expire on September 15, 2024.

Confirmation required

Sponsors: Chris Simonelli

Chair Simonelli made a motion to vote the appointment on the floor and not send to committee because of Mr. Laskey's long time serving on the Conservation Commission.

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

[361-22](#)

Mayoral Re-appointment: Isaac Slavitt of 14 Gellineau Street as a member of the Conservation Commission, said term to commence upon confirmation by the City Council and to expire on September 15, 2024.

Confirmation required

Sponsors: Chris Simonelli

Chair Simonelli requested that the appointment be voted and not sent to committee because of Mr. Slavitt having been serving on the Conservation Commission.

Councillors Winslow and O'Malley praised Mr. Slavitt for the work he has done on the Conservation Commission.

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

[362-22](#)

Mayoral Appointment: Paul Lee of 52 Lyle Street as a member of the License Board, said term to commence upon confirmation by the City Council and to expire on June 1, 2028 to fill the vacancy of Frances Lin who has stepped down from the Board.

Confirmation required

Sponsors: Chris Simonelli

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

[363-22](#)

Mayoral Appointment: Megan Melanson of 47 Blaine Street as a member of the Cultural Council, said term to expire on July 25, 2025. Megan will replace Gladys Montrose who resigned from the Council.
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.

[364-22](#)

Mayoral Appointment: Mary D'Alba of 11 Fairmont Court as a member of the Cultural Council, said term to expire on July 25, 2025. Mary will replace Ose Schwab who resigned from the Council.
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.

[365-22](#)

Mayoral Re-appointment: Frank Cina of 120 Mountain Avenue as a member of the Disability Commission, said term to expire on September 23, 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

[366-22](#)

Petition: Massachusetts Electric Company d/b/a National Grid, 1101 Turnpike Street; North Andover, MA, W.O. No. 30630187 Elwell Street to install 1 SO pole beginning at a point approximately 15 feet Southwest of the centerline of the intersection of Elwell Street and Loomis Street. Install a steel stub pole on the sidewalk at the intersection of Elwell Street and Loomis Street. New pole to support the pole line on Loomis Street.
Hearing required

Sponsors: Stephen Winslow

Attachments: [20220908_PETITION FOR POLE AND WIRE LOCATIONS](#)

Before Council President Spadafora opened the public hearing, Moses Okokuro from National Grid spoke what the project was and Councillor Winslow, the ward councillor where the work was taking place said he met Mr. Okokuro at the site and the project is straight forward. It is at the intersection of Elwell and Loomis where most times a second pole is used as a stabilizer but in this case it was a tree that has partially been cut down. Councillor Winslow said he supports the petition.

Council President Spadafora opened the public hearing to anyone that wished to speak in favor of the project. There were no speakers in favor of the project. Council President Spadafora closed that portion of the meeting.

Council President Spadafora opened the public hearing to anyone that wished to speak against the petition. There were no speakers against speaking against. Council President did speak against granting the petition that night because of National Grids unresponsiveness to a triple pole on Pearl and Adams Street that has not been addressed for 7 years. Council President Spadafora continued that the council can never get National Grid to address these concerns until they have hearings on something else.

Councillor O'Malley said that he is not in favor of holding up the petition tonight but added that National Grid needs to find a way to resolve all these unresolved issues.

Councillor Simonelli said the issue with double poles have been going on for years and National Grid needs to fins a way to resolve the issue.

Councillor Murphy agreed with holding up granting the petition until the triple pole is resolved on Pearl Street. Councillor Murphy spoke about a live wire on Starbird Street that needs to be addressed.

Councillor Winslow made a motion to table for two weeks and Mr. Okokuro can come back with information on outstanding double/triple poles.

Councillor added that he has one double pole that comes to mind on the corner of Mountain Ave and Tremont Street.

Council President Spadafora said that Malden was the culprit at one time because they had a fire line on the poles but those have all been taken down. Council President Spadafora continued that he has a list of 100 double poles that he got from Fire Chief Sullivan and suggested councillors should get the same list.

Councillor Crowe asked Mr. Okokuro how the work was done on Commercial Street when the paper (#253-22) was tabled last May and never voted on.

Mr. Okokuro said he would bring the concerns back to National Grid and bring back answers in two weeks.

A motion was made by Councillor Winslow, seconded by Councillor Murphy, that the Petition be tabled for two weeks to allow National Grid to get answers to the triple pole on Pearl Street and double pole on Mountain Ave and Tremont Street,. The motion carried by a unanimous vote.

