



City of Malden

Malden City Hall
215 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, June 30, 2020

7:00 PM

REMOTE MEETING

212-20

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-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:

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1. CALL TO ORDER

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

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

Councillor Winslow requested a moment of silence for the passing of Al Sparks who was the owner of Sparks Department Store that operated in Malden Square for decades.

5. PUBLIC COMMENT

6. APPROVAL OF MINUTES

[213-20](#)

Minutes of the Meeting of June 23, 2020.

A motion was made by Councillor DeMaria, seconded 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

[214-20](#)

Minutes of the Meeting of June 16, 2020.

A motion was made by Councillor DeMaria, seconded 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

[227-20](#)

Council Re-Appointment: Dr. Kourtney Nickerson, 20 Summer St., Malden, MA as a member of the Board of Health term to expire March 1, 2022.

Sponsors: Peg Crowe

A motion was made by Councillor Crowe, seconded by Councillor Condon, that the Appointment be received and filed. The motion carried by the following vote:

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

A motion was made by Councillor Crowe, seconded by Councillor Anderson, that the Appointment be confirmed. The motion carried by the following vote:

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

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

Public Hearing for National Grid and Boston Gas Petitions.

[215-20](#)

Petition: Boston Gas d/b/a National Grid, Charles Street and Intersection of Canal Street, Malden, MA

At the Public Hearing, Councillor Crowe spoke in favor of granting and there were no speakers in opposition.

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

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

[216-20](#)

Petition: National Grid & Verizon, 1101 Turnpike Street, North Andover, MA 01845

National Grid requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Porter St. - National Grid to install 1 JO Pole on Porter St. beginning at the intersection of Porter St. and Starbird St. and continuing approximately 30 feet in a northeast direction. National Grid to install one (1) 35 ft. stub pole (P4759-84 is approximately 30 ft. off existing pole 4759 at the intersection of Porter St. and Starbird St.

Councillor Murphy voiced her frustration that the pole is on Porter Street in Ward 5 and she was never notified by National Grid. Other councillors voiced the same frustration with lack of notification from National Grid. Dan Cameron from National Grid said he will make it a point in the future that National Grid will notify the ward councillor before the public hearing to discuss the work.

There were no speakers in favor or in opposition testifying at the Public Hearing.

Further conditions for granting are that the 11-0 vote by the council to grant is contingent on National Grid go to the site with Councillor Murphy and Councillor Murphy OK the work. A second condition by Councillor O'Malley is that no small cell node be attached to the stub pole in the future.

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

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

217-20

Self-Service Gas Station: Speedway #2504, 214 Broadway, Malden (Renewal)

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

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

218-20

Self-Service Gas Station: Wash Depot I, Inc., 333 Eastern Ave., Malden (Renewal)

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

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

219-20

Petition: Cellco Partnership d/b/a Verizon Wireless; and Nexius Solutions, Inc.

Five (5) Small Cell Infrastructre - Grant of Locations:

490 Eastern Avenue

77 Revere Street

1279 Salem Street

12 Fairfield Avenue

135 Main Street

A motion was made by Councillor O'Malley that the Petition be referred to the Public Property Committee. The motion carried by the following vote:

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

9. MOTIONS, ORDERS AND RESOLUTIONS

220-20

Resolve: That the City Council act on the following:

1. That the Traffic Commission call an emergency meeting this week to provide general approval of on street dining on Pleasant and

Exchange Streets. The process defined by Kevin Duffy would still apply which requires sign offs from Police, Fire, DPW, Building, Health Department, Ward Councillor, and the Licensing Board.

2. That the Traffic Commission approve the installation of stop signs on Pleasant Street at Middlesex and Washington Streets to calm traffic in the area where on street dining is occurring.
3. That temporary speed bumps be installed on Pleasant Street to slow traffic.
4. That the DPW order and prepare to install jersey barriers/barricades at approved spots along Pleasant and Exchange Street.
5. Propose a paper at the City Council to support these efforts.

Sponsors: Ryan O'Malley

There was agreement the Resolve should pass helping all businesses throughout the city not just the ones located in the square. Attorney Rossetti informed the council that the Liquor Board has the authority to make these decisions regarding restaurants.

The first amendment was made by Councillor Spadafora and seconded by Councillor Murphy that the Resolve include any business including retail and be throughout the city. The following roll call vote was taken:

Anderson (y), Camell (y), Condon (y), Crowe (y), DeMaria (y), Linehan (y), Murphy (y), O'Malley (y), Spadafora (y), Winslow (y), Sica (y) The motion carried 11-0

A second amendment was made by Councillor Murphy, seconded by Councillor DeMaria that the Resolve include businesses be allowed to expand out their front doors for easier access to foot traffic. The following vote was taken:

Anderson (y), Camell (y), Condon (y), Crowe (y), DeMaria (y), Linehan (y), Murphy (y), O'Malley (y), Spadafora (y), Winslow (y), Sica (y). Motion carried 11-0

This Resolution was passed as amended

226-20

Resolve: That the Director of the Malden Redevelopment Authority (MRA) appear before the finance committee to provide a comprehensive overview of the finances of the MRA, including an overview of revenues, expenses, assets and liabilities.

