



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, October 24, 2023

7:00 PM

City Council Chambers
215 Pleasant Street
Malden, MA 02148

Watch the live stream on YouTube:
https://www.youtube.com/live/xr5UvCyr_EQ?si=w3u8evmj98ayHVtw

1. CALL TO ORDER

Council President Murphy called the meeting to order at 7:01 PM.

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

An additional moment of silence was offered in the memory of two Ward 5 residents Susan Donelan Burke and also Mary McTaggart who was recently struck and killed in an automotive accident at the corner of Main and Mountain Avenue.

3. ROLL CALL

Also in attendance was Maria Luise, Alicia McNeil, Dan Grover, Ron Hogan, and four members of the public.

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

Absent - Councillors: 1 - Craig Spadafora

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

[365-23](#)

On behalf of the Mayor, OSPCD Director, Deborah Burke, will provide update on redevelopment initiatives at Overlook Ridge.

Attachments: [Overlook Ridge City Council Oct 23 2023 \(1\)](#)

Deborah Burke appeared before the Council to present an update on the Overlook Ridge project, a Power Point of which is attached to Paper 365-23.

5. PUBLIC COMMENT

6. APPROVAL OF MINUTES

[366-23](#)

Minutes for the meeting of October 10, 2023

A motion was made by Councillor Winslow, seconded by Councillor Condon, that the Council Minutes be approved. The motion carried by a unanimous vote.

[367-23](#)

Minutes for the meeting of October 17, 2023

A motion was made by Councillor Winslow, seconded by Councillor Condon, that the Council Minutes be approved. The motion carried by a unanimous vote.

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[368-23](#)

Petition: Livery: Murat Emen, 607 Highland Avenue, Malden, 1 vehicle (New)

A motion was made by Councillor Sica, seconded by Councillor Condon, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[369-23](#)

Petition: Outdoor Parking: Northeast Transport & Snow Services Inc. 531R Broadway, Malden, 10 spaces (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Condon, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[370-23](#)

Petition: Bowling Alley: Town Line Ten Pin Corp. 665 Broadway, Malden, 48 Lanes (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Condon, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[371-23](#)

Petition: Pool Tables: Town Line Ten Pin Corp. 665 Broadway, Malden, 15 tables (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Condon, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

8. MOTIONS, ORDERS AND RESOLUTIONS

[350-23](#)

Order: That the Council President will present the 2023 City Council Rule Book for review and approval of the Body

Sponsors: Barbara Murphy

Attachments: [CHANGES City Council Draft Rules Murphy Edits Oct 10 2023](#)
[DRAFT City Council Murphy Edits Oct 7 2023](#)
[DRAFT City Council Rules and Ordinance edits Jan 2023](#)
[Public comment on #350-23, Council Rule Book](#)
[Additional Public comment #350-23, Council Rule on Video Recording](#)

Council President Murphy vacated the chair for the purpose of discussing Paper 350-23; Councillor Crowe served as Acting Council President. Councillor Murphy reintroduced this paper regarding the 2023 Council Rule Book as is required for its second vote to enforce the amendments that were voted on two weeks ago.

Councillor Colon Hayes stated she wishes for Council meetings to be recorded and that she would like to offer remote participation to Council meetings for the public but recognizes that the Council Rule Book may not be the appropriate place for that particular written policy.

Councillor O'Malley stated his intent to vote against Paper 350 because although a lot of work went into its drafting, the way it was presented was not fair to the Council and he does not approve of the timing of this vote.

A motion was made by Councillor Simonelli, seconded by Councillor Sica, that the Order be adopted. The motion carried by the following vote:

Yea: 9 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, Crowe, Linehan, Condon and Winslow

Nay: 1 - O'Malley

372-23

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) be hereby amended by updating Title 2, Chapter 24, Section 040 PARKING ENFORCEMENT OFFICERS SALARY SCHEDULE

Sponsors: Peg Crowe

Attachments: [Current Parking Enforcement Officers Salary Schedule](#)
[Proposed Parking Enforcement Officers Salary Schedule Amendment](#)

A motion was made by Councillor Crowe, seconded by Councillor at Large McDonald, that the Ordinance be referred to a joint session of the Rules & Ordinance and Finance Committees. The motion carried by a unanimous vote.

373-23

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) be hereby amended by updating Title 2, Chapter 24, Section 090 PUBLIC WORKS SUPERVISORS SALARY SCHEDULE

Sponsors: Peg Crowe

Attachments: [Current Public Works Supervisors Salary Schedule](#)
[Proposed Public Works Supervisors Salary Schedule Amendment](#)

A motion was made by Councillor Crowe, seconded by Councillor at Large McDonald, that the Ordinance be referred to a joint session of the Rules & Ordinance and Finance Committees. The motion carried by a unanimous vote.

374-23

Ordered: That the sum of Ten Thousand Dollars (\$10,000) is transferred from Salary

Reserve (0010-996-5110) to Parking Salaries (0010-481-5120)

Sponsors: Carey McDonald

A motion was made by Councillor Crowe, seconded by Councillor at Large McDonald, that the Ordinance be referred to a joint session of the Rules & Ordinance and Finance Committees. The motion carried by a unanimous vote.