9. MOTIONS, ORDERS AND RESOLUTIONS

[367-22](#)

Order: Be it ordained that Section 9.20.040 Standards and Regulations for Commercial Waste, of the MCC, be amended by adding new *Section 9.20.040 C (1) (e)*, to include "No dumpster shall be placed on the public way, including for purposes of pickup by the service provider."

Sponsors: Craig Spadafora

Attachments: [Ordinance Amendment Proposal Letter 9 8 2022](#)

[Prop Revisions to 9.20.040](#)

[20220908 9.20.040 STANDARDS AND REGULATIONS FOR COMMERCIAL WASTE](#)

A motion was made by Councillor Crowe that the Ordinance be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

[368-22](#)

Order: Be it ordained that Section 11.08 (Streets and Sidewalks) of the MCC be amended by adding Section 11.08.200 to address markings on the public way.

Sponsors: Craig Spadafora

Attachments: [Ordinance Amendment Proposal Letter 9 8 2022](#)

[DigSafeMarkingRemovalOrdinance](#)

[11.08 STREETS AND SIDEWALKS](#)

Council President Spadafora said he has been in contact with the mayor on the paper and the need for the paper to be passed.

Councillor Winslow stated that who is responsible to get rid of the markings is unclear and he would like the DPW Committee to be part of the discussion. Councillor Winslow made a motion to refer the paper to a joint Ordinance/DPW Committee meeting.

Councillor Crowe agreed with Councillor Winslow and said at the corner of Madison Street it looks like paint by numbers there is so many leftover markings.

A motion was made by Councillor Winslow, seconded by Councillor Crowe, that the Ordinance be referred to a joint Rules & Ordinance/DPW Committee meeting. The motion carried by a unanimous vote.

[369-22](#)

Order: That One Million Dollars (\$1,000,000) is appropriated to pay costs of reconstructing and making extraordinary repairs to the Central Business District Garage, including the payment of all costs incidental and related thereto, and to meet this appropriation, the Treasurer, with approval of the Mayor is authorized to borrow said amount under G.L. c. 44, §7(1) or any other enabling authority, and to issue bonds or notes of the City therefor.

Sponsors: Barbara Murphy

Finance Chair Murphy stated this paper would be taken up immediately in Finance because the repairs cannot wait. The repairs are badly needed and if not done , it is a hazard to those that use the garage.

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

[370-22](#)

Order: That the sum of One Hundred Twenty Eight Thousand One Hundred Sixty Four Dollars and Seventy Five Cents (\$128,164.75) be and the same is hereby appropriated from the TNC Surcharge Municipal Distribution Account to cover the following expenses: Road milling and paving, utility structure adjustments, pedestrian signal upgrades, wheelchair ramp upgrades, and new crosswalk line striping with thermoplastic at the intersection of Summer Street and Clifton Street.

Sponsors: Barbara Murphy

Attachments: [Clifton St at Summer St Intersection Improvements 92022](#)

Chair Murphy explained the funds are coming from the money the city gets per ride from any rideshare company. In the past the funds have completed work for intersections in wards 2,4 and 5. This appropriation is for work that will be done at the intersections of Summer Street and Clifton Street.

Councillor Linehan said she is thankful for these funds and the work being done will be taking place at critical intersection and is exactly what the TNC surcharge is supposed to be used for.

Councillor Winslow stated there have been great improvements at intersections funded through the TNC account.

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

371-22

Order: That the appropriation enumerated below, being in the amount of Thirty-One Thousand Four Hundred Seventy Dollars, (\$31,470) be appropriated from the Community Preservation Act Fund for the following project:
Wallace Park Wall Restoration: \$31,470 from Historic Preservation Reserve

Sponsors: Barbara Murphy

Attachments: [Letter of Support Wallace Memorial Park\(3\)](#)
[Wallace Park Wall 3 recommendation letter](#)

Chair Murphy said that there is no rush on this funding so she will be referring the paper to Finance.

Council President Spadafora asked City Planner Romero, who is well familiar with the project if she would like to speak on the topic.

City Planner Romero said she was speaking as clerk of the Historical Commission. Ms. Romero told the Council the project is completed and is an excellent job. Ms. Romero continued that there was \$200,000 already granted for the project and there is a need for this additional funding because of issues that surfaced after the work started. Ms. Romero said she is available for the Finance Committee if the paper gets referred.