Sponsors: Ryan O'Malley, Jadeane Sica, David Camell, Stephen Winslow and Craig Spadafora

A motion was made by Councillor O'Malley, seconded by Councillor Camell, that the Resolution be passed. The motion carried by the following vote:

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

221-20

Order: That the Council work with Human Resources to post for the position of Director of Assessing.

Sponsors: Jadeane Sica

Councillor DeMaria requested the process stay in house first and work within the salary structure already in place. Councillor O'Malley suggested a wide net be cast for candidates and if there is an in house candidate they will be part of the search process. July 17th is James O'Brien's last day. Councillors Condon, Murphy and Camell urged because of being time sensitive and Council recess the process start immediately. Councillor Camell offered to be part of the search process. Councillor Murphy moved that President Sica work with the HR Director to start the process.

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

10. COMMUNICATIONS

11. COMMITTEE REPORTS

222-20

Committee Report: Personnel/Appointments: (Paper#73-20 Mayoral re-appointment: Emily Kibbler, 50 Concord Street, Malden, MA., Apt. 1, as an associate member of the Board of Appeal, said term to commence upon confirmation by the Council and to expire on March 1, 2023.)

Sponsors: Peg Crowe

A motion was made by Councillor Crowe, seconded by Councillor DeMaria, that the Committee Report be received and filed. The motion carried by the following vote:

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

73-20

Mayoral Re-Appointment: Emily Kibbler, 50 Concord Street, Apt. 1, Malden, MA as an associate member of the Board of Appeal, said term to commence upon confirmation by the Council and to expire on March 1, 2023.

A motion was made by Councillor Crowe, seconded by Councillor DeMaria, that the Appointment be confirmed. The motion carried by the following vote:

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

223-20

Committee Report: Personnel/Appointments (Paper #165-20 Ordered: That Mayoral appointment of Matthew Burne, 80 Cross Street, Malden, MA., be appointed as a member of the Conservation Commission, said term to commence upon his confirmation by the City Council, and to expire on October 1, 2021: (Matt will replace Peter Santangelo who resigned))

Sponsors: Peg Crowe

A motion was made by Councillor Crowe, seconded by Councillor DeMaria, that the Committee Report be received and filed. The motion carried by the following vote:

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

[165-20](#)

Mayoral Appointment: Matthew Burne, 80 Cross Street, Malden, MA as a member of the Conservation Commission, said term to commence upon his confirmation by the City Council, and to expire on October 1, 2021; (Matt will replace Peter Santangelo who resigned). (Confirmation Required)

A motion was made by Councillor Crowe, seconded by Councillor DeMaria, that the Appointment be confirmed. The motion carried by the following vote:

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

[224-20](#)

Committee Report: Personnel/Appointments (Paper #166-20 ordered that Mayoral Appointment Kirk Zmijewski, 569 Fellsway East, Malden, MA., be appointed as a member of the Conservation Commission, said term to commence upon his confirmation by the City Council, and to expire on February 13, 2021: (Kirk will fulfill the unexpired term of Brian Creamer who moved out of the City.)

Sponsors: Peg Crowe

A motion was made by Councillor Crowe, seconded by Councillor DeMaria, that the Committee Report be received and filed. The motion carried by the following vote:

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

[166-20](#)

Mayoral Appointment: Kirk Zmijewski, 569 Fellsway East, Malden, MA as a member of the Conservation Commission, said term to commence upon his confirmation by the City Council, and to expire on February 13, 2021; (Kirk will fulfill the unexpired term of Brian Creamer who moved out of the City). (Confirmation Required)

A motion was made by Councillor Crowe, seconded by Councillor DeMaria, that the Appointment be confirmed. The motion carried by the following vote:

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

[111-20](#)

Council Appointment: Sheila Fermano, 140 West Street, Malden, MA as Cemetery Trustee; term to expire March 1, 2021. (This appointment is to complete Daniel Grover's term which expires March 1, 2021 as he was appointed to the Controller position March 2020).

Sponsors: Paul Condon

A motion was made by Councillor Crowe, seconded by Councillor Condon, that the Appointment be rules suspended. The motion carried by the following vote:

Yea: 10 - Anderson, Camell, Condon, Crowe, DeMaria, Linehan, Murphy, Sica, Spadafora and Winslow

Nay: 1 - O'Malley

A motion was made by Councillor Crowe, seconded by Councillor Condon, that the Appointment be appointed. The motion carried by the following vote:

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

[211-20](#)

Mayoral Appointment: Frances Lin, 30 Daniels Street, Apt. 302, Malden, MA to the License Board, said term to commence upon confirmation by the City Council and to expire on June 1, 2022. (Frances will fill the unexpired term of James Conway.)

