



# 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*

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Tuesday, June 3, 2025

7:00 PM

City Council Chambers  
215 Pleasant Street  
Malden, MA 02148

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Watch the meeting with Teams: <https://tinyurl.com/2ssfkff5>

### 1. CALL TO ORDER

*Council President O'Malley called the meeting to order at 7:10 PM.*

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

### 3. ROLL CALL

*Also in attendance was Lisa Cagno, Alicia McNeil, Dan Grover, Maria Luise.*

**Present - Councillors:** 11 - Karen Colon Hayes, Paul Condon, Peg Crowe, Amanda Linehan, Carey McDonald, Ryan O'Malley, Jadeane Sica, Chris Simonelli, Craig Spadafora, Ari Taylor and Stephen Winslow

### 4. PUBLIC COMMENT

*One public comment was submitted via email from Samantha LeBlanc of Daniels Street in opposition of the Trustees of the Malden Public Library. This written comment has been attached to the history of Paper 280-25.*

### 5. CONSENT AGENDA

#### Approval of the Consent Agenda

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

[269-25](#)

Minutes for the meeting of May 20, 2025

The Council Minutes were approved.

[270-25](#)

Petition: Extended Hours: McDonald's, 114 Broadway, Malden, Hours: 7 days, 24 hours (New)

**The Petition was referred to the License Committee.**

[271-25](#)

Mayoral Appointment: Daniel L. Grover, III, 22A Wigglesworth Street, Malden, as the Tax Title Custodian for the City of Malden (Confirmation not required)

**Attachments:** [Mayor's Appointment of Daniel Grover as Tax Title Custodian](#)

**The Appointment was placed on file.**

[272-25](#)

Communication: Per the requirements of MCC 2.04.030 the Board of Registrars of Voters respectfully submits their board approved 2024 Annual Report.

**Attachments:** [Board of Registrars Annual Report 2024](#)

**The Communication was received and filed.**

## **6. HEARINGS, PETITIONS, MEMORIALS, AND REMONSTRANCES**

Council will hold a public hearing on National Grid petition to construct a line of underground conduits

[273-25](#)

Petition: Massachusetts Electric Company dba National Grid Plan No. 30926772 - National Grid to install 2-5" conduits through the intersection of Pearl and Medford Street starting at manhole 605 and continuing approximately 150 feet to pole 355, Malden, MA.  
(Hearing Required)

**Attachments:** [Intersection of Medford St & Pearl St](#)

[Abutters 315 Medford St](#)

[Hearing Notice Intersection of Medford Street and Pearl Street](#)

*Two representatives from National Grid were in attendance to speak on behalf of this petition. The purpose of the new conduit is to be able to run new cable in the future event of an outage without a need to excavate what is currently direct buried.*

*Council President declared the public hearing open; no members of the public came forward to speak either in favor or opposition of this project. Councillor Linehan then spoke in opposition stating she has been experiencing an outstanding National Grid pole issue on the Malden Hospital construction site, which has halted progress. It is the position of both the Councillor from Ward 3 and the Mayor that until such time as this issue is addressed, any petitions brought forth by National Grid should be opposed or placed on hold. The lack of response regarding the removal of this pole is now preventing the Route 99 bus from serving the West End. On the site, a new pole has been installed and the old pole needs to now be removed, per the conditions of the work permit for the new development. Until this happens, the 99 is not able to make the swing for the bus turn-around.*

*Councillor Linehan wishes to have this petition tabled until the situation is rectified. Councillor Condon, whose ward the current petition is regarding, expressed his support to table Paper 273-25 until Councillor Linehan's concerns are addressed.*

*National Grid Design Supervisor Bob Coulter stepped to the podium to explain about the transfer process of shutting down and removing a pole, stating ultimately Verizon is the company responsible for taking out the pole. In this case, pictures of the site show there are still wires connected to the pole. Councillor Linehan agreed to send the pictures to Mr. Coulter for further review.*

*Mr. Coulter then expressed his intent for this evening's meeting was to remove Paper 78-25 from the table for an earlier petition for a work order on Eastern Avenue. Councillor Simonelli, whose ward that petition is regarding, expressed his wish not to untable Paper 78-25 until Councillor Linehan's concerns are addressed. No motion was made to remove 78-25 from the table.*

**A motion was made by Councillor Linehan, seconded by Councillor Condon, that the Petition be tabled. The motion carried by a unanimous vote.**

Council will hold a public hearing for the purpose of receiving public comment regarding the proposed Fiscal Year 2026 Budget.