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

372-22

Order: That the City Council empowers the City's Legal Department to investigate and answer the alleged Open Meeting Law Complaint filed by Lissette Alvarado from the Friends of Roosevelt Park on August 12, 2022 against the Malden City Council and Ward 6 Councillor Stephen Winslow.

Sponsors: Craig Spadafora

Council President Spadafora said that there was an Open Meeting Law Violation filed against the Council and as they have done in the past, the Council will vote whether to allow the Legal Department to investigate and respond on their behalf.

Councillor Winslow said that he has talked to Attorney McNaught in August when the complaint was filed because it names him specifically on the alleged violation.

Councillor O'Malley agreed that the Legal Department should handle the Complaint. Councillor O'Malley continued that there have been legitimate complaints filed and some that are not. Councillor O'Malley said that Councillor Winslow has the right to organize community members for a particular issue and he would defer to Councillor Winslow who

answers the Complaint.

Attorney McNaught was asked to come forward and told the Council he has met with Councillor Winslow and if the Council is going to give the Legal Department authority to answer the Complaint, he would be contacting council members individually.

Councillor McDonald asked Attorney McNaught if the Council could take a vote to give the Legal Department blanket authority to answer any complaints that are filed so they would not have to keep on voting something they always vote for, having the Legal Department answer the Complaint.

Attorney McNaught answered that they do have to go through the process and the Council could not grant blanket authority.

Councillor McDonald stated he would be happy to have it as a standard policy.

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

[373-22](#)

Order: That the City Charter, and applicable City Ordinances, be amended to make the City Solicitor an elected position by (a) striking paragraph one of section 14 of the Malden City Charter, and (b) adding a new section 37 titled "City Solicitor" detailing the manner of election and a 6 year term of the City Solicitor.

Sponsors: Ryan O'Malley

Councillor O'Malley the sponsor of the paper began the discussion by stating there is no ulterior motives for the paper and that he believes there is nobody in the Solicitor's office residing in Malden and local control is important. The Law Department takes on cases that can be costly to the City making local control very important. Councillor O'Malley said that it is a political entity and it is a step removed from the people. Councillor O'Malley continued that the position is not always accountable to the entire City Council and the department needs to be more impartial and less political. Councillor O'Malley moved to send the paper to Ordinance and Committee.

Councillor Condon said he is not in favor of moving the paper to ordinance or moving on the paper at all. Councillor continued that the Solicitor's office rules for us and against us, Councillor Condon continued, the council votes for the Solicitor, because someone doesn't live in the City doesn't mean they aren't qualified.

Councillor Winslow added he doesn't understand how having the City Solicitor elected addresses the sponsor's concerns. Councillor Winslow further stated that the City Council is a difficult client for the Legal Department to serve, this is not the way to go. There are 11 Councillors, it's not an easy client.

Councillor Murphy said she is not in favor of the paper. Councillor Murphy stated it is the Council's job to find the best person for the position and that this is not the appropriate way to go.

Councillor Simonelli stated this is not the direction we should go in. It is difficult enough for the City Solicitor to be listening to 11 Councillors, never mind thousands of voters. Councillor Simonelli stated the system works as it is.

Councillor Linehan stated making the City Solicitor being an elected position would not get what the sponsor is looking for and not the right direction for the city.

Councillor McDonald said he does not support electing the City Solicitor for the reasons stated tonight. If there are some concerns Councillor O'Malley has, he would like them taken up in committee.

Councillor Crowe stated she is opposed to the paper.

Council President Spadafora said there is not one city or town in Massachusetts that elects their Solicitor. Council President Spadafora continued we don't always agree with the City Solicitor's opinion but their interests are aligned with the citizens of Malden. There is a reason why Massachusetts do not elect judges like other states, if the City Solicitor was elected they would be more political than judges being elected.

This Order was withdrawn by the sponsor Councillor O',Malley.

[374-22](#)

Order: That the City of Malden place a ballot question on the 2023 municipal ballot asking: "Should the City of Malden install an artificial turf field at Roosevelt Park by the Salemwood School?"

A "yes" vote would support artificial turf; a "no" vote would reject artificial turf and support a grass field.

Sponsors: Ryan O'Malley

Councillor O'Malley the sponsor of the paper stated artificial turf has caused a lot of debate in the community and asked how much contamination are we allowing on the site. Councillor O'Malley continued that he wouldn't want a city council, 20 years from now asking why didn't they clean up the site.

Councillor Colon-Hayes said she would like to see it go on a ballot, it may lose but we would see what people want.

