



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Council President Barbara Murphy
Councillor at Large Karen Colon-Hayes
Councillor Paul Condon
Councillor Peg Crowe
Councillor Amanda Linehan
Councillor at Large Carey McDonald
Councillor Ryan O'Malley
Councillor Jadeane Sica
Councillor Chris Simonelli
Councillor at Large Craig Spadafora
Councillor Stephen Winslow

Tuesday, December 19, 2023

7:00 PM

City Council Chambers
215 Pleasant Street
Malden, MA 02148

Watch the live stream on YouTube:

<https://www.youtube.com/live/143nZkmbutk?si=6jKfahZ2ibhzhfPhk>

1. CALL TO ORDER

*Council President Murphy called the meeting to order at 7:08 PM.
Also in attendance were Zaheer Samee and Maria Luise.*

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

An additional moment of silence was offered by Councillor Winslow for Bernice "Neicei" Degan, a life long Maldonian who was an advocate for feminism and served as the Director of the Malden Council on Aging for 24 years.

3. ROLL CALL

Present - Councillors: 10 - Barbara Murphy, Carey McDonald, Jadeane Sica, Karen Colon Hayes, Ryan O'Malley, Craig Spadafora, Peg Crowe, Amanda Linehan, Paul Condon and Stephen Winslow
Absent - Councillors: 1 - Chris Simonelli

4. PUBLIC COMMENT

5. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councillor Sica , seconded by Councillor at Large Spadafora, to approve the Consent Agenda. The motion carried by the following vote:

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

[476-23](#) Minutes for the meeting of December 12, 2023

This Council Minutes was approved

[477-23](#) Order: That the Council approve the 2024 Schedule of Council Meetings

Sponsors: Barbara Murphy

Attachments: [477-23 Council Calendar](#)

Councillor Winslow suggested a change to the way the Council calendar is traditionally built in that the third week of the year should be a full Council night as it is expected to be a busy week after having the new committees in session. Also, making the Tuesday of February school vacation week a Committee night. No further changes going into March.

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

A motion was made by Councillor Winslow, seconded by Councillor Sica, that the Order be adopted as amended. The motion carried by a unanimous vote.

[478-23](#) Petition: Amusement Machines: Flaming Grill & Buffet, 52 Broadway, Malden, 3 machines (Renewal)

This Petition was referred to the License Committee.

[479-23](#) Petition: Class II: AGM Auto Sales, 160 Eastern Avenue, Malden, 24 cars (Renewal)

This Petition was referred to the License Committee.

[480-23](#) Petition: Class II: Malden Middlesex Motor Sales, Inc. 129 Charles Street, Malden, 3 cars (Renewal)

This Petition was referred to the License Committee.

[481-23](#) Petition: Class III: Malden Middlesex Motor Sales, Inc. 129 Charles Street, Malden (Renewal)

This Petition was referred to the License Committee.

[482-23](#) Petition: Extended Hours: Dant-Chris Corp. dba Dunkin, 980 Eastern Avenue, Malden, Hours: 7 days, 4am-12am

This Petition was referred to the License Committee.

[483-23](#) Petition: Livery Company: A.B. Limo Services, Inc. 51 Claremont Street, Malden, 1 vehicle (Renewal)

This Petition was referred to the License Committee.

[484-23](#) Petition: Livery Driver: Abderrahim Bourchouk, 51 Claremont Street, Malden (Renewal)

This Petition was referred to the License Committee.

[485-23](#)

Petition: Livery Company: RubyLynn Transportation, LLC, 259 Mountain Avenue, Malden, 1 vehicle (Renewal)

This Petition was referred to the License Committee.

[486-23](#)

Petition: Livery Driver: Linda Dellolacono, 259 Mountain Avenue, Malden (Renewal)

This Petition was referred to the License Committee.

6. APPOINTMENTS & ELECTIONS

[487-23](#)

Council Re-Appointment: Lisa Cagno, 31 Quincy Street, Malden, as Clerk of Committees, term to expire December 31, 2024.

Sponsors: Paul Condon

Attachments: [487-23 Lisa Cagno](#)

A motion was made by Councillor Condon, seconded by Councillor O'Malley, that the Appointment be confirmed. The motion carried by a unanimous vote.

