



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, October 20, 2020

7:00 PM

REMOTE

1. CALL TO ORDER

318-20

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-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://cityofmalden.zoom.us/j/98488933634?pwd=OXhydUpFS0pTc0RpZDNIWHNja24vQT09>

Passcode: 061700

Or iPhone one-tap :

US: +16465189805,,98488933634#,,,,,0#,,061700#
+19294362866,,98488933634#,,,,,0#,,061700#

Or Telephone:

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

US: +1 646 518 9805

+1 929 436 2866

Webinar ID: 984 8893 3634

Passcode: 061700

International numbers available:

<https://cityofmalden.zoom.us/j/abAt3Sof1Q>

If you would like to request a reasonable accommodation, please contact

Maria

Luise, ADA Compliance Coordinator at mluise@cityofmalden.org

or 781-397-7000, Ext 2005.

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

Evan Spetrini and Marcia Manong will be presenting from Malden River Works to the City Council.

Chris Webb to give update on COVID and flu vaccinations.

Evan Spetrini, Marcia Manong and Marie Law Adams the steering committee/project team gave a presentation of the Malden River Works Project located behind the DPW site on Commercial Street.

Board of Health Director, Chris Webb gave the council an update on the current Covid situation in Malden and where it is heading. Mr. Webb also gave information on flu vaccinations.

5. PUBLIC COMMENT

6. APPROVAL OF MINUTES

[319-20](#)

Minutes of the Meeting of October 6, 2020.

A motion was made by Councillor Camell, seconded by Councillor Winslow, 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

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES**PUBLIC HEARINGS**[320-20](#)

Petition: National Grid, 1101 Turnpike Street, North Andover, MA - Exchange Street - National Grid to install beginning at a point approximately 240 west of the centerline of the intersection of Exchange Street and Middlesex Street and continuing approximately 196 Feet in a south direction. Install 2-5" PVC conduits from existing manhole 406 Exchange St. to National Grid Malden Substation 5.

Sponsors: Barbara Murphy

Socrates Morillo represented National Grid

Councillor O'Malley spoke in favor of the petition to be granted with conditions at the public hearing.

There were no speakers in opposition of the petition.

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

Added with the standard conditions was that during the work being done with the sidewalks, that the tree roots would be avoided.

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

[321-20](#)

Petition: Comcast, 9 Forbes Road, Suite 9 B, Woburn, MA - Kenmore Road: Starting at Utility Pole No. 3874 excavating to place (1) 4" PVC Conduit 79' +/- to provide the Comcast Services to number 876 Main Street.

Sponsors: Barbara Murphy

At the public hearing, Councillor O'Malley spoke in favor of the petition.

There were no speakers against the petition.

A motion was made by Councillor O'Malley, 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

[322-20](#)

Petition: Verizon, 385 Myles Standish Blvd., Taunton, MA - Verizon New England, Inc. requests permission to lay and maintain underground conduits, with the wires and cables to be placed therein, under the surface of the following public way or ways:

Main Street: Place one new four-inch (4") conduit approximately 6'

northwesterly from existing conduit to 964-968 Main Street. Said conduit is located on the westerly side of Main Street. This petition is necessary to provide new services. Also for permission to lay and maintain underground conduits, manholes, cables and wires in the above or intersection public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

Sponsors: Barbara Murphy

Mike Krzcuik represented Verizon.

At the public hearing, Councillor O'Malley spoke in favor of the petition.

There were no speakers in opposition of the petition.

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

323-20

Petition: Cellco Partnership d/b/a Verizon Wireless - to collocate small wireless facilities (also referred to as "small cells" on existing wooden utility poles located within the public right of way at the following locations:

1. 88 Fellsway East
2. 339 Pleasant Street
3. 122 Maple Street
4. 319 Highland Avenue
5. 20 West Street
6. 68 Highland Avenue
7. 183 Emerald Street
8. 146 Pearl Street
9. 154 Highland Avenue
10. 557 Pleasant Street
11. 77 Pearl Street
12. 57 Hospital Road
13. 397 Highland Avenue
14. 448 Medford Street
15. 198 Maple Street
16. 89 West Street
17. (0) Highland Avenue (Utility Pole # 641)
18. 91 Adams Street

- 19. 19 Chatham Street
- 20. 1250 Fellsway

Sponsors: Ryan O'Malley

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

[324-20](#)

Resolve: That the Mayor establish a Parks Commission adhering to terms of Sections 20 and 21 of the Charter governing The City of Malden. The Mayor shall appoint five members to a board of park commissioners as required; that these appointments shall be for terms of office as specified spanning one, two, three, four and five years. We resolve further that following such appointments made by the Mayor, this City Council will engage in the timely approval process under the authority of Malden's Charter.