**236-25**

Order: The Mayor will submit the Fiscal Year 2026 Annual Appropriation Orders for the General Fund, Water Sewer Enterprise Fund, Community Preservation Fund, and Cable Access Fund.

**Sponsors:** Carey McDonald

**Attachments:** [Fiscal Year 2026 Appropriation Orders](#)

[Budget Book](#)

[FY26 City Budget Public Hearing Post](#)

[CFO Controller Presentation FY26 Budget 52725](#)

*Council President declared the public hearing open; no members of the public came forward to speak either in favor or opposition of the budget.*

*As Chair of the Finance Committee, Councillor McDonald took this opportunity to explain the importance of the city budget and where online residents may find and review the budget in its entirety. They encouraged members of the public to get involved and make themselves aware of how the City is spending tax payer dollars, including but not limited to core city services such as schools, fire, and police.*

*The whole city budget is approximately \$240 million, a portion of which had to be subsidized with free cash in order to come into balance. A main concern at this time is the long term financial health of the city. This fiscal year, there will have to be much consideration given to ways the city can either increase revenue or cut expenses; utilizing free cash to balance the budget is not sustainable at this level.*

*Councillor Winslow pointed out that the final vote to adopt the budget will not be held until the meeting of either June 17 or 24. There is still time for residents to submit questions or comments to their local representatives prior to that vote.*

*Council President gave one more call for comment before declaring the public hearing closed.*

## **7. MOTIONS, ORDERS, AND RESOLUTIONS**

**274-25**

Order: The Council will vote on whether to sell or retain the property known as 26 Central Avenue, and by City Assessor's parcel identification number 187 577 702, as in accordance with tax title litigation and foreclosure action with the Massachusetts

Land Court, Case Number 22 TL 000346.

**Sponsors:** Jadeane Sica

**Attachments:** [26 Central Ave Malden - Recorded Judgment](#)  
[26 Central Ave Malden - Pre-Election Letter 5.21.25](#)  
[Final Paper: 274-25](#)

*Councillor Colon Hayes sits on a board that may have a financial interest in this paper. She made a motion to recuse herself from the conversation, seconded by Councillor Crowe.*

*Council President O'Malley excused Councillor Colon Hayes from the Chamber without the required vote, in dispute with Clerk Desiderio.*

**A motion was made by Councillor Sica, seconded by Councillor McDonald, to authorize the sale of the property. The motion carried by the following vote:**

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

**Recused:** 1 - Colon Hayes

### [275-25](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 1.04.070 PROCEDURE FOR SELLING TAX TITLE PROPERTY is hereby amended by striking it in its entirety and inserting the following:

**Sponsors:** Stephen Winslow

**Attachments:** [Current 1.04.070 Procedure for Selling Tax Title Property](#)  
[City Council Final Paper 271-13](#)

**A motion was made by Councillor Winslow, seconded by Councillor Simonelli, that the Ordinance be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.**

### [276-25](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 9.16 RENTAL UNITS; INSPECTION REQUIRED is hereby amended as is outlined in the body of attached paper.

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

**Attachments:** [Draft Rental Registry MCC 9.16 amendment 5.21.2025](#)

*Councillor McDonald requested Papers 276 and 277 be discussed and voted together at the same time. This request was approved by unanimous support.*

*The purpose of this paper is to create a rental registry to create a comprehensive list of anyone who is renting residential property in the city. Current city code requires inspections prior to rental units being turned over; this ordinance is little known or enforced. There is also city code that requires the units to be free of lead pipes but the city cannot see to that if the inspections aren't being done. Papers 276 and 277 taken in conjunction with each other aims to organize the process.*

**A motion was made by Councillor McDonald, seconded by Councillor Colon Hayes, that the Ordinance be referred to the Rules & Ordinance Committee. The**

**motion carried by a unanimous vote.**

**277-25**

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 9.24.010 REGULATION OF LEAD PIPES IN RESIDENTIAL HOUSING is hereby amended by:

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

**Attachments:** [Draft Lead Pipe MCC 9.24.010 amendment 5.21.2025](#)

*Councillor McDonald requested Papers 276 and 277 be discussed and voted together at the same time. This request was approved by unanimous support.*

**A motion was made by Councillor McDonald, seconded by Councillor Colon Hayes, that the Ordinance be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.**

**278-25**

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 12.12 USE REGULATIONS is hereby amended to add 12.32.030.E CERTIFICATE OF REGISTRATION FOR SHORT TERM RENTALS

