



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Agenda - 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, March 15, 2022

7:00 PM

City Council Chambers
215 Pleasant Street
Malden, MA 02148

1. CALL TO ORDER

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

3. ROLL CALL

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

5. PUBLIC COMMENT

Comments must be limited to 2 minutes per speaker and must be pertaining to only what is docketed on the council agenda.

6. APPROVAL OF MINUTES

[91-22](#) Meeting of the Meeting of March 8, 2022.

[92-22](#) Minutes of the Meeting of March 1, 2022.

7. APPOINTMENTS & ELECTIONS

[93-22](#) Mayoral Re-Appointment: Diana Jeong, 12 West Street, Malden, MA to the Cannabis Licensing & Enforcement Commission, said term to expire on March 15, 2025.

Sponsors: Chris Simonelli

[94-22](#) Mayoral Re-Appointment: Kathryn Pakenham Bilgen, 63 Upham Street, Malden, MA as the builder/architect member of the Zoning Board of Appeal, said term to commence upon confirmation by the Council, and to expire March 1, 2025.

Sponsors: Chris Simonelli

[95-22](#) Mayoral-Re-Appointment: William Coleman, 53 Kimball Street, Malden, MA as a member of the Department of Public Works Commission, said term to expire March 1, 2025.

Sponsors: Chris Simonelli

[96-22](#) Mayoral Re-Appointment: Andrew Zamagni, 16 Cross Street, Malden, MA as a member of the Registrar of Voters Board, said term to expire on March 31, 2025.

Sponsors: Chris Simonelli

[97-22](#) Mayoral Re-Appointment: Amanda Bells, 4 Stone Lane, Apt. 5235, Malden, MA to the Disability Commission said term to commence upon confirmation by the Council, and to expire March 15, 2025.

Sponsors: Chris Simonelli

[98-22](#) Mayoral Re-Appointment: Eric Henry, 75 Wiley Street, Malden, MA to the Planning Board, said term to commence upon confirmation by the Council, and to expire March 1, 2027.

Sponsors: Chris Simonelli

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[99-22](#) Petition: Extended Hours - Supreme Food Mart, 1018 Eastern Avenue, Malden, MA - 7days/wk. 24 hrs./day. - renewal.

Sponsors: Jadeane Sica

[100-22](#) Petition: Taxi Cab Licenses - Malden Transportation, 292 Eastern Avenue, Malden, MA - 9 Taxi Cab Licenses Renewals.

Sponsors: Jadeane Sica

[101-22](#) Petition: Lodging House License - BREC, LHP, LLC, 155 Clifton Street, Malden, MA - 17 rooms - renewal.

Sponsors: Jadeane Sica

[115-22](#) Petition: Class II - Rigano's Towing Service, 1152 Eastern Avenue, Malden, MA - New.

Sponsors: Stephen Winslow

9. MOTIONS, ORDERS AND RESOLUTIONS**102-22**

60-22 Order: In compliance with the 2/7/22 Court Order by Justice Camille Sarrouf, further discussion and votes may be taken in regard to expeditious handling of the necessary requirements of the Court's Order for review and hearing of the Verizon application for 5G Antenna on Utility Pole 2452, adjacent to 37-39 Willard Street, Malden, MA; associated with (Paper 581-21).

Sponsors:

Craig Spadafora

103-22

Resolve: That we the Malden City Council strongly condemn the abusive practice of child marriage in Massachusetts. Further, that we indicate our support for state-level legislation currently under consideration to ban legal marriage in Massachusetts, for the protection of human rights, dignity, and opportunity for all young people, especially young women who are disproportionately impacted by child marriage laws.