A motion was made by Councillor Crowe, seconded by Councillor DeMaria, that the Appointment be appointed. The motion carried by the following vote:

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

[195-20](#)

Committee Report: Rules & Ordinance Paper # 131-20 Order: Be it hereby ordained by the Malden City Council that the revised ordinances of 2020 be amended as follows:

1. By the striking out Section 2.12.160 as it currently exists and inserting in place thereof the following new Section 2.12.160:

Sponsors: Craig Spadafora

A motion was made by Councillor Spadafora that the Committee Report be received and filed. The motion carried by the following vote:

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

[131-20](#)

Order: Be it hereby ordained by the Malden City Council that the revised ordinances of 2020 be amended as follows:

1. By the striking out Section 2.12.160 as it currently exists and inserting in place thereof the following new Section 2.12.160:

SECTION 2.12.160 PARKING DEPARTMENT

Commencing June 1, 2020 and every three years thereafter, the Mayor, subject to confirmation by the City Council, shall appoint a Parking Director, who shall serve for the three years next ensuing. The Parking Director shall be the executive and administrative officer of the Parking Department and shall serve as the Parking Clerk under Mass. Gen. Laws, Chap. 90, Sec. 20A ½. Subject to funding, the Parking Director shall appoint such assistants and subordinates as may be required, and may designate a Hearing Officer to hear and decide appeals to citations issued by parking enforcement officers.

Under the supervision and direction of the Parking Director, the Parking Department shall:

1. Issue citations, in accordance with Traffic Commission regulations, for violation of restrictions and limitations on the parking of vehicles on

streets and in parking lots under city and school control.

2. Administer the Resident Sticker Parking program and collects revenues from the Resident Sticker Program for deposit with the Treasurer.

3. Install and maintain parking meters, traffic signs, markings and devices.

4. Collect and reconcile revenue from parking meters and the Resident Sticker Parking Program for deposit with the Treasurer.

2. By amending Section 2.08.040 by deleting the words "Parking Director" from the section captioned "Appointed by the Mayor" and adding the following in the section captioned APPOINTED BY THE MAYOR AND CONFIRMED BY THE COUNCIL:

Parking Director Term 3 Years

3. By amending Section 2.20.030 (Officers Salary Schedule) by adding to paragraph C (M2) the following:

Parking Director

4. By amending Section 2.20.040 (Specialist Salary Schedule) by adding to paragraph D (Specialist 4) the following:

Parking Supervisor

5. By amending Section 2.20.050 (Clerical Salary Schedule) by adding to paragraph B (Clerk II) the following:

Parking Department

Sponsors: Craig Spadafora

Attachments: [Parking Dept.](#)

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

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

[225-20](#)

Committee Report: Rules & Ordinance (Paper # 135-20) Order regardless of the funding source the City of Malden shall advertise all jobs internally and externally. The Human Resources Department will initiate both internal and external advertisement immediately after it is authorized, if the situation so requires. HR will post positions on the City's online application site and on the HR department posting board. Additional posting areas such as newspaper, industry specific websites, etc. may be coordinated and paid for by the Human Resource Department. Individuals who wish to be considered for advertised positions are required to complete an online City application form.

Current City employees may apply for these positions and will be considered with other external applicants.

Sponsors: Craig Spadafora

A motion was made by Councillor Spadafora that the Committee Report be received and filed. The motion carried by the following vote:

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

[135-20](#)

Order. Regardless of the funding source the City of Malden shall advertise all open jobs internally and externally for a minimum of 14 days. The Human Resources Department will initiate both internal and external advertisement immediately after it is authorized, if the situation so requires. HR will post positions on the City's online application site and on the HR department posting board. Additional posting areas such as newspaper, industry specific websites, etc. may be coordinated and paid for by the Human Resource Department. Individuals who wish to be considered for advertised positions are required to complete an online City application form.

Current City employees may apply for these positions and will be considered with other external applicants.

Sponsors: Craig Spadafora

Amend to insert "open" before jobs internally and insert "for a minimum of 14 days after externally."

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

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

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

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

Rules were suspended to ordain the ordinance.

A motion was made by Councillor Spadafora, seconded by Councillor Condon, that the Ordinance be rules suspended. The motion carried by the following vote:

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

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

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

12. TABLED PAPERS

13. PERSONAL PRIVILEGE

14. ADJOURNMENT

A motion was made by Councillor Condon, seconded by Councillor Anderson, that the council be in recess to the call of the chair. The motion carried by the following vote:

The meeting recessed at 10:10 PM.

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

GREGORY LUCEY, CITY CLERK