



# City of Malden

Malden City Hall  
110 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final City Council

*Councillor Neal Anderson, Councillor David Camell, Councillor Paul Condon, Councillor Peg Crowe, Councillor Deborah DeMaria, Councillor Amanda Linehan, Councillor Barbara Murphy, Councillor Ryan O'Malley, Council President Jadeane Sica, Councillor Craig Spadafora, Councillor Stephen Winslow*

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Tuesday, April 14, 2020

7:00 PM

Remote Meeting

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### **1. CALL TO ORDER**

In accordance with Governor Baker's 3/12/20 Order Suspending Certain Provisions of the Open Meeting Law, G.L.c.30A,ss18, and the Governor's 3/23/20 Revised Guidance on Order by the Governor Prohibiting Assemblage of More than Ten People, this meeting will be conducted via remote participation.

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

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

Additional information/guidelines for the public can be found here:  
<https://www.cityofmalden.org/DocumentCenter/View/2487/Public-information-on-Public-Meetings-and-Hearings-during-the-Declared-State-of-Emergency-related-to-COVID19PDF>

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

Please click the link below to join:

<https://zoom.us/j/987533664?pwd=U2IISW11RnRzbUU5STd0NmtVdUM2dz09>  
Password: 535187

Or iPhone one-tap :

US: +13126266799, 987533664#  
+19294362866 ,987533664#

Or Telephone:

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

US:

+1 312 626 6799

+1 929 436 2866

+1 253 215 8782

+1 301 715 8592

+1 346 248 7799

+1 669 900 6833

Webinar ID: 987 533 664

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

### **3. ROLL CALL**

**Present - Councillors:** 11 - Neal Anderson, David Camell, Paul Condon, Peg Crowe, Deborah DeMaria, Amanda Linehan, Barbara Murphy, Ryan O'Malley, Jadeane Sica, Craig Spadafora and Stephen Winslow

### **4. COMMUNICATIONS**

President Sica to address Council.

Mayor Gary Christenson letter for submittal of the CDBD Budget.

### **5. PUBLIC COMMENT**

Vote to suspend Council Rule # 5.03 allowing public comment, to suspend public comment during public meetings of the City Council held remotely during the State of Emergency.

*There were concerns regarding suspending the ability to have public comment during the State of Emergency. Discussion took place about having the ability to have public comment at future meetings as part of the remote meeting or by written correspondence sent to the clerk's office or to the Clerk of Committees by 3:00 PM the day of the meeting. The rule stands that any comment would have to be related to an agenda item of that meeting and limited to time allowed. The consensus was to move forward suspending Rule 5.03 for this meeting and work towards finding a way to include public comment at future meetings.*

**A motion was made by Councillor Linehan, seconded by Councillor DeMaria, that the be rules suspended. The motion carried by the following vote:**

**Yea:** 11 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Sica, Spadafora and Winslow

Vote to suspend Council Rule # 5.03 allowing public comment, to suspend public comment during public meetings of the City Council held remotely during the State of Emergency.

**Councillor Linehan made a motion to amend the wording to:  
Vote to suspend Council Rule 5.03 allowing public comment,**

to suspend public comment , during this public meeting of the City Council that is being held remotely. Councillor DeMaria seconded the motion.

Roll Call vote; Anderson-y, Camell-y, Condon-y, Crowe-y, DeMaria-y, Linehan-y, Murphy-y, O'Malley-y, Spadafora-y, Winslow-y, Sica-y. Vote is 11-0.

## **6. APPROVAL OF MINUTES**

[99-20](#)

Minutes of the Meeting of March 10, 2020.

**A motion was made by Councillor Winslow that the Council Minutes be approved. The motion carried by the following vote:**

**Yea:** 11 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Sica, Spadafora and Winslow

[100-20](#)

Minutes of the Meeting of March 4, 2020.

*Councillor DeMaria requested that the minutes reflect her language that was added to the motion, "that the salary fall within the guidelines that were posted".*

**A motion was made by Councillor Winslow that the Council Minutes be approved. The motion carried by the following vote:**

**Yea:** 11 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Sica, Spadafora and Winslow

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

President's declaration of continuance of public hearings and determinations on the following petitions and applications:

1. Public Hearing on the application of Misty Mountain Shop, LLC on behalf of 323 Commercial Street LLC for special permit under Chapter 12, Section 300.20 of the City of Malden ordinances, to allow a Marijuana Retailer Establishment at 323 Commercial Street, Malden, MA which was originally scheduled for March 17, 2020 will be rescheduled to a date to be determined, via Tolling Agreement entered with Applicant.