RECONSIDERATION

[488-23](#)

Motion for Reconsideration: On the date of December 13, 2023, prior to the deadline of 9:58 PM per the previous evening's adjournment of the City Council Meeting, Councillors Crowe, Spadafora, and Winslow independently moved for reconsideration of their votes on Paper 418-23 amending Sections 12.08.010, 12.08.020, and 12.12.400 (regarding effective date).

Sponsors: Peg Crowe, Craig Spadafora and Stephen Winslow

Attachments: [488-23 Reconsideration of Paper 418-23](#)

A motion was made by Councillor Crowe, seconded by Councillor Winslow, that Paper 418-23 be moved for reconsideration. The motion carried by a unanimous vote.

[418-23](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 12 is hereby amended as follows:

To amend Section 12.08.010 ESTABLISHMENT of DISTRICTS and to amend Section 12.08.020 ZONING MAP to establish the MBTA Communities Multi-Family Overlay District (MCMOD) and Mandatory Mixed-use Overlay District (MMUD) to include those parcels identified in the attached list and shown on the attached map, "City of Malden MBTA COMMUNITIES ZONING Overlay Districts 11/9/23 MCMOD - MMUD Boundary Map."

To amend Section 12.12 USE REGULATIONS to add a new Section 12.12.400, MBTA COMMUNITIES ZONING OVERLAYS, as follows:

Sponsors: Peg Crowe, Craig Spadafora and Stephen Winslow

Attachments: [Mayor Communication wMBTA Communities Zoning Proposal 11.9.23](#)
[CCP 418 2023 12.23](#)
[CCP 418 2023 MBTA CZ psr wAtts rev](#)
[PB 12.5.23 Agenda wNotice rev 11.30.23](#)
[Malden MBTA Communities Survey Results 23 12 4](#)
[MBTA Communities Survey Results with Comments 23 12 6 v2](#)
[CCP 418 2023 PBR 12.23 wAtts](#)
[Public Comment - Colin Fredericks 12/12/23](#)
[Revised MBTA Boundary Map 12.12.23](#)
[Revised MBTA Proposed Text 12.12.23](#)
[Second Revision MBTA Map 12.12.23](#)
[Second Revision MBTA Proposed Text 12.12.23](#)
[Final Paper 418-23 MBTA Zoning Ordinance](#)

Discussion on Paper 418-23 for the purpose of reconsideration opened with Councillor Crowe who stated her only hesitation was the effective date of this paper. Typically, zoning amendments are in effect once approved by the Council but in this case, the MBTA zoning overlay must also be approved by the State, which may not be finalized until well into 2024. Councillors Winslow and Spadafora stated their agreement that the amendment should not go into effect for builders pulling permits until the City has received final approval from the State.

Councillor Spadafora made a motion to add the following language to the final paper: The effective date of this Ordinance shall be the date of final approval by the Commonwealth of Massachusetts of the City of Malden's District Compliance Application, filed pursuant to M.G.L. c. 40A, Section 3A.

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

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

A motion was made by Councillor Crowe, seconded by Councillor at Large Spadafora, that the Ordinance be enrolled as amended. The motion carried by the following vote:

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

A motion was made by Councillor Crowe, seconded by Councillor Winslow, to suspend Council rules for the purpose of Ordaining. The motion carried by the following vote:

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

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

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

7. COMMITTEE REPORTS

[489-23](#)

Committee Report: The Standing Committee on Finance to whom was referred paper #458 Series of 2023, having considered the same make the following report:

A motion was made by Councillor at Large McDonald, seconded by Councillor Condon, that the Committee Report be received and filed. The motion carried by a unanimous vote.

[458-23](#)

Order: That the appropriation enumerated below, being in the amount of \$229,491.36 (Two Hundred Twenty-Nine Thousand, Four Hundred Ninety-One Dollars and Thirty-Six Cents), be appropriated from the Community Preservation Act Fund Balance into the following CPA Category Accounts:

Affordable Housing Reserve	\$76,497.12 from the CPA Fund Balance
Historic Preservation Reserve	\$76,497.12 from the CPA Fund Balance
Open Space Reserve	\$76,497.12 from the CPA Fund Balance

Total Appropriation = \$229,491.36

Sponsors: Carey McDonald

Attachments: [CPC Truing Account Letter to City Council 12-11-2023](#)

[458-23 CPC Appropriations](#)

A motion was made by Councillor at Large McDonald, seconded by Councillor O'Malley, that the Order be adopted. The motion carried by the following vote:

