



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 19, 2020

7:00 PM

REMOTE MEETING

1. CALL TO ORDER

[138-20](#)

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>
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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/94263545808?pwd=M2FGQUI3TEZZS1pIMkUxZlQ5ME5Mdz09>>

Password: 440704

Or iPhone one-tap :

US:

+13017158592,,94263545808#,,1#,440704#

+13126266799,,94263545808#,,1#,440704#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 301 715 8592

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International numbers available:

<https://zoom.us/j/abBoWLD5Ke>

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

5. PUBLIC COMMENT

Clerk Lucey read the first 15 emails that he received via email for public comment regarding items on this May 19, 2020 Agenda. The emails read were from the following citizens, Dee Campnell-Tompkins 17 Chester Street, John Saia 39 Pierce Street, Kari Percival 4 Seaview Ave., Emily Rivera 50 Wiley Street, Eddie Colameta 100 Trueman Drive, Amy Hatch Foley 5 Chatham Street Ext., Kathleen Sullivan 27 Oliver Street, Dorothy Levine 395 Charles Street, Katie and Mike Bowdridge 24 Quincy Street, Donna Lombardi 551 Cross Street, Casey Leon 34 Glenmere Ave., Jenelle DeVits 3 Sheridan Street, Grady Stevens, Sara Brown 5 Girard Street, Len Merullo 134 Dexter Street.

[139-20](#)

INSTRUCTIONS FOR PUBLIC COMMENT AT REMOTE CITY COUNCIL MEETINGS

1. During remote meetings of the City Council, those who wish to offer public comment at a remote Malden City Council meeting may do so via Zoom meeting or via submission in advance in writing to the City Clerk.
2. Public comment must adhere to Council rule to be related to posted agenda items.
3. Repetitive comments, i.e. multiple comments by the same individual, and/or multiple written emails by the same individual, will not be read. Individuals should limit comments to one submission either via email to the

City Clerk by 4PM or via Zoom meeting Q&A.

4. Those who do not wish to participate or cannot participate in the Zoom meeting may submit public comment by emailing your home address and comment to Malden City Clerk Gregory Lucey, glucey@cityofmalden.org [<mailto:glucey@cityofmalden.org>](mailto:glucey@cityofmalden.org), no later than 4:00PM on the date of the City Council meeting for which you wish to furnish public comment. Comments submitted in writing by 4:00PM to the City Clerk will be read first in time during the public comment portion of the meeting. Comments which are received after 4:00PM will not be read. To afford all members of the publi

5. Comments via Zoom meeting, as directed by the instructions on the agenda, will be accepted as follows. Click on the "Q&A" button, then click "Ask Question" and enter your full name and your home address for the record. This will not be interactive; comments will be timestamped and taken in the order that they are received. Comments should not exceed three hundred words and comments in excess of three hundred words will not be read. Comments submitted after the public comment portion of the meeting has concluded will not be read.

6. The public comment portion of the meeting pursuant to Council rule will be a maximum length of 30 minutes, including any comments submitted to the City Clerk and any comments submitted via Zoom Q&A.

7. Public comment at a City Council meeting is limited to fifteen (15) different individuals; and each public comment is limited to two (2) minutes in length. For purposes of public comment during remote meetings, public comment shall be limited to 300 words. Decorum shall govern public input, and comments containing profanity, personal attacks, or political rhetoric will not be read. In addition, those who do not observe decorum by using profanity, engaging in personal attacks, political rhetoric, or otherwise disrupting the meeting shall be precluded from further public comment at the sole discretion of the Council President, or, in her absence, the Councillor presiding at the meeting.

6. APPROVAL OF MINUTES

[127-20](#)

Minutes of the Meeting of May 12, 2020.

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

[128-20](#)

Minutes of the Meeting of May 5, 2020.

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

[107-20](#) Communication on Council Re-Appointment: Roberto DeMarco, 17 Division Street, Malden, MA; as a member of the Community Preservation Committee; term to expire March 15, 2022; (to be placed on file).

Sponsors: Barbara Murphy

This Appointment was placed on file

[108-20](#) Communication on Council Re-Appointment: Cameron Layne, 11 Grape Street, Malden, MA; as a member of the Community Preservation Committee; term to expire March 15, 2022; (to be placed on file).

Sponsors: Neal Anderson

This Appointment was placed on file

[109-20](#) Communication on Council Re-Appointment: Lisa Sulda, 64 Ashland Street, Malden, MA; as a member of the Community Preservation Committee; term to expire March 15, 2022; (to be placed on file).

Sponsors: Peg Crowe

Councillor O'Malley expressed the view this appointment was not a valid appointment.

This Appointment was placed on file

[110-20](#) Communication on Council Re-Appointment: Julianne Orsino, 50 Wiley Street, Malden, MA as a member of the Community Preservation Committee; term to expire March 15 2022; (to be placed on file).

Sponsors: Jadeane Sica

Councillor O'Malley expressed the view that this appointment was not a valid appointment.

This Appointment was placed on file

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

9. MOTIONS, ORDERS AND RESOLUTIONS

[129-20](#) Order: That the City Council approve funding recommendations of the Community Preservation Committee for the following FY2020 affordable housing initiatives:
Devir Park Revitalization (Design Phase) \$50,000 from budgeted reserve account

Spot Pond Brook Greenway (Design Phase) \$150,000 from budgeted reserve account

Sponsors: David Camell

A motion was made by Councillor Camell, seconded by Councillor O'Malley, that the Order 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 Camell, seconded by Councillor O'Malley, 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

130-20

Resolve: That the City Council condemn violence and hate speech, expressing solidarity with people of Chinese and Asian descent and all those targeted for their actual or perceived ethnicity, race or religion.