**Attachments:** [Malden Registered Voter Petition Signed for STR Ordinance Adoption](#)

[Letter to City Council petition adoption of STR ordinance in Malden](#)

[PROPOSED SHORT TERM RENTAL ORDINANCE CITY OF MALDEN](#)

*Paper 278-25 is a zoning amendment proposal that was put forth by a number of concerned citizens. Council President prefaced this discussion by explaining there was debate on whether or not the petition was required to include a \$1,500 fee as explained in MCC 12.32.050. The amount of this fee was set by City Council vote with Paper 180-03 but had not been readily posted for public knowledge. City Planner Michelle Romero had the institutional memory of this fee having been passed and brought it to the attention of the City Clerk.*

*Councillor O'Malley made an executive decision that it would not be fair to subject the petitioners to this fee without first having been made aware of the amount. He then opened up to the Body the opportunity for anyone who wished to sponsor this paper. MCC 12.32.050 states the fee is only payable if the petitioner is not an officer or board of the city. Councillor Colon Hayes stated her strong support for this paper and asked to be added as the sponsor.*

*Councillor Sica argued for the Council's need to stay consistent and waiving fees for some petitioners but not others is a bad precedent to set. She further stated despite Councillor Colon Hayes offering to sponsor the paper, it wasn't properly before the Body to begin with and therefore should not be up for discussion. She stated by way of example, as the Chair of License she wouldn't allow a Class II dealer license to come before the Council if the application didn't have attached the proper fee amount. Councillor Sica wishes to see the paper withdrawn and resubmitted to the Body with either the fee paid or the paper properly sponsored.*

*Councillor O'Malley stated his opinion that it is unfair to prevent a protected petitioning activity by residents, which is their right under Chapter 40A. He believes the paper is properly before the Body because it does now have a sponsor.*

*Councillor Winslow briefly discussed the history of municipalities being granted the ability to tax short term rentals (STR) back in 2018. Back then, he was the only member interested in introducing STR to the city but acknowledges it can be controversial. His recommendation in any event is to have this paper go through some community forums before the public hearing process with Planning Board and Rules & Ordinance.*

*A motion was made by Councillor Linehan, seconded by Councillor McDonald, to allow the petitioners address the Body on this paper. Motion passed by an 11-0 unanimous roll call vote.*

*Shel Malloy of 79 Ashland Street spoke on behalf of the ten petitioners. Mr. Malloy read a prepared statement into the record which may be heard in it's entirety at the 39:05 mark of the above noted Teams link.*

*A motion was made by Councillor Sica, seconded by Councillor Winslow to withdraw the paper and have it come back in two weeks with either a payment of \$1,500 or a Council sponsor. Councillor Colon Hayes expressed her willingness to have the paper withdrawn and come back on June 17 with her as a sponsor.*

*No vote was taken as a tabling motion was made and seconded and took precedence.*

*A motion was made by Councillor McDonald, seconded by Councillor Simonelli, to table the paper until the correct fee structure and process for this type of petition is clarified. Motion passed by a 10-1 voice vote; Councillor Sica dissenting.*

**A motion was made by Councillor McDonald, seconded by Councillor Simonelli, that the Ordinance be tabled. The motion carried by the following vote:**

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

**Nay:** 1 - Sica

#### [279-25](#)

Resolve: That it is the sense of the Malden City Council that the outstanding works being done by the Malden Public Library Staff, led by Director Dora St. Martin should be publicly recognized and appreciated. The creative ways the Library Staff and Board of Trustees have found to keep the library a relevant part of Malden's daily culture and ongoing history in this technological age is to be applauded. Be it further resolved that the Malden City Council will support the Malden Public Library, its staff, and the Board of Trustees by committing to open, transparent, community-based dialogues in addressing any concerns the City Council as a whole, or any individual member, does currently or may have in the future.