2. Public Hearing on the application of Standard Naturals LLC, on behalf of Bennett Highway Realty LLC for special permit under Chapter 12, Section 300.20 to allow a Marijuana Retailer Establishment at 7 Linehurst Road, Malden, MA, which is scheduled on April 14, 2020 will be rescheduled to a date to be determined, via Tolling Agreement entered with Applicant.

3. Public Hearing on the application of Craft Cultivation Group, Inc. on behalf of Organic Waste Management, LLC, for special permit under Chapter 12, Section 300.20, to allow a Marijuana Retailer, Marijuana Cultivator and Marijuana Product Manager, at 1130 Eastern Ave., Malden, MA, which is scheduled on April 14, 2020 will be rescheduled to a date to be determined and renoticed, reposted and republicized to take place within 45 days following termination of the Governor's declared state of emergency

4. Timelines on public hearings, review and determination on the pending Petition of Networkbuilding and Consulting on behalf of ExteNet Systems, for fifteen (15) Grant of Location applications pursuant to Chapter 6.49 of the City of Malden are extended in accordance with a Tolling Agreement entered with the applicant.

5. Timelines on public hearings, review and determination on the pending Petition of Cellco Partnership d/b/a Verizon Wireless, for five (5) Grant of Location applications pursuant to Chapter 6.49 of the City of Malden are extended in accordance with a Tolling Agreement entered with the applicant.

*All 5 Public Hearings were read. On Public Hearing #3, Craft Cultivation Group, Inc on behalf of Organic Waste Management, LLC a Tolling Agreement was received after the Agenda's were sent, their wording changed from "renoticed, reposted and republicized to take place within 45 days following termination of the Governor's declared state of emergency", TO: with via tolling Agreement with Applicant.*

On Councillor Murphy's motion to discharge the License Committee from further consideration of the following papers:

**A motion was made by Councillor Murphy, seconded by Councillor O'Malley, that the be rules suspended. The motion carried by the following vote:**

**Yea:** 11 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Sica, Spadafora and Winslow

[77-20](#)

Livery: Ideal Park Limousine Service, Inc., 61 High Rock Rd., Malden, 1 car (Renewal)

**A motion was made by Councillor Murphy that the Petition be granted. The motion carried by the following vote:**

**Yea:** 11 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Sica, Spadafora and Winslow

[93-20](#)

Livery: Roman Kerm - Arko Group, LLC, 150 Sylvan St., Malden, 3 cars (New)

**A motion was made by Councillor Murphy that the Petition be granted. The motion carried by the following vote:**

**Yea:** 11 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Sica, Spadafora and Winslow

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

[105-20](#)

Order: That all rules requiring that a matter coming before the Council be referred to committee be suspended until the termination of remote meetings and/or the current state of emergency, whichever is sooner.

**Sponsors:** Craig Spadafora

*Councillor Camell voiced his concern with committees being out of the process and thought the council could take items up case by case, Councillor Murphy stated her read of the Order is that items could still be sent to Committee if needed, Councillor O'Malley agreed with Councillor Murphy and that a blanket statement would not be good, Councillors Condon, Anderson and Crowe were supportive of the Order while still having the ability to send items to Committee if needed, Councillor Linehan stated the Council needs flexibility and technology should not dictate decisions that there is a way to still hold committee meetings, Councillor Winslow suggested Ordinance look at the Order and come back with a recommendation, Councillor DeMaria was not in favor of the Order and that committee meeting were part of the role of a city councillor. Council President Sica brought City Solicitor Fallon into the discussion who assured the council, it is a temporary suspension of rules and you could still send items to committee.*

**A motion was made by Councillor Murphy, seconded by Councillor Anderson, that the Order be adopted. The motion failed by the following vote: A 2/3 vote was needed to pass.**

**Yea:** 6 - Anderson, Condon, Crowe, Murphy, Sica and Spadafora

**Nay:** 5 - Camell, DeMaria, Linehan, O'Malley and Winslow

[101-20](#)

Order: The City of Malden file with the U.S. Department of Housing and Urban Development a Consolidated Plan including applications for grants under the Housing and Community Development Act of 1974 as amended and the Cranston-Gonzalez Housing Act of 1990 as amended to be

administered by the Malden Redevelopment Authority for fiscal year 2021, including all understanding and assurances contained therein on or substantially in the form presented to this meeting; and that Gary Christenson, Mayor and Chief Executive Officer of the City of Malden, be and hereby is directed and designated as the authorized representative for and in the name and behalf of the City of Malden to sign and file said plan, to act in connection with said plan, and to provide such additional information as may be required.