[375-23](#)

Ordered: That the sum of Seventy Thousand Dollars (\$70,000) is transferred from Salary Reserve (0010-996-5110) to DPW Labor Salaries (0010-421-5120)

Sponsors: Carey McDonald

A motion was made by Councillor Crowe, seconded by Councillor at Large McDonald, that the Ordinance be referred to a joint session of the Rules & Ordinance and Finance Committees. The motion carried by a unanimous vote.

[376-23](#)

Ordered: That the sum of Thirty Thousand Dollars (\$30,000) is transferred from Salary Reserve (0010-996-5110) to Cemetery Labor Salaries (0010-491-5120)

Sponsors: Carey McDonald

A motion was made by Councillor Crowe, seconded by Councillor at Large McDonald, that the Ordinance be referred to a joint session of the Rules & Ordinance and Finance Committees. The motion carried by a unanimous vote.

[377-23](#)

Resolve: That it is the sense of the Malden City Council that they wish to invite Malden Poet Laureate CD Collins to appear to present work being done throughout the City to advocate for literary arts and advance appreciation of poetry for all.

Sponsors: Barbara Murphy and Amanda Linehan

A motion was made by Councillor Linehan, seconded by Councillor Simonelli, that the Resolution be passed. The motion carried by a unanimous vote.

[378-23](#)

Resolve: That it is the sense of the Malden City Council that there should be a follow up on the decision to hire a consultant to be engaged to help the Council develop a set of norms through a collaborative process.

Sponsors: Karen Colon Hayes

Council Colon Hayes put this resolve forward to have a consultant offer guidance to the Council members on how to work more efficiently as a Body.

Councillor Simonelli inquired further on the need for this consultant, what exactly they will be tasked to do and what the cost will be. As of right now, Councillor Colon Hayes has not inquired about costs.

Council President Murphy advised that if this resolve were to be passed, there should be a request from the consultation firm for a presentation on what their program offers and costs involved. Councillors Linehan and Crowe agreed, this request would most likely have to go out to RFP. The consensus is that with the passing of this resolve, the process of sending this out to RFP should begin and the Councillor will come back with a program description and price quote.

A motion was made by Councillor at Large Colon Hayes, seconded by Councillor O'Malley, that the Resolution be passed. The motion carried by a unanimous vote.

9. COMMITTEE REPORTS

[379-23](#)

Committee Report: The Standing Committee on Finance to whom was referred Paper #325 Series of 2023, having considered the same make the following report:
Committee recommends this paper out favorably to the Full Council as amended.

Sponsors: Carey McDonald

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

[325-23](#)

Order: That the City of Malden rescinds the following amounts that have been authorized to be borrowed, but which have not been borrowed and are no longer needed for the purposes for which they were initially approved:

Sponsors: Carey McDonald

This paper represents financial housekeeping in releasing amounts of money the City was authorized to borrow but did not borrow and now no longer needs for the purposes for which they were intended. In Finance Committee the line item for Energy Efficiency Projects in the amount of \$1,175,719 was removed from the paper to be held in the City books for possible future use. The motion is to adopt the order as amended in committee.

A motion was made by Councillor at Large McDonald, seconded by Councillor Linehan, that the Order be adopted as amended. The motion carried by the following vote:

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

[380-23](#)

Committee Report: The Standing Committee on Finance to whom was referred Paper #326 Series of 2023, having considered the same make the following report:
Committee recommends this paper out favorably to the Full Council.

Sponsors: Carey McDonald

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.

[326-23](#)

Order: That the City Council accept the provisions of M.G.L. c. 203C, the Massachusetts Prudent Investor Act, and adopt the local option allowing Municipal Treasurers to apply the Prudent Investor Rule to optimize returns on trust fund monies.

Sponsors: Carey McDonald

This paper inspired a healthy discussion in Finance Committee regarding the types of industries the City may or may not chose to invest in based on the general consensus of Malden's values. This paper also empowers Treasurer Grover to write an investment policy statement for the City's trusts and to work with the City's investment advisor, Rockland Trust, to manage the funds. The Finance Committee intends to invite Treasurer Grover back to have further discussions throughout the process of drafting this policy statement.

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

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

[381-23](#)

Committee Report: The Standing Committee on Rules & Ordinance to whom was referred Paper 220 Series of 2023, having considered the same make the following report: Committee recommends this paper as amended out favorably to the Full Council

Sponsors: Peg Crowe

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

[220-23](#)

Be it ordained by the City Council of the City of Malden that the Code of the City of Malden (MCC) is hereby amended by adding Title 9, Chapter .08, Section 030
REMOVAL OF LITTER AT ENTRANCES

Every person or business that holds a license to sell tobacco or nicotine delivery products from the City of Malden Board of Health shall, at its own expense, provide, place, and regularly maintain a cigarette litter receptacle at any public entrance and employee smoking areas. Receptacles shall include signage that consists of simple signs, decals, or stickers that serve to inform and remind patrons to use the receptacle and that littering is against the law.