WHEREAS the United States was founded by immigrants, and the contributions of immigrants from China and Asia have been and remain essential to the success and well-being of our nation, and

WHEREAS despite these founding principles, there has been a history of discrimination in the United States based on ethnicity, race or religion such as the Chinese Exclusion Act that banned most immigration from China, the internment of citizens of Japanese descent in World War II and the segregation of children of color in schools including students of Asian descent; and
WHEREAS there are more than eighteen million people of Asian descent living in the United States today, and approximately fourteen thousand living in the city of Malden, making invaluable contributions to our economy, our social and political life, and our culture; and

WHEREAS since the outbreak of COVID-19 in early 2020, people of Chinese and Asian descent living in Malden have been unfairly targeted with verbal abuse; and

WHEREAS we are saddened and outraged at the recent escalation of hateful rhetoric against people of Chinese and Asian descent, those perceived to be of Chinese or Asian descent, immigrants, and all people of color, and we are particularly concerned to see political figures and elected government officials leading this escalation and using it in order to gain power; and

WHEREAS in the face of extreme bigotry and violence, Malden's Chinese and Asian communities and their leaders have made significant charitable contributions, provided protective equipment to first responders and front line workers and have served those in need without regard to ethnicity, race or immigrant status; and

WHEREAS we, as elected representatives of the people, have a special responsibility not to stay silent in the face of hate, violence and discrimination against any of our constituents or countrymen:

Now therefore be it resolved, that the Malden City Council:

- (1) Condemns all hateful speech and violent action directed at people of Chinese or Asian descent, or those perceived to be of Chinese or Asian descent, immigrants and people of color;
- (2) Categorically rejects political tactics that use fear to manipulate voters or to

gain power or influence;

(3) Commits to pursuing a policy agenda that affirms civil and human rights, fosters an equitable and inclusive community, and ensures that those targeted on the basis of race, religion or immigration status can turn to government without fear of recrimination;

(4) Reaffirms the value of a pluralistic society, the beauty of a culture composed of multiple cultures, and the inalienable right of every person to live and practice their faith without fear.

Sponsors: Deborah DeMaria, Amanda Linehan, Ryan O'Malley, Stephen Winslow, Neal Anderson, Peg Crowe, Barbara Murphy, David Camell, Craig Spadafora, Jadeane Sica and Paul Condon

A motion was made by Councillor O'Malley, seconded by Councillor Anderson, 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

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

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

132-20

Order: Annual Appropriation Order for the FY2021 (City Budget).

Sponsors: David Camell

Council President Sica read a letter from the Mayor on the proposed Fiscal 2021 Budget. Councillors were sent related documents that normally would have been handed out via email. The budget proposal was added to the city website.

A motion was made by Councillor Camell, seconded by Councillor DeMaria, that the Order be referred to the Finance Committee. The motion carried by the following vote:

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

133-20

Order: That the Personnel/Appointments Committee develop a posting to fill the unexpired position of Member of the Cemetery Board of Trustees of Dan Grover, term to expire March 1, 2021 in compliance with the City of Malden ordinance Section 2.30.1. The City Council will publicly advertise the vacancy for no less than three weeks.

Sponsors: Peg Crowe

A motion was made by Councillor Crowe, seconded by Councillor Condon, that the Order be referred to the Personnel/Appointments Committee. The motion carried by the following vote:

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

134-20

Order: That the Personnel/Appointments Committee develop a posting to

fill the vacant seat of Associate Member of the Commission of Energy Efficiency in compliance with the City of Malden ordinance Section 2.30.1.

Sponsors: Peg Crowe

A motion was made by Councillor Crowe, seconded by Councillor Condon, that the Order be referred to the Personnel/Appointments Committee. 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. 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 requesting 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, 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

10. COMMUNICATIONS

11. COMMITTEE REPORTS

[136-20](#)

Committee Report: Personnel/Appointments (Paper #74-20 Mayoral re-appointment of Yem Lip, 244 Kennedy Drive, Unit 706, Malden, MA, as City Engineer/Director of Engineering Department said term to expire March 1, 2023).

Councillor Crowe requested that both Papers 136-20 and 137-20 get taken together.

This Committee Report was received and filed

[74-20](#)

Mayoral Re-Appointment: Yem Lip, 244 Kennedy Drive, Unit 706, Malden, MA as City Engineer/Director of Engineering Dept. said term to commence upon his confirmation by the Council and to expire 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

[137-20](#)

Committee Report: Personnel/Appointments (Paper #52-20 Mayoral re-appointment of Nelson Miller, 65 Vine Street, Saugus, MA as Director of Permits, Inspections and Planning, said term to expire on December 19, 2022).

This Committee Report was received and filed

[52-20](#)

Mayoral Appointment: Nelson Miller, 65 Vine Street, Saugus, MA as Director of Permits, Inspections and Planning, said term to commence upon his confirmation by Council and to expire on December 19, 2022.

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

12. TABLED PAPERS

13. PERSONAL PRIVILEGE

14. ADJOURNMENT

A motion was made by Councillor Anderson that the be adjourned. The motion carried by the following vote: the meeting adjourned at 9:09 PM.

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

GREGORY LUCEY, CITY CLERK