Councillor Murphy said she is not in favor of the paper and that it was just another way of delaying the project.

Councillor Murphy continued that this is a good plan and the park is in desperate need for renovations. The project will allow the Salemwood School students to have recess and sport groups like soccer, Pop Warner and lacrosse the ability to use the field, the field has not been used for two years.

Councillor Winslow said there was a community meeting held the prior Thursday and the city put together an incredible team to answer questions. The more money we use to delay this project the less we will have for other parks. Councillor Winslow continued that you need to seize the moment and he is not in favor of taking more money and time delaying the project and that there has been enough public input on the project. Councillor Winslow added that there was nothing that came out of the Thursday meeting that would warrant dragging this on.

Councillor Colon-Hayes said she could have put a panel of lawyers together that would have said the opposite of what was said at the Thursday meeting.

Councillor McDonald said my comment is democracy is good and a lot of people are engaged on this issue, the worst option is an advisory election and you have the election and it doesn't resolve the issue. Councillor McDonald asked is a special election possible rather than waiting until the next election cycle.

Clerk Lucey answered, the question would have to be put on a municipal election cycle

which would be in 2023. Clerk Lucey added that the idea of a special election would need to have more thought put into it of what it would look like and also told the Council the last special election that was held was earlier in the year on the Voke building project and there was 2 % turnout and it was his belief you would be looking at the same kind of turnout. Although there is interest, the only people that would be voting are those committed to grass and the sport groups that would be using the field and favor artificial turf .

Councillor McDonald made a motion to amend the paper to: the city hold a special election on the question as soon as the City Clerk determines the earliest date possible.

Councillor Murphy said the idea of a special election is once again kicking the can down the road. Councillor Murphy continued we have had hearings, we have done outreach, we have knocked on doors in the neighborhood, we have beaten this topic to death. It is not turf vs grass for her but doing something positive for the community and that her and Councillor Winslow have been working on the project for years and she finds it disheartening that there is still push back to delay the project. Councillor Murphy ended with if you put grass on the field you will end up putting a fence up and She hopes other ward councillors do not get the same response from councillors opposing projects in their wards.

Councillor Winslow said that he has been working on this project with Councillor Murphy prior to him getting elected to the Council in 2018. We have been talking about this for 5 years and I have personally knocked on doors in the neighborhood. There is no need of a vote because the democratic process has already taken place with the both of them getting elected, then reelected in spite of opposition from the Roosevelt group. Councillor Winslow stated lets get on with it.

Councillor Linehan said it was a good meeting Thursday night and she was surprised to see this item on the docket and it was her opinion an election is not needed and would not tell how the city stands on the issue. The Council has already taken the vote on the funding, my kid has never had a recess, we need to do right by the kids.

Councillor Condon said he has never seen a project handled like this, both sides got their say, we need to move on and get it done. Callahan Park wasn't clean, two oil tanks were on the site. Councillor Condon complimented Councillors Murphy and Winslow for standing their ground.

Councillor Colon-Hayes said both sides are passionate and it should not be taken as personal.

Councillor McDonald said he has stated publicly he is for grass but asked Attorney McNaught if an election is a valid approach or is the question only advisory.

Councillor McDonald withdrew his earlier motion regarding holding a special election.

Councillor Crowe said they have been talking about turf at Salemwood since she got on the Council in 2011 and she didn't feel the question should be on the ballot.

Council President Spadafora stated we won't change either sides mind and this is the third time we have tried this, the first being under Mayor Howard but the figures couldn't work.

A motion was made by Councillor O'Malley, seconded by Councillor at Large Colon Hayes, that the Order be adopted. The motion failed by the following vote:

Yea: 2 - Colon Hayes and O'Malley

Nay: 8 - Murphy, McDonald, Simonelli, Spadafora, Crowe, Linehan, Condon and Winslow

[375-22](#)

Order that the City of Malden place a ballot question on the 2023 municipal ballot asking: "Should the Department of Elementary and Secondary Education revoke or not renew the charter of the Mystic Valley Regional Charter School?"

A "yes" vote would support revoking or not renewing the school's charter; a "no" vote would support the renewal the school's charter.

Sponsors: Ryan O'Malley

Councillor O'Malley the sponsor of the paper said it was his opinion that Mystic Valley Charter School has received a lot of taxpayer money and has taken a lot from the community. Councillor O'Malley continued that we are constantly reading about trauma to minority students at the school because of their school policies and they are looking to expand into communities like Woburn and the state is coming down on them. The residents of Malden should be heard if they feel that MVRCS is a benefit to the community.