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

[490-23](#)

Committee Report: The Standing Committee on License to whom was referred papers 452-457 Series of 2023, having considered the same make the following report:

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

[452-23](#)

Petition: Class II: Andy's Service Center, Inc. 356 Lebanon Street, Malden, 3 cars (Renewal)

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

[453-23](#)

Petition: Class II: Frank's Auto Sales, 189 Highland Avenue, Malden, 4 cars (Renewal)

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

[454-23](#)

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

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

[455-23](#)

Petition: Extended Hours: L & K Billiards, Inc. 94B Pleasant Street, Malden, Hours: 7 days, 12pm-12am (Renewal)

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

[456-23](#)

Petition: Extended Hours: Walgreens #3130, 185 Centre Street, Malden, Hours: 24/7 (Renewal)

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

[457-23](#)

Petition: Livery: Kassahun T. Damita, 411 Salem Street, Malden, 1 vehicle (Renewal)

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

[491-23](#)

Committee Report: The Standing Committee on Rules & Ordinance to whom was referred papers 459 and 460, Series of 2023 having considered the same make the following report:

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

[459-23](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 6.08.110 VEHICLES FOR HIRE; GENERAL REQUIREMENTS is hereby amended by the following:

-In Section D.1: striking 'office' and replace with residence

-In Section D.2: after 'City of Malden and' strike 'shall include adequate off-street parking for all licensed vehicles' and replace with 'are allowed one parking permit per household. Any additional vehicles over that one requires adequate off-street parking for all licensed vehicles.'

-Sections D.3 and D.4: strike in their entirety

-In Section F.1.b: strike '1.5"' by 1.5"' and replace with '2" by 2."'

Sponsors: Jadeane Sica

On behalf of the Rules & Ordinance Committee, Councillor Crowe reported that Paper 459-23 was on this evening's Full Council agenda because it was believed to be ready to come out of committee for a full vote. However, as the paper was discussed in further detail by the R&O Committee, the sponsor realized it was not ready to be presented and the committee voted to table it for extended discussion at the next meeting. For this reason, the Council agreed to table this paper to the Rules and Ordinance Committee for the time being and will take up a new vote at a later date.

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

[460-23](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 6.16.040 REGULATION OF SALE OF FLOWERS, FLOWERING PLANTS AND CHRISTMAS TREES is hereby amended by striking "AND CHRISTMAS TREES" from the title. Be it further amended by striking Section C in its entirety and renaming Section D "Section C".

Sponsors: Carey McDonald

Attachments: [Proposed Christmas Tree License Ordinance Amendment](#)

On behalf of the Rules & Ordinance Committee, Councillor Crowe reported that Paper 460-23 was on this evening's Full Council agenda because it was believed to be ready to come out of committee for a full vote. However, as the paper was discussed in further detail by the R&O Committee, the sponsor realized it was not ready to be presented and the committee voted to table it for extended discussion at the next meeting. For this reason, the Council agreed to table this paper to the Rules and Ordinance Committee for the time being and will take up a new vote at a later date.

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

8. TABLED PAPERS

[138-22](#)

Resolve: That the City of Malden City Council establish "The Malden Youth Council" Ad Hoc Committee with three (3) City Councillors as voting members assigned by the Council President; to provide an opportunity for the youth of Malden and foster civic engagement and an opportunity to be involved and participate in local government to acquire a greater knowledge of and appreciation for local government through active participation in the system.

Sponsors: Karen Colon Hayes, Amanda Linehan and Carey McDonald

Attachments: [Youth Board Presentation for City Council April 25 2023](#)

[399-22](#)

Petition: Boston Gas d/b/a National Grid, 40 Sylvan Road, Waltham MA, W.O. No. 90000XX to install a new gas Regulator Station on Green Street near the intersection of Medford Street in accordance with the attached plans.
Hearing required

Attachments: [National Grid Green Street WO #90000XX](#)
[Notice of Public Hearing & Abutters Green and Medford](#)

9. PERSONAL PRIVILEGE

10. ADJOURNMENT

A motion was made by Councillor at Large McDonald, seconded by Councillor Winslow, that the meeting be adjourned. The motion carried by a unanimous vote.

Meeting adjourned at 8:00 PM.

CAROL ANN DESIDERIO, CITY CLERK