**Sponsors:** David Camell

**A motion was made by Councillor Camell that the rules be suspended. The motion carried by the following vote:**

**Yea:** 10 - Anderson, Camell, Condon, Crowe, Linehan, Murphy, O'Malley, Sica, Spadafora and Winslow

**Nay:** 1 - DeMaria

*Alex Pratt, Community Development Director for the MRA was recognized by Council President Sica and Mr. Pratt gave the Council background on the application process and the outreach that involved conversations with 70 organizations. Mr Pratt told the Council of the May 15th filing deadline and that this year with what is going on the process has been different than prior years.*

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

**Yea:** 9 - Anderson, Camell, Condon, Crowe, Linehan, Murphy, Sica, Spadafora and Winslow

**Nay:** 1 - DeMaria

**Abstain:** 1 - O'Malley

**102-20**

Order: That the Mayor be authorized to file an application for grants under the Housing and Community Development Act of 1974 and the Cranston-Gonzalez Housing Act of 1990 (CDBG Budget).

**Sponsors:** David Camell

**A motion was made by Councillor Camell that the be rules suspended. The motion carried by the following vote:**

**Yea:** 11 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Sica, Spadafora and Winslow

*Councillor Crowe asked that as in years past, because of her affiliation with an organization that is receiving funding, she would recuse herself from participating on Paper 102-20, Councillor O'Malley seconded, a roll call vote was taken: Anderson-y, Camell-y, Condon-y, Crowe-y, Demaria-y, Linehan-y, Murphy-y, O'Malley-y, Spadafora-y, Winslow-y, Sica, it was so voted 11-0.*

*Council Murphy acknowledged she is a Board Member of MTEC but as she has done in years past, she has participated in this discussion having received an ethic ruling that*

*she is able to participate if she can do so impartially.*

*Alex Pratt, Community Development Director of the MRA gave background on the initiatives and organizations, also answering Councillor's questions.*

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

**Yea:** 10 - Anderson, Camell, Condon, DeMaria, Linehan, Murphy, O'Malley, Sica, Spadafora and Winslow

[103-20](#)

**Resolve:** That the City Council endorses the Mayor's proposals for a Malden Rental Assistance Fund and a small business assistance program to prevent, prepare for and respond to COVID-19, and that the Malden Redevelopment Authority be instructed to take all necessary steps to establish these programs as expeditiously as possible.

**Sponsors:** Jadeane Sica

*Alex Pratt, Community Development Director for the MRA presented to the Council the Community Development Block Grant COVID-19 Response (CDBG-CV). Mr. Pratt answered questions from councillors and presented a slide presentation.*

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

**Yea:** 11 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Sica, Spadafora and Winslow

[104-20](#)

**Order:** That all Class II Licenses expiring on May 1, 2020 be granted until December 31, 2020.

**Sponsors:** Barbara Murphy

**A motion was made by Councillor Murphy, seconded by Councillor Anderson, that rules be suspended. The motion carried by the following vote:**

**Yea:** 11 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Sica, Spadafora and Winslow

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

**Yea:** 11 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Sica, Spadafora and Winslow

On Councillor Camell's motion to discharge Finance Committee from further consideration of the following papers:

**A motion was made by Councillor David Camell, seconded by Councillor Paul Condon, rules be suspended. The motion carried by the following vote:**

**Yea:** 11 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Sica, Spadafora and Winslow

[94-20](#)

**Order:** That the sum of Eighty Thousand Dollars (\$80,000) be and the same is hereby transferred from

Salary Reserve (0010-996-5110) to Human Resources Professional Services (0010-152-5300).

**Sponsors:** David Camell

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

**Yea:** 11 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Sica, Spadafora and Winslow

[95-20](#)

Order: That the sum of Forty Thousand Three Hundred Seventeen Dollars and Twenty Five Cents (\$40,317.25) be and the same is hereby transferred from Revenue Reserve (0010-997-5725) to Public Facilities City Hall Lease (0010-241-5360).

**Sponsors:** David Camell

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

**Yea:** 11 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, O'Malley, Sica, Spadafora and Winslow

## **9. COMMITTEE REPORTS**

## **10. PERSONAL PRIVILEGE**

## **11. ADJOURNMENT**

**A motion was made by Councillor Condon, seconded by Councillor Spadafora, that this meeting be adjourned. The motion carried unanimously. The meeting adjourned at 11:20 PM.**

**GREGORY LUCEY, CITY CLERK**