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

**Attachments:** [Final Paper: 279-25](#)

*Councillor Sica introduced this resolve as a show of support to the Malden Public Library staff, Board of Trustees, and Friends of the MPL as a counter measure against the pending litigation against the Trustees that was filed by Councillor O'Malley. As this resolve is the first of five corresponding papers filed this evening regarding the lawsuit, there was much discussion which should also be reflected in the history of Papers 280, 281, 282, 283 Series of 2025.*

*Councillor Condon offered an apology to the Library Board of Trustees on behalf of Council President for having served them legal summons. He stated this entire situation*

*is an embarrassment to the Council as a whole and is not in support of (upcoming agenda item) Paper 288-25 to conduct further discussion in Executive Session.*

*Councillor Spadafora read from a prepared statement which opened with an apology to the Trustees and an expression of embarrassment from when he was confronted by a resident on Memorial Day asking why the Council was suing the Library, which he had no knowledge of at the time. Councillor Spadafora argued the merits of the lawsuit is not up for debate this evening. He makes no opinion either way on that topic but instead wishes to express the lawsuit was filed when the City Council President took it upon himself to initiate legal action. He further pointed out Director Dora St. Martin was also named in the suit but does not sit on the Board. Director St. Martin is a city employee who has been put in a situation between the City Solicitor and the Board's hired counsel with no proper representation of her own.*

*Councillor Simonelli stated he wasn't aware this suit was being filed or that the Council President was even having difficulties with the MPL Trustees. Multiple Councillors acknowledged that, had they known Council President was having difficulties with the Board they would have been willing to help with finding a suitable resolution.*

**A motion was made by Councillor Sica, seconded by Councillor Winslow, that the Resolution be passed. The motion carried by the following vote:**

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

#### [280-25](#)

Order: That the City Solicitor will withdraw the case filed in Superior Court on May 22, 2025 against the Trustees of the Malden Public Library, case number 2581CV01275, and be it further ordered Ryan O'Malley be prohibited from using his position as President and/or Ward Councillor to use City resources for personal claims.

**Sponsors:** Jadeane Sica, Paul Condon, Peg Crowe, Chris Simonelli and Craig Spadafora

**Attachments:** [Public Comment for City Council Meeting 6\\_3\\_2025](#)  
[Kelliher Org Chart](#)

*For further discussion notes, please see the history of Paper 279-25.*

*Councillor Sica filed this paper because she is of the belief Councillor O'Malley did not have authorization to initiate this litigation. If this paper passes, there may be no need to take up Papers 281-283.*

*Councillor Winslow made note that the Council President does not file lawsuits, the City Solicitor does so he recommends striking the words 'President of the Malden City Council' and replacing it with 'City Solicitor'. Also, the suit cannot be dismissed by the Solicitor so the word 'dismiss' should be replaced with 'withdraw'. He also expressed his desire to have this done immediately before the defendants are made to spend any further time or money preparing a defense.*

*Both Councillors Winslow and McDonald expressed Paper 283-25 should be taken up even if 280-25 is adopted.*

*Councillor O'Malley reiterated his wish to have this discussion in Executive Session but then noted he was advised to file this suit based on conversations held with the Trustees' attorney and the City Solicitor. The facts of the case are as they are and he stands by his decision to file this suit. He then handed out an organization chart that was reprinted*



from a pamphlet created during the time of Mayor Kelliher's administration (1958-60, 1962-76). He then made argument of his standing in this case as Council President, commented this isn't a personal case, and stated his opinion that, however the Council votes on this paper will have no legal effect in this case.

Councillor Sica opened up the possibility of adding language to Councillor Winslow's amendment to state, 'and that no City resources are utilized for the purpose of supporting or reimbursing legal fees or court expenses incurred by Ryan O'Malley'. Since this paper has the possibility of now relating to finances, Councillor O'Malley made a motion to recuse himself from the conversation. He then got up and left the Chamber without waiting for an affirmative vote of the Council, in breach of Council Rule 18.03. For the purpose of the record, Pro Temp Linehan called for a voice vote, which passed unanimously.

**A motion was made by Councillor Winslow, seconded by Councillor Sica, that the Order be amended to strike 'President of the Malden City Council will dismiss' and replace with 'City Solicitor will withdraw'. The motion carried by the following vote:**

**Yea:** 9 - Colon Hayes, Condon, Crowe, Linehan, McDonald, Sica, Simonelli, Taylor and Winslow

**Nay:** 1 - Spadafora

**Recused:** 1 - O'Malley

After Paper 280-25 was adopted as amended, Solicitor McNeil asked for clarification on if Councillor O'Malley wishes to proceed on his own accord in court. She is concerned that her office may appear to be impeding on his rights to continue with his own suit. It is understood by the Body that if private citizen Ryan O'Malley wishes to continue on his own, as opposed to Council President O'Malley on behalf of the City Council, he is free to do so without the approval, support, or financial resources of the City of Malden.

Once the vote had been taken, Clerk Desiderio informed Councillor O'Malley he was free to return to Chamber and he refused to do so. Pro Temp Linehan continued with the next order of business.