WHEREAS forced child marriage constitutes a violation of a minor child's rights and dignity; and

WHEREAS the United States Department of State recognizes marriage under 18 to be a human rights abuse; and

WHEREAS current Massachusetts law includes a loophole allowing marriage under age 18 and with *no minimum age*, resulting in more than 1,200 children as young as 13 married in the Commonwealth between 2000 and 2018 -- 83% of them to adult men; and

WHEREAS child marriage increases the risk of domestic violence and poverty, and undermines a child's access to healthcare, education, and opportunity; and

WHEREAS minors who are married cannot obtain abuse prevention orders, seek help from DCF or domestic violence shelters, enter into a legal contract or retain an attorney, or even file for their own divorce or annulment; and

WHEREAS child marriage petitions have continued throughout the pandemic, and Massachusetts has no residency requirement for out-of-state petitioners, resulting in our status as a 'destination' for those seeking child marriages.

NOW THEREFORE BE IT RESOLVED THAT THE MALDEN CITY COUNCIL:

1. Condemns the abusive practice of child marriage in Massachusetts.
2. Stands with women's right organizations, including Zonta International, and elected leaders across the country, including our own local legislative delegation, who are working to end the harmful and archaic practice of child marriage;
3. Supports statewide legislation that would ban child marriage and affirm a legal marriage age of 18 with no loopholes.

Sponsors:

Amanda Linehan, Stephen Winslow, Karen Colon Hayes and Ryan O'Malley

113-22

Resolve: That Malden's pension fund will end new investments in any Russian companies and review ways of divesting from entities linked to the country if applicable.

Sponsors:

Craig Spadafora

114-22

Resolve: That the Malden City Council call on the Federal Government to cease deportations to Haiti under Title 42.

WHEREAS Malden is home to thousands of Haitian immigrants who contribute to the workforce, economy, and cultural vibrancy of the city, many of whom maintain ties to family and community members still in Haiti; and is located within the Greater Boston Haitian diaspora which is the third largest in the United States; and

WHEREAS, On March 25, 2020, the Trump Administration initiated a deportation policy under a public health law that restricts immigration at the United States-Mexican border based on an invocation of the Public Health Act under Title 42 of the U.S Code ("Title 42") in conflict with U.S. constitutional law and international law; and

WHEREAS, The Biden Administration has continued the immigration policies of the Trump Administration, further ramping up deportations, leading to mass expulsions of Haitians under Title 42; and

WHEREAS Haitian migrants are unable to make claims for asylum as required under U.S. law and international law. Consequently, the actions of the Biden administration are contrary to U.S. and international laws against returning migrants to persecution and torture; and

WHEREAS, In early September 2021, images revealed the inhumane treatment of Haitian migrants at the hands of U.S. Customs and Border Protection agents who, mounted on horseback, used the hides of their whips to violently chase Haitian migrants, a cruel reminder of slavery and the anti-Blackness embedded in this country's immigration policy; and

WHEREAS, On September 24, 2021, Haitian community leaders in Boston organized a protest in front of the John F. Kennedy federal building denouncing the deportations of Haitian migrants and the inhumane treatment by border officials. Many local and state officials joined in this protest; and

WHEREAS, The deportations under Title 42 have only escalated, with the U.S. government deporting nearly 14,000 Haitian migrants since September 2021, totaling more than 17,000 Haitian migrants deported to Haiti since the beginning of the Biden Administration: and

WHEREAS, On Thursday, February 3, 2022, during Black History Month, the Biden Administration chose to extend its practices of deportation under Title 42, despite widespread opposition from human rights groups, public health officials, elected officials, and asylum advocates; and

WHEREAS Migrants are forced to return to a Haiti rife with political, social, and economic instability and are often at a greater risk of kidnappings, abuse, and

violence. The United States government recognizes the risk in Haiti as the State Department's Level 4 travel advisory to U.S. citizens currently states, "Do not travel to Haiti due to kidnapping, crime, civil unrest, and COVID-19:" and

WHEREAS, The City of Malden has long welcomed immigrants from many nations his city-whether fleeing persecution or terror, escaping gender-based violence, seeking reunion with family members, or pursuing economic opportunity; and

WHEREAS, This country has a legal and moral obligation under its founding principles, its own laws, and international laws and treaties, to receive migrants in distress in search of relief and refuge, thus measures restricting access to asylum must not be allowed to become entrenched under the pretense of public health; and

WHEREAS President Biden has expressed his commitment to reverse Trump-era immigration policies and build a humane immigration system; and

WHEREAS, We have an obligation as a City Council to ensure that we have a government and a community committed to justice and dignity for all people, including Haitian migrants seeking refuge;

THEREFORE, BE IT RESOLVED, That the Malden City Council calls for the federal government to reverse the Title 42 determination and immediately halt the deportation of Haitian migrants, thereby allowing them to seek due process through our legal system to make claims for legal status.

