



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

Tuesday, May 5, 2020

7:00 PM

REMOTE

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 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 the webinar:

[https://zoom.us/j/95546762329?](https://zoom.us/j/95546762329?pwd=RWdERGdtUThCWEhXM0ppajJxWWpzQT09)
pwd=RWdERGdtUThCWEhXM0ppajJxWWpzQT09
Password: 898504

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US:

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Webinar ID: 955 4676 2329

International numbers available:

<https://zoom.us/j/abLsbAEakq>

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

Councillor Spadafora requested a moment of silence for CORVID victims.

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. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

5. PUBLIC COMMENT

[123-20](#)

Order: That the City Council determine and approve guidelines for public comment during remote council meetings held under the Governor's Declaration of Emergency.

Sponsors: Jadeane Sica

The Council received Instructions For Public Comment At Remote City Council Meetings Guidelines to discuss. Councillor Winslow said the document was a good start and Councillor Anderson stated it was a step in the right direction. Councillor Murphy was concerned that given the rules of 15 comments allowed per meeting, one side of the issue could be the only ones heard.

A motion was made by Councillor Crowe, seconded by Councillor Anderson, 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

6. APPROVAL OF MINUTES

[115-20](#) Minutes of the Meeting of April 28, 2020.

A motion was made by Councillor Condon 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

[116-20](#) Minutes of the Meeting of April 21, 2020.

A motion was made by Councillor Condon 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

[106-20](#) Minutes of the Meeting of April 14, 2020.

A motion was made by Councillor Condon 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. APPOINTMENTS & ELECTIONS

[117-20](#) Mayoral Re-Appointment: Pasquale DeFeo, Jr., 84 Trevalley Road, Revere, MA as a constable to serve process in the City of Malden effective April 1, 2020; said term to expire April 1, 2023. (Placed on file)

This Appointment was placed on file

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[20-20](#) Class II: Sica's Automotive, Inc., 1114 Eastern Ave., Malden, 2 cars (Renewal)

Councillor Sica requested to recuse herself from paper #20-20, It was so voted by Roll Call vote 10-0.

A motion was made by Councillor Murphy that the Petition be taken from the table. The motion carried by the following vote:

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

Recused: 1 - Sica

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

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

Recused: 1 - Sica

[112-20](#) Petition: Class II - Smart Buy USA, 616 Broadway, Malden, MA - 26 cars - new (This is a transfer of license from Bay State Auto Gallery to Smart Buy USA).

Sponsors: Barbara Murphy

Petition: Class II - Smart Buy USA, 616 Broadway, Malden, MA - 26 cars - new (This is a transfer of license from Bay State Auto Gallery to Smart Buy USA).

A motion was made by Councillor Murphy, seconded by Councillor Anderson, that the Petition be granted. The motion failed by the following vote:

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

9. MOTIONS, ORDERS AND RESOLUTIONS

[118-20](#) Order: Be it hereby **ordained** that the Malden City Council establish a Housing Stability Notification Ordinance, the intent of which will be to require landlords and foreclosing owners to provide tenants information about their rights and resources when serving an eviction notice.

Sponsors: Amanda Linehan and Stephen Winslow

Councillor Linehan spoke to the paper and that it is not a burden on city resources or staff. Councillor Murphy stated that both landlords and tenants need to be heard on the paper.

This Order was referred to the Rules & Ordinance Committee

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

[119-20](#) Order: That the City Council publicly advertise to fill the vacant at large position in the Community Preservation Committee in compliance with the City of Malden ordinance Section 2.30.1, "No less than three weeks prior to an appointment under this section, the City Council shall publicly advertise the vacancy and solicit applications from residents with demonstrated expertise in open space, recreation, historic preservation, affordable housing and municipal finance and fiscal accounting practices."

Sponsors: Ryan O'Malley, Amanda Linehan, Deborah DeMaria, Stephen Winslow and David Camell

Councillor Crowe objected to the paper because of the number of councillors sponsoring the paper and that the at large position of the CPC had been advertised already and applications were accepted. Councillor Anderson stated that the current applicants that did apply should be looked at first. Councillors Murphy and Condon agreed with Councillor Anderson. Councillor O'Malley stated the item was put on the Docket because the vacancy does exist.

A motion was made by Councillor Condon, seconded by Councillor Anderson,

that the Order be tabled. The motion carried by the following vote:

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

Nay: 2 - O'Malley and Winslow

[120-20](#)

Order: That the City of Malden review the special municipal status employees.

Sponsors: Craig Spadafora

A motion was made by Councillor Spadafora, seconded by Councillor Murphy, that the Order be referred to the Rules & Ordinance Committee. The motion carried by the following vote:

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

[121-20](#)

Resolve: That the Public Safety Committee of the Malden City Council identify and help prioritize recommendations to maintain appropriate social distancing in public spaces once the current stay at home orders issued by the Governor and the Malden Board of Health have been updated to allow such activities.

Sponsors: Stephen Winslow

Councillor Winslow made a motion to change the paper from an Order to a Resolve.

This Resolution was amended

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

Councillor O'Malley requested that the Paper referred to a joint meeting of the Public Safety and Public Properties Committee. The paper was voted to be referred to a joint committee meeting.

A motion was made by Councillor Winslow, seconded by Councillor O'Malley, that the Resolution be referred to the Public Safety Committee/Public Properties Committee. The motion carried by the following vote:

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

[122-20](#)

Order: Be it hereby **ordained** by the City Council of the City of Malden as follows:

Section 1: That Section 2.16.050 of the Ordinances of 2020 be amended by adding the provisions underlined below and striking the provisions shown in the margins: (See attached).

Sponsors: Stephen Winslow and Deborah DeMaria

Councillor Winslow is proposing amendments to the CPC ordinance to get some clarity with the CPC Board terms. Councillor Spadafora stated the City Solicitor had given a legal opinion on the terms of the CPC and also stating there is the discussion on updating the City Charter that would address Boards and Commissions. Councillor

Anderson stated that this is why we have a City Solicitor and she had been asked her opinion. Councillor O'Malley stated there is a need to have clearer language. Councillor Condon stated we don't need to go back three years and is not in favor of referring the paper because of councillors disagreeing with the Solicitor's opinion.

A motion was made by Councillor Winslow, seconded by Councillor DeMaria, that the Order be referred to Rules and Ordinance Committee.. The motion failed by the following vote:

Yea: 5 - DeMaria, Linehan, O'Malley, Spadafora and Winslow

Nay: 6 - Anderson, Camell, Condon, Crowe, Murphy and Sica

10. COMMUNICATIONS

11. COMMITTEE REPORTS

12. TABLED PAPERS

13. PERSONAL PRIVILEGE

14. ADJOURNMENT

A motion was made by Councillor Condon that the meeting be adjourned. The motion carried by the following vote:

The meeting adjourned at 9:36 PM

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

GREGORY LUCEY, CITY CLERK