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

**Yea:** 10 - Colon Hayes, Condon, Crowe, Linehan, McDonald, Sica, Simonelli, Spadafora, Taylor and Winslow

**Recused:** 1 - O'Malley

### [281-25](#)

Order: That the City Solicitor and the staff of the City Solicitor's Office immediately cease and desist from representing Ryan O'Malley in the case filed in Superior Court on May 22, 2025 against the Trustees of the Malden Public Library, case number 2581CV01275. The City Solicitor and the staff of the City Solicitor's Office are prohibited from filing any future litigation on behalf of the Malden City Council without first obtaining authorization to do so by an affirmative vote of the City Council.

**Sponsors:** Jadeane Sica, Paul Condon, Peg Crowe, Chris Simonelli and Craig Spadafora

**Attachments:** [Final Paper: 281-25](#)



*For further discussion notes, please see the history of Paper 279-25.*

*Councillor O'Malley was not in Chambers at the time this vote was taken.*

**A motion was made by Councillor Sica, seconded by Councillor Crowe, that the Order be placed on file. The motion carried by the following vote:**

**Yea:** 10 - Colon Hayes, Condon, Crowe, Linehan, McDonald, Sica, Simonelli, Spadafora, Taylor and Winslow

#### [282-25](#)

Order: That no City resources are utilized for the purpose of supporting or reimbursing legal fees or court expenses incurred by Ryan O'Malley, whether in his official or personal capacity, in the case filed in Superior Court on May 22, 2025 against the Trustees of the Malden Public Library, case number 2581CV01275.

**Sponsors:** Jadeane Sica, Paul Condon, Peg Crowe, Chris Simonelli and Craig Spadafora

**Attachments:** [Final Paper: 282-25](#)

*For further discussion notes, please see the history of Paper 279-25.*

*Councillor O'Malley was not in Chambers at the time this vote was taken.*

**A motion was made by Councillor Sica, seconded by Councillor Winslow, that the Order be placed on file. The motion carried by a unanimous vote.**

#### [283-25](#)

Order: That members of the Malden City Council be prohibited from initiating litigation in their official capacity, on behalf of the City Council, or as a representative of the City Council, without first obtaining authorization to do so by an affirmative vote of the City Council.

**Sponsors:** Jadeane Sica, Paul Condon, Peg Crowe, Chris Simonelli, Craig Spadafora and Carey McDonald

*For further discussion notes, please see the history of Paper 279-25.*

*Councillor O'Malley returned to the Chamber during the time this vote was being discussed and chose to vote Present.*

*Councillor O'Malley said in principal he believes in this paper but doesn't know if the language is correct or legally valid. Shooting from the hip is probably not the right way to go. In the past, he has asked how does the City initiate lawsuits and who decides to do so? The City decides to initiate litigation rather frequently but the Council wants to get involved only now when some of the defendants are friends or family members of the Councillors. He does not take his actions lightly but stands by the decision he has made and believes when everything comes out in the wash, his name will be clean.*

*Councillor Spadafora took this opportunity to explain, the City of Malden like any other institution, gets involved in lawsuits all the time. The Council doesn't get involved in those lawsuits on a day to day basis until decisions are required or settlements need to be discussed. This debate is not about whether the Council has the ability to sue anybody but rather if one individual of this entire body is entitled to order the Solicitor to sue on the body's behalf.*

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

**Yea:** 10 - Colon Hayes, Condon, Crowe, Linehan, McDonald, Sica, Simonelli, Spadafora, Taylor and Winslow

**Abstain:** 1 - O'Malley

## **8. ENROLLED ORDINANCES**

### 185-25

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 12.12.030 USE REGULATIONS is hereby amended as follows to update existing Table of Use Regulations to correspond with recent Site Plan Review regulations for Day Care Centers, Non-Profit Educational Facilities, and Religious Facilities as ordained in Paper 356 Series of 2024.

**Sponsors:** Stephen Winslow

**Attachments:** [Admin Corr Table SPR 4.7.25 rev 4.10.25](#)

[CCP 185-25 PSR](#)

[CCP 185 2025 PBR 5.25 wAtts](#)

[Final Paper: 185-25](#)

*Councillor Condon was not in Chambers at the time this vote was taken.*

**A motion was made by Councillor Winslow, seconded by Councillor Spadafora, that the Ordinance be ordained. The motion carried by the following vote:**

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

### 171-25

Be it ordained by the Malden City Council that Title 12 of the Code of the City of Malden (MCC) is hereby amended to eliminate the development cap in the MBTA Communities Multifamily Overlay subdistrict MCMOD-MD 1 and eliminate the effective date of final approval by the state of our District Compliance Application per the determination issued by the Executive Office of Housing and Livable Communities.