Every such business shall weekly sweep up litter associated with tobacco and nicotine delivery products such as cigarette butts and packaging from any sidewalk abutting such business. Violations of this section may be punished by agents of the Board of Health and the Public Works Department in the manner provided in Mass. Gen. Laws c. 40 § 21D according to the punishment schedule set forth in Section 6.12.040.

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

Attachments: [FoMR Letter of Support 9.08.030](#)

As Councillor Crowe was introducing this paper, she asked to make a motion to the first sentence in the last paragraph striking the words 'sweep up' and replacing it with 'pick up and dispose of'.

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

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

A motion was made by Councillor O'Malley, seconded by Councillor Crowe, that Council rules be suspended for the purpose of ordaining. The motion carried by the following vote:

Councillor Simonelli left the meeting and therefore was a non-voting member during this vote.

Yea: 9 - Murphy, McDonald, Sica, Colon Hayes, O'Malley, Crowe, Linehan, Condon and Winslow

A motion was made by Councillor Crowe, seconded by Councillor O'Malley, that the Ordinance be ordained. The motion carried by the following vote: Councillor Simonelli left the meeting and therefore was a non-voting member during this vote.

Yea: 9 - Murphy, McDonald, Sica, Colon Hayes, O'Malley, Crowe, Linehan, Condon and Winslow

[382-23](#)

Committee Report: The Standing Committee on Rules & Ordinance to whom was referred Paper 331 Series of 2023, having considered the same make the following report: Citing Council Rule 32.01, Committee recommends Paper 331 be split. Language regarding job descriptions for elected officials remains as Paper 331 and was placed on the table within Committee. Language regarding COLA was used to create new Paper 362-23 and is reported out favorably to the full City Council.

Sponsors: Peg Crowe

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

[362-23](#)

Be it ordained by the City Council of the City of Malden that the Code of the City of Malden (MCC) Title 2, Chapter .20, Section .020 ELECTED OFFICIALS SALARY CLASSIFICATION PLAN is hereby amended by inserting the following language underneath the salary chart:

In order to keep pace with inflation and the cost of living, the Human Resources Director shall report to the Mayor and the City Council for their consideration, by September 1 of odd-numbered years, the following: 1) what the average percentage salary increase for city employees has been in the prior two years, and 2) what a comparable change would be for the salaries of elected officials.

Sponsors: Carey McDonald

A motion was made by Councillor Crowe, seconded by Councillor at Large McDonald, that the Ordinance be enrolled to the City Council. The motion carried by a unanimous vote.

[383-23](#)

Committee Report: The Standing Committee on License to whom was referred, Papers 322 Series of 2023, having considered the same make the following report: Committee recommends these papers out favorably to the Full Council.

Sponsors: Jadeane Sica

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

[322-23](#)

Petition: Livery: Zhisheng Liang, 15 Burridge Place, Malden, 1 vehicle (New)

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.

[384-23](#)

Committee Report: The Standing Committee on License to whom was referred, Papers #348 and 349 Series 2023, having considered the same make the following

report:

Sponsors: Jadeane Sica

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

[348-23](#)

Petition: Livery: On Point Transportation, 210 Lebanon St. Apt. B, Malden, 1 vehicle (New)

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

[349-23](#)

Petition: Livery: A.B. Limo Services, Inc. 51 Claremont Street, Malden, 1 vehicle (New)

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

10. 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](#)

[171-23](#)

Petition: Massachusetts Electric Company dba National Grid of North Andover, Plan #30683608 to construct a line of underground electric conduits located at the intersection of Eastern Avenue and Marlboro Street in accordance with the attached plans
(Hearing Required)

Attachments: [National Grid Eastern @Marlboro Plan# 30683608](#)
[Abutters List - National Grid Eastern @Marlboro Plan# 30683608](#)

[172-23](#)

Petition: Massachusetts Electric Company dba National Grid of North Andover, Plan #30511632 to construct a line of underground electric conduits located at the intersection of Main Street and Cross Street in accordance with the attached plans

(Hearing Required)

Attachments: [National Grid Main @Cross Plan# 30511632](#)

[Abutters List - National Grid Main @Cross Plan# 30511632](#)

214-23

Petition: ExteNet Systems, 3030 Warrenville Road, Suite 340 Lisle, IL, Project No. 100523 - ExteNet Systems seeking grant of location to install fiber conduit beginning at a point approximately located at 244-248 Main Street running up to approximately 22 Charles Street.

(Hearing Required)

Attachments: [ExteNet Systems Fiber Plans 244-288 Main Street Project No. 100523](#)

[ExteNet Systems Abutters List Main and Charles Project No. 100523](#)

11. PERSONAL PRIVILEGE

12. ADJOURNMENT

A motion was made by Councillor Sica, seconded by Councillor Condon, that the meeting be adjourned. The motion carried by a unanimous vote.
Meeting was adjourned at 9:09 PM.

CAROL ANN DESIDERIO, CITY CLERK