Councillor Condon said he doesn't support this at all and what do you do with the 600 Malden kids at the school, the Malden Public Schools have no room for them. The Charter School is not for everyone, but do away with the School is not feasible.

Councillor Winslow stated the Charter School is controversial and a good many people in Malden are concerned with their lack of accountability and transparency. Councillor Winslow said the best ways to address the concerns is through their renewal process. The worse things for a kid is to change schools, Councillor Winslow said he could not support the paper but could support holding the Charter School Board accountable.

Councillor McDonald said Councillor Winslow hit the nail on the head. There is a problem at the school but this is not the appropriate way to address it.

Councillor O'Malley said their Charter is good for 5 years, the state will have the election results for when the Charter is being renewed.

The motion failed for a lack of a second.

[376-22](#)

Resolve: That the Malden City Council Objects to Orange Line Closure Process
The Malden City Council strongly objects the Massachusetts Bay Transit Authority's approach to closing the Orange Line for one month starting August 19, 2022. In Malden, home to two Orange Line stations, 40% of our residents do not own a car and depend on transit service. While we recognize and endorse the need to invest in the safety and performance of our transit system, the manner in which the MBTA made this decision has created great hardship for our community. Countless residents, especially those with the fewest financial resources, are struggling to get to work, make medical and court appointments, attend school, get childcare, or visit loved ones in need. Most concerning was the lack of advance information available in multiple languages, the timing of this closure at the start of the school year, and the fact that that our elected leaders, including our Mayor and state legislators, had to fight to get adequate shuttle bus and commuter rail coverage. In the future, as it makes decisions about maintenance closures, we call on the

MBTA to do the following:

1. Work directly with local community leaders to decide when closures will take place in a way that minimizes impact;
2. Provide information well in advance, in multiple languages, on how residents can navigate the closures; and
3. Establish funding to reimburse local governments and agencies as well as individual residents for hardships and additional expenses created by these closures.

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

The sponsor Councillor McDonald stated we all know how terrible and unacceptable the MBTA closing was and the city pays millions of dollars a year for their 2 stations and were not consulted. Councillor McDonald continued that there will be future maintenance issues and Malden needs to be part of the process.

Councillor Colon-Hayes asked to be added as a sponsor.

Councillor Linehan thanked Councillor McDonald for the Resolve and that when you have a community like Malden with so many languages and not get the word out earlier, it's not acceptable. Councillor Linehan said we have to make our voices heard as elected officials.

Councillor Winslow thanked Councillor McDonald and the work done by the state delegation and Mayor.

Councillor Murphy said there was a lack of communication and asked that she be added as a sponsor.

The entire City Council was added as a sponsor.

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

[377-22](#)

Resolve: That the Malden City Council invites members of the Malden youth community to speak in front of the Council about the importance of Hispanic Heritage Month and to invite the Council to upcoming events.

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

This paper was taken out of order and after paper 373-22.

the sponsor of the paper, Councillor Colon Hayes the paper was on the docket because of the new rule that was implemented that groups need to be approved by City Council vote to appear before the Council. Councillor Colon Hayes continued that she would like to see that rule changed.

Councillor Winslow said he is full support of the paper and would like to get added as a sponsor.

Councillor Linehan requested to be added as a sponsor and that she preferred the old system about just being able to invite guests.

Councillor McDonald voiced his support and requested do be added as sponsor.

The entire council requested to be a sponsor of the paper.

A motion was made by Councillor at Large Colon Hayes, seconded by Councillor Winslow, that the Resolution be passed. The motion carried by a unanimous vote.

[378-22](#)

Resolve: That the Malden City Council recognize and celebrate Hispanic Heritage Month

WHEREAS, Hispanic Heritage Month began as a commemorative week in 1968 to recognize the contributions of the Hispanics, Latino or Latinx community during the civil rights movement **and;**

WHEREAS, in 1988 it was expanded to a month. Hispanic Heritage Month begins on September 15th, a historically significant day that marks the anniversary of independence of five Latin American countries: Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua and soon after, Mexico, on September 16th, Chile on September 18th and Belize on September 21st **and;**

WHEREAS, Hispanic progress is American progress. Latinos are the growth and the economic power of the U.S. with more than 62 million people and with 1.9 trillion dollars in purchasing power **and;**

WHEREAS, each year, Americans observe National Hispanic Heritage Month by celebrating the histories, cultures and contributions of American citizens whose ancestors came from Mexico, Spain, the Caribbean and Central and South America; **and;**

WHEREAS, Latino's are a large group of hard-working, passionate and full-of-values individuals who have contributed and continue to contribute to American society and in our city of Malden culture, economy and overall progress.