**Sponsors:** Stephen Winslow

**Attachments:** [Memorandum on Zoning Amendments 4 3 2025](#)

[EOHLC 3A Conditional Compliance - Malden 11-12-24](#)

[MBTA Communities Zoning Amendments Prop wMap 4.3.25](#)

[CCP 171-25 PSR](#)

[Final Paper: 171-25](#)

*Councillors Condon and Spadafora were not in Chambers at the time this vote was taken.*

**A motion was made by Councillor Winslow, seconded by Councillor Crowe, that the Ordinance be ordained. The motion carried by the following vote:**

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

## **9. OLD BUSINESS**

[284-25](#)

Communication: The Council will move to ratify the 9-0 unanimous roll call vote taken during the meeting of May 20, 2025 on Papers 255 and 256 Series of 2025 regarding tax title litigation and foreclosure action on properties 42 Crescent Avenue and 40-42 Wentworth Street, respectfully.

**Sponsors:** Ryan O'Malley

**Attachments:** [Final Paper: 284-25](#)

**A motion was made by Councillor McDonald, seconded by Councillor Crowe, that the Communication be received and filed. The motion carried by a unanimous vote.**

[255-25](#)

Order: The Council will vote on whether to sell or retain the property known as 42 Crescent Avenue, and by City Assessor's parcel identification number 072 824 410, as in accordance with tax title litigation and foreclosure action with the Massachusetts Land Court, Case Number 24 TL 000383.

**Sponsors:** Ryan O'Malley

**Attachments:** [42 Crescent Avenue, Malden MA](#)

[Final Paper: 255-25](#)

**A motion was made by Councillor Crowe, seconded by Councillor Sica, to ratify the vote to adopt taken on May 20, 2025. The motion carried by a unanimous vote.**

[256-25](#)

Order: The Council will vote on whether to sell or retain the property known as 40 - 42 Wentworth Street, and by City Assessor's parcel identification number 029 145 518, as in accordance with tax title litigation and foreclosure action with the Massachusetts Land Court, Case Number 22 TL 000343.

**Sponsors:** Ryan O'Malley

**Attachments:** [40-42 Wentworth Street, Malden MA](#)

[Final Paper: 256-25](#)

**A motion was made by Councillor Sica, seconded by Councillor Crowe, to ratify the vote to adopt taken on May 20, 2025. The motion carried by a unanimous vote.**

## **10. COMMUNICATIONS**

[285-25](#)

Communication from Planning Board re: CCP #186/2025 (Usable Open Space Requirements, General Off-street Parking Requirements)

**Attachments:** [CCP 186 2025 PBR 5.25 wAtts](#)

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

[186-25](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 12 ZONING is hereby amended as follows to be considered in conjunction with

Paper 153 Series of 2025 to clarify and update existing Usable Open Space Requirements and Regulations regarding paving of yard areas of residential properties.

**Sponsors:** Stephen Winslow and Ryan O'Malley

**Attachments:** [Prop Alt Open Space & Paving Yard Areas 4.8.25](#)

[CCP 153-25, 186-25 PSR](#)

[CCP 186 2025 PBR 5.25 wAtts](#)

**A motion was made by Councillor Winslow, seconded by Councillor Simonelli, that the Ordinance be enrolled in accordance with the recommendations made by the Planning Board. The motion carried by a unanimous vote.**

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

### [286-25](#)

Communication from Planning Board re: CCP #153/2025 (Offsite Off-street Parking Lots, General Off-street Parking Requirements)

**Attachments:** [CCP 153 2025 PBR 5.25 wAtts](#)

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

### [153-25](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 12, Chapter 12, Section 090, Subsection B. OFFSITE OFF-STREET PARKING LOTS and Title 12, Chapter 20, Section 020, Subsection I. GENERAL OFF-STREET PARKING REQUIREMENTS is hereby amended as follows:

**Sponsors:** Ryan O'Malley

**Attachments:** [Proposed Changes to 12.12.090 and 12.20.020 Off Street Parking](#)

[CCP 153-25, 186-25 PSR](#)

**A motion was made by Councillor Winslow, seconded by Councillor Simonelli, that the Ordinance be enrolled in accordance with the recommendations made by the Planning Board. The motion carried by a unanimous vote.**

### [267-25](#)

Communication: The Board of Registrars of Voters respectfully submits to the City Council the Board's recommendation for papers necessary to the upcoming 2025 Municipal Election cycle, numbered as 263, 264, 265, and 266 Series of 2025.