Sponsors: Carey McDonald and Karen Colon Hayes

10. COMMUNICATIONS

[104-22](#) Communication: Report from Committee on the Future of Maplewood Square. The Committee on the Future of Maplewood Square has nominated Naomi Kahn of 33 Tyler Street (Ward 6) to serve on the Committee. The Committee is also seeking additional members. Residents or businesses interested in serving on the Committee should contact Committee Chair Councillor Winslow.

Sponsors: Stephen Winslow, Barbara Murphy and Carey McDonald

12. COMMITTEE REPORTS

[105-22](#) Committee Report: Rules & Ordinance - (Paper # 79-22) Order: Be it hereby Ordained by the Malden City Council that Sections 4.24.050, 4.24.070, 4.24.080, 4.24.110, 4.24.120 and 4.24.180 of the Delay Before Demolition or Alteration Ordinance of Title 4.24, Code of the City of Malden, Chapter 4, of the City's Revised Ordinances of 2020 be amended as follows: (See attached).

Attachments: [Demo.Delay.3](#)
[Demo.Delay.2.](#)
[Demo.Delay.1](#)

[106-22](#) Committee Report: Rules & Ordinance (Paper #452-21) Order: Be it hereby ordained that the Revised Ordinances of 2020 Section 12.28.060 Obstructions be amended as follows, (See Attached).

Attachments: [Paper 452.21 attachment](#)

[107-22](#) Committee Report: Rules & Ordinance (Paper # 36-22) Order: Be it hereby ordained that Title 1, Section 12 of the Code of the City of Malden be amended to the new ward/precinct boundaries submitted by the City Council to the Local Election District Review Commission and approved on December 10, 2021.

[108-22](#) Committee Report: Finance (Paper #76-22 Ordered: That the sum of Thirty-Seven Thousand Two Hundred Twenty Seven Dollars and Twenty Six Cents (\$37,227.26) is transferred from Salary Reserve for Reclassifications, account 0010-996-5120 into the following accounts:

Teen Center Salaries	\$8,081.77
Police Admin Salaries	\$3,831.74
Information Technology Salaries	\$4,034.33
Controller Salaries	\$2,343.41
DPW Admin Salaries	\$1,571.00
Fire Admin Salaries	\$2,343.41
Health & Human Services Salaries	\$2,893.97
Recreation Salaries	\$2,893.97
Engineering Salaries	\$2,343.41
Inspectional Services Salaries	\$1,571.00
Traffic Admin Salaries	\$5,319.25)

[109-22](#) Committee Report: Personnel/Appointments (Paper #55-22 Ordered: Council re-appointment of Scune Carrington, 551 Lynn Street, Malden, MA as a member of the Board of Health, term to expire March 22, 2025.)

[110-22](#) Committee Report: Personnel/Appointments (Paper #56-22 Ordered: Council re-appointment of Kathleen French, 596 Highland Ave, Malden, MA as a member of the Board of Assessors, term to expire March 1, 2025.)

[111-22](#) Committee Report: Personnel/Appointments (Paper #53-22 Ordered: That Mayoral re-appointment of Catherine Price, 30 Tufts Street, Malden, MA as a member of the Affordable Housing Trust Fund Board, said term to commence upon confirmation by the City Council and to expire on January 31, 2024.)

[112-22](#) Committee Report: Personnel/Appointments (Paper #54-22 Ordered: Council re-appointment of Enrique Caceda, 354 Broadway, Malden, Ma as a member of the Stadium and Athletic Field Commission, term to expire June 1, 2023.)

13. TABLED PAPERS

14. PERSONAL PRIVILEGE

15. ADJOURNMENT

GREGORY LUCEY, CITY CLERK