



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final Rules & Ordinance Committee

*Councillor Linehan, Chair*  
*Councillor Crowe, Vice-Chair*  
*Councillor O'Malley*  
*Councillor Sica*  
*Councillor Simonelli*

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Tuesday, December 3, 2024

7:00 PM

215 Pleasant Street  
Room 105  
Malden, MA 02148

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### Roll Call

*Chair Linehan called the meeting to order at 7:09 PM.*

*Also in attendance was Maria Luise, Alicia McNeil, Christopher Mooney, Councillors  
Colon Hayes, Spadafora and Taylor.*

**Present:** 3 - Councillor Amanda Linehan, Councillor Peg Crowe and Jadeane Sica

**Absent:** 2 - Ryan O'Malley and Chris Simonelli

### Business

[431-24](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 11 Chapter 24 Section 020 Subsection F DIMENSIONS AND APPEARANCE is hereby amended as follows:

- In item 2, strike '7-cubic feet' and replace with '24-cubic feet'.
- In item 5, between the words '16-feet above ground level' and 'using a bracket' insert 'excluding the meter socket'.
- In item 5, in the last sentence strike 'more than fifty (50) inches above the height of the pole' and replace with 'above the pole more than 60 inches or 10% of the pole height, whichever is higher.'

**Sponsors:** Carey McDonald

**Attachments:** [Current 11.24.020 Siting and Installation of Wireless Communications Equipment](#)  
[Public Comment - 431-24 John Saia 11-26-2024.pdf](#)

*The City currently has a number of petitions for updates to small cells throughout the city, some of which are not in compliance with the current ordinance but are acceptable according to FCC regulations.*

*Although the amendments suggested with this paper are limited in scope, Paper 431-24 will allow the city to approve petitions if the equipment is deemed to be within the public interest. Even if serving as a stop gap, without the flexibility afforded with this amendment, Malden would be mandated to deny the pending petitions, which could lead to litigation.*

*Councillor Spadafora noted there are surrounding cities that have ordinances suitable to be used as an example of what Councillor McDonald is trying to accomplish with this paper. If the ordinance must be changed, why not take an extra week to research a more comprehensive amendment. After some discussion, it was decided the paper would be tabled until the meeting of December 10.*

**A motion was made by Councillor Sica, seconded by Councillor Crowe, that the Ordinance be tabled. The motion carried by a unanimous vote.**

[432-24](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) be amended by adding Title 2, Chapter 28, Section 100 UNION BENEFITS APPLICABLE TO NON-UNION MEMBERS

**Sponsors:** Amanda Linehan

*The purpose of this paper is to allow for certain benefits to non-union employees who, by State law depending upon their specific rolls, are not allowed to be represented by any union. This paper only accounts for three areas of benefits, being longevity, sick leave, and vacation.*

*Whereas longevity and education benefits are tied together in the current CBA, Councillor Linehan asked if 'education' should be added to the wording of the paper. During the course of discussion, it was also noted that this paper was not meant to be retroactive to last year so the effective date should reflect January of 2025 instead of 2024.*

**A motion was made by Councillor Sica, seconded by Councillor Crowe, that the Ordinance be amended by adjusting the effective date to January 1, 2025 and to add, 'education' after the word 'longevity'.  
The motion carried by a unanimous vote.**

**A motion was made by Councillor Sica, seconded by Councillor Crowe, that the Ordinance be recommended favorably, as amended, to the City Council. The motion carried by a unanimous vote.**

#### 434-24

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 6 Chapter 08 Section 070 LICENSING OF MARIJUANA ESTABLISHMENTS is hereby amended as follows:

- Under Subsection D, striking Paragraph (2)(c) and inserting in its place the following: "applicant shall enter into a host community agreement (HCA) with the City of Malden, which shall be in alignment with all applicable state laws and cannabis regulations."
- Under Subsection D, striking Paragraph (2)(d) in its entirety
- Striking Subsection E in its entirety

**Sponsors:** Amanda Linehan

**Attachments:** [Current 6.08.070 Licensing of Marijuana Establishments](#)

*Earlier this year the Cannabis Control Commission passed revised regulations on what cities are allowed to ask for in host community agreements. The changes suggested in Paper 434-24 are to bring the current ordinance in line with the updated State law. The updated ordinance will not affect any previously signed HCA, only new agreements for future business.*

*Councillor McDonald inquired if the amendment should note HCA be in alignment with specification of the Cannabis Control Commission to make up for the definition of what a HCA is being struck from the current ordinance by these amendments. Councillor Linehan commented the definition is within State law and Malden's Cannabis Licensing & Enforcement Commission is not able to sway from that. The community's reference to scope and definition of host community agreements should come directly from State law. It was decided an amendment would be recommended to add wording to indicate the HCA shall be in alignment with all applicable state laws and cannabis regulations.*

**A motion was made by Councillor Crowe, seconded by Councillor Sica, that the Ordinance be amended by including 'which shall be in alignment with all applicable state laws and cannabis regulations' after 'City of Malden' in Paragraph (2)(c) of Subsection D. The motion carried by a unanimous vote.**

**A motion was made by Councillor Crowe, seconded by Councillor Sica, that the Ordinance be recommended favorably, as amended, to the City Council. The motion carried by a unanimous vote.**

## Tabled Papers

#### 179-24

Order: That the Council's Rules and Ordinance Committee, in collaboration with the Board of Health and Health Director, update MCC 09.04.010A related to standing water so as to protect and allow for the use of rain barrels, exempting them from the nuisance category of our municipal health code under the final discretion of the City Health Director.

**Sponsors:** Amanda Linehan and Carey McDonald

[287-24](#)

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:** [Current Ordinance 12.12.090](#)

[Purpose of Amendments to 12.12.090 and 12.20.010](#)

[288-24](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 12 Chapter 20 Section 010 PARKING, LOADING, AND SCREENING REGULATIONS - Table of Off-street Parking and Loading Regulations is hereby amended by striking the values from the "Minimum Number of Parking Spaces" column for the corresponding "Use" rows and inserting in their place the following values:

Dwelling single family: 0.5 per bedroom  
Dwelling single family with two kitchens: 0.5 per bedroom  
Dwelling two family: 0.5 per bedroom  
Dwelling three and four family: 0.5 per bedroom  
Dwelling town or row house: 0.5 per bedroom  
Dwelling, cohousing: 0.5 per bedroom

**Sponsors:** Ryan O'Malley

**Attachments:** [Current Ordinance 12.20.010](#)

[Purpose of Amendments to 12.12.090 and 12.20.010](#)

[388-24](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 9, Chapter 20, Section 030 STANDARDS AND REGULATIONS FOR RESIDENTIAL WASTE be hereby amended by adding section K. All non-owner-occupied properties with 3 units or more must install year-round rodent control measures in proximity to the trash storage area to prevent rodent activity.

**Sponsors:** Stephen Winslow, Craig Spadafora and Ryan O'Malley

## Adjournment

**A motion was made by Councillor Sica, seconded by Councillor Crowe, that the meeting be adjourned. The motion carried by a unanimous vote.  
Meeting adjourned at 7:48 PM.**