NOW, THEREFORE, be it resolved that the City Council hereby recognize in Malden and celebrate September 15th through October 15th as Hispanic Heritage Month.

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

A motion was made by Councillor at Large Colon Hayes, seconded by Councillor Linehan, that the Resolution be passed. The motion carried by a unanimous vote.

[379-22](#)

Resolve: It is the sense of the Malden City Council that all City employees are to be treated with respect by all members of the Council, free from a hostile work environment, and are confident in the knowledge that carrying out their duties in good faith will not be met with retaliation, threats, or intimidation.

Sponsors: Craig Spadafora

Council President Spadafora who sponsored the paper said there were rules that we needed to have civility with a code of conduct towards city employees.

Councillor Colon-Hayes stated she was unsure if she could support the paper until the issues were flushed out, we need to wordsmith this to have a code of conduct.

Councillor Crowe asked to be added as a sponsor and the Council needs to police themselves and she has heard from city employees on how they were talked to by city councillors.

Councillor O'Malley said he is in full support of this in general and we should also treat each other with respect. Councillor O'Malley said he did not want to go into the litany of violations but stated you treat me with respect and I will treat you with respect. Councillor mentioned Council President Spadafora and the Mayor interfering with his Parks and Recreation Committee meeting.

Council President Spadafora said let me be as clear as I can be, this paper has nothing to do with the Parks and Recreation Committee meeting and I will say it again the mayor had nothing to do with happened at the Parks and Recreation Committee meeting either, it has to do with an email sent to the Council by a city official that we have all seen.

Councillor Murphy asked to be added as a sponsor and this was just basic how the council should act.

Councillor Condon said city councillors are no better than the workers in the building.

A motion was made by Councillor Crowe, seconded by Councillor Murphy, that the Resolution be passed. The motion carried by the following vote:

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

10. COMMUNICATIONS

12. COMMITTEE REPORTS

[380-22](#)

Committee will report out recommendations for Council policies for public access and remote participation.

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

[118-22](#)

The Committee on Technology Policy will meet to discuss adopting policies for public access and remote participation for Councillors and any other business moving forward with the committee.

Attachments: [Recommendations from Technology on Paper 118-22](#)

Chair Linehan said the committee held 5 meetings and met with staff from UMA, IT and city hall personell that knows the equipment. Councillor Linehan read the committee report.

Councillor Colon-Hayes thanked Councillor Linehan for her work and that she loved being on the committee.

Councillor O'Malley stated he is in full support and it needs to be sent to Ordinance.

Councillor Murphy stated it was a very impressive draft and minimal if anything should get changed in committee.

A motion was made by Councillor Linehan, seconded by Councillor at Large Colon Hayes, that the Council Item be recommended for referral to the Rules & Ordinance Committee. 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

[253-22](#)

Petition: National Grid, 1101 Turnpike Street, North Andover, MA, Plan #30543076 Commercial Street - National Grid to install beginning at a point approximately 350 feet southwest of the centerline of the intersection of Commercial Street and Centre Street and continuing approximately 80 feet in a southeast direction. Install 2-4" Primary Duct approximately 80 feet southeast from existing Pole #3 on sidewalk towards 0 Commercial Street for the purpose of serving the customer with electric service.

Sponsors: Peg Crowe

Attachments: [Petition Commercial Street #30543076](#)

[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

[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

Attachments: [Assessors Handout Pub Prop Meeting 62822](#)

[303-22](#)

Mayoral Appointment: Helena Clarke of 39 Acorn Street as a member of the License Board, said term to commence upon confirmation by the City Council and to expire on June 1, 2028, to fill the vacancy of Frances Lin who has stepped down from the Board.

Confirmation required

Sponsors: Chris Simonelli

The appointee, Helena Clarke was no longer a candidate to fill the vacancy on the License Board and has been replaced by Paul Lee as a candidate to fill the position.

Councillor Simonelli made a motion to take paper 303-22 the appointment of Helena Clarke of 39 Acorn Street to the License Board from the table. it was so voted 10-0.

This Appointment was placed on file

14. PERSONAL PRIVILEGE

15. ADJOURNMENT

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

The meeting adjourned at 10:46 P.M.

GREGORY LUCEY, CITY CLERK