**Sponsors:** Ryan O'Malley

**Attachments:** [Final Paper: 267-25](#)

**A motion was made by Councillor Sica, seconded by Councillor Simonelli, that the Communication be received and filed. The motion carried by a unanimous vote.**

### [263-25](#)

Order: That the Mayor and City Council hereby fix the dates and hours for the 2025 Municipal Election calendar.

**Sponsors:** Ryan O'Malley

**Attachments:** [Final Paper: 263-25](#)

**A motion was made by Councillor Winslow, seconded by Councillor Colon Hayes, that the Order be adopted. The motion carried by a unanimous vote.**

#### [264-25](#)

Order: That the City Council designate the following locations as polling places for the entirety of the 2025 election cycle.

**Sponsors:** Ryan O'Malley

**Attachments:** [Final Paper: 264-25](#)

**A motion was made by Councillor Winslow, seconded by Councillor Colon Hayes, that the Order be adopted. The motion carried by a unanimous vote.**

#### [265-25](#)

Order: That the City detail a minimum of one officer for each polling building, to be determined by the City Clerk and Police Chief.

**Sponsors:** Ryan O'Malley

**Attachments:** [Final Paper: 265-25](#)

**A motion was made by Councillor Winslow, seconded by Councillor Colon Hayes, that the Order be adopted. The motion carried by a unanimous vote.**

#### [266-25](#)

Order: That the City Council opt the City of Malden into in-person Early Voting for the 2025 Municipal Election cycle, and to designate the City Clerk's Office, 215 Pleasant Street, Room 220 as the central early voting polling location during the dates and times to be determined as voted on by the Board of Registrars of Voters, which are as follows:

**Sponsors:** Ryan O'Malley

**Attachments:** [Final Paper: 266-25](#)

**A motion was made by Councillor Winslow, seconded by Councillor Colon Hayes, that the Order be adopted. The motion carried by a unanimous vote.**

## **11. COMMITTEE REPORTS**

#### [287-25](#)

Committee Report: The Standing Committee on License to whom was referred Papers 241 through 247 Series of 2025, having considered the same make the following report: Committee recommends these petitions out favorably to the Full Council.

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

#### [241-25](#)

Petition: Class III: Malden Broadway Auto Body, Inc. 590 Broadway, Malden (Renewal)

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

[242-25](#)

Petition: Livery Company: Joey Pierre-Louis, 4 Stone Lane Apt. 5345, Malden, 1 vehicle (New)

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

[243-25](#)

Petition: Livery Driver: Joey Pierre-Louis, 4 Stone Lane Apt. 5345, Malden (New)

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

[244-25](#)

Petition: Livery Company: Pabla Transport LLC, 26 Blaine Street, Malden, 1 vehicle (Renewal)

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

[245-25](#)

Petition: Livery Driver: Jaspreet Singh, 26 Blaine Street, Malden, 1 vehicle (Renewal)

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

[246-25](#)

Petition: Pool Table: Biao Ge Pool Hall, 77 Exchange Street, Malden, 7 tables (Renewal)

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

[247-25](#)

Petition: Self-Service Gas Station: Snap Mart, Inc. 245 Main Street, Malden (Renewal)

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

## **12. EXECUTIVE SESSION**

[288-25](#)

Order: That the City Council will vote to go into Executive Session with Alicia A. McNeil, City Solicitor regarding the matter of O'Malley, as President of the Malden City Council v. Trustees of the Malden Public Library, et al., Docket # 2581CV01275 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)

**Sponsors:** Ryan O'Malley

**Attachments:** [Final Paper: 288-25](#)

*Council President O'Malley introduced the paper, explaining why it was put on the June 3rd agenda instead of the May 27th agenda then vacated the chair. Pro Temp Linehan moved to the President's seat for the remainder of this discussion.*

*Councillor Sica and Crowe are of the opinion that Councillor O'Malley should be recusing himself from voting on all papers on this evening's docket pertaining to his lawsuit against the MPL Board of Trustees.*

*Councillor Crowe pointed out that according to Councillor O'Malley's explained timeline, his intent to put the request for Executive Session (ES) on the May 27th agenda was still after the lawsuit had already been filed in Superior Court, which was done on May 22. Given that the Council cannot even reprimand an employee without a vote of approval from the full Body, shows that this legal action was a case of Council President putting the cart before the horse. Even after the agenda had been posted and Papers 279-283 Series of 2025 made clear there was objection to this lawsuit, Councillor O'Malley proceeded to have the ten defendants served by a constable. Additionally, given that Dora St. Martin is an employee of the city and not a Trustee, Councillor Crowe stated her desire to have a representative of HR in Chamber, stating this situation creates a hostile work environment.*

*Councillor Winslow asked if the lawsuit pertained to a personnel matter that would require Executive Session (ES). Solicitor McNeil said it did not. Councillor Winslow then asked if there was need to act to prevent irreparable harm to the City's interests that justified the urgent manner in which this lawsuit was filed before the Council had time to discuss. Solicitor McNeil stated the intent was for Councillor O'Malley to speak with the Body prior to the filing so the Body would be aware of and understand the lawsuit but that did not happen. In terms of urgency, she said there was no urgency on behalf of the Legal Department except for, if any reason at all, Assistant City Solicitor Samee who filed the lawsuit was traveling and the filing may have been a timing issue.*

*With that, Councillor Winslow stated his belief there is no justification for ES and the issue at hand between Councillor O'Malley and the Trustees should be discussed in this open session. Councillors Condon, Sica, Simonelli, and Spadafora are in agreement with this.*

*Councillor O'Malley moved to vote on going into ES so he may fully brief the Council on the details of the case. Doing so in open session would be unwise from a litigating perspective as it could detriment the litigating position of the city and it would impact the character and reputation of some individuals currently in the Chamber as well as some members of the public. For the last six months, he has tried in the most amicable way possible to address issues at hand and now wishes to speak in ES as to not further air the library's dirty laundry.*

*Councillor Colon Hayes stated she, like many others, was not aware this suit was being filed until after the fact. She then stated her support for MPL, calling it a phenomenal place in the city that couldn't possibly do more than they already do. With that, she does support going into ES for further discussion out of protection of the friends and staff of the library but is willing to discuss it publically if that is the wish of the Body.*

*Councillor McDonald stated their belief that the purpose of an ES is moot if it is such one cannot bring suit without the knowledge and approval of the Body. This is a restatement of Councillor Sica's feelings on the topic as well. Further, there are several ways to resolve conflict including mediation and arbitration that could have been utilized which would have avoided bringing about the current situation.*

*Councillor Condon, in 40 years, has never seen a Councillor display such disrespect as to jump into a lawsuit without knowledge, discussion, or approval from the Full Council.*



*He is of the opinion that this conversation should be had in open session and not Executive Session.*

*After the motion to go into Executive Session failed, Pro Temp Linehan called for a five minute recess.*

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

**Yea:** 2 - Colon Hayes and O'Malley

**Nay:** 9 - Condon, Crowe, Linehan, McDonald, Sica, Simonelli, Spadafora, Taylor and Winslow

### **13. 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](#)

#### 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](#)

#### 172-25

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 12.08.040 FLOODPLAINS, 12.12.110 FLOODPLAIN DISTRICTS, 12.32.060 DEFINITIONS - ZONING are hereby amended to include new regulations, as required by FEMA, so that referenced areas will remain eligible for FEMA sponsored flood insurance programs.

**Sponsors:** Stephen Winslow and Ryan O'Malley

**Attachments:** [MCC Zoning Floodplains 2025 April 3 2025](#)

[CCP 172 2025 PBR 5.25 wAtts](#)

A motion was made by Councillor Winslow, seconded by Councillor Linehan, that the Ordinance be taken from the table. The motion carried by a unanimous vote.

*Councillor Simonelli was not in Chambers at the time this vote was taken.*

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

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

#### **14. PERSONAL PRIVILEGE**

#### **15. ADJOURNMENT**

A motion was made by Councillor Crowe, seconded by Councillor Sica, that the meeting be adjourned. The motion carried unanimously.  
Meeting was adjourned at 10:38 PM.

**CAROL ANN DESIDERIO, CITY CLERK**

If you would like to request a reasonable accommodation, please contact Maria Luise, ADA Compliance Coordinator at [mluise@cityofmaiden.org](mailto:mluise@cityofmaiden.org) or 781-397-7000 Ext. 2005

For instructions on enabling live translated captions in Teams, please visit:  
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