Sponsors: Ryan O'Malley, Amanda Linehan and Deborah DeMaria

After an explanation from Karen Anderson that she missed the change in the Charter that the Parks Commission was abolished, Councillor O'Malley motioned to withdraw the motion, seconded by Councillor DeMaria. It was so voted by a roll call vote:

Anderson (y), Camell (y), Condon (y), Crowe (y), DeMaria (y), Linehan (y), Murphy (y), O'Malley (y), Spadafora (y), Winslow (y) Sica (y)

10. COMMITTEE REPORTS

[325-20](#)

Committee Report: Rules & Ordinance (Paper # 280-20): Order: Be it hereby ordained that the Revised Ordinances of 2020 Chapter 11 be amended to add Section 11.08.155 Maintenance of Private Fencing Next to Public Property (containing provisions related to fencing adjoining streets, sidewalks and trails) by adding the following language:

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

[280-20](#)

Order: Be it hereby ordained that the Revised Ordinances of 2020 Chapter 11 be amended to add Section 11.08.155 Maintenance of Private Fencing Next to Public Property (containing provisions related to fencing adjoining streets, sidewalks and trails) by adding the following language:

A. Every owner of property adjoining any public or private street, alley, sidewalk, trail or other public land shall ensure any fencing along the perimeter of their property remains erect and that any barbed or razor wire remains strung at least 7 feet above ground level. No such owner shall allow any perimeter fence, barbed or razor wire to encroach on or above any public street, private street, alley, sidewalk, trail or other public land or otherwise pose a hazard to members of the public lawfully using such areas.

B. As of November 1, razor wire may not be installed or replaced on any fence in the City of Malden.

C. This ordinance may be enforced in the manner provided in Mass. Gen. Laws ch 40 § 21D by City Code Enforcement Officers, agents of the Inspectional Service Department, or Department of Public Works supervisory personnel. Penalties for violations of this Ordinance will be strictly enforced, and are as follows:

1. first offense shall be a written, 30-day warning
2. second offense - \$300 for each continuing day of violation.

D. The City may remove the fencing and wiring if: (1) such fencing and wiring has caused an injury to a member of the public present on public property, or (2) if the property owner fails to comply within three days after notice of the second offense. The City may seek reimbursement for the costs of removal of the fencing and wiring in violation of ordinance from the property owner.

Sponsors: Stephen Winslow and Barbara Murphy

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

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

326-20

Committee Report: Rules & Ordinance (Paper # 306-20) Order: Be it hereby ordained that Section 2.08.040 of the Revised Ordinances of 2020 be amended by increasing the number of members to the Disability Commission from 5 to 9.

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

306-20

Order: Be it hereby ordained that Section 2.08.040 of the Revised Ordinances of 2020 be amended by increasing the number of members to the Disability Commission from 5 to 9.

Sponsors: Jadeane Sica

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

327-20

Committee Report: Rules & Ordinance (Paper # 279-20) Order: Be it hereby Ordained that Section 2.20.030, 2.20.040, 2.20.050 and 2.20.060, of Chapter 2 of the R.O. of 2020 be amended relative to the Officers, Specialists, Clerks, and Unclassified Employees Salary Schedules; and that the sum of \$204,161.05 be transferred from Salary Reserve (0010-996-5110) to the following accounts:

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

279-20

Order: Be it hereby Ordained that Section 2.20.030, 2.20.040, 2.20.050 and 2.20.060, of Chapter 2 of the R.O. of 2020 be amended relative to the Officers, Specialists, Clerks, and Unclassified Employees Salary Schedules; and that the sum of \$204,161.05 be transferred from Salary Reserve (0010-996-5110) to the following accounts:

Assessor Salaries:	\$8,894.07
Cemetery Salaries:	\$3,807.90
City Clerk Salaries:	\$8,133.04
Controller Salaries:	\$9,239.45
Engineering Salaries:	\$7,403.86
Fire Salaries:	\$6,442.22
BOH Salaries:	\$13,094.02
HR :	\$7,195.12
Inspectional Services	\$17,211.48
Info Tech Salaries:	\$10,618.96
Legal Salaries:	\$6,838.88
Legislative Salaries:	\$7,695.50
Library Salaries:	\$6,031.88
Mayor Salaries:	\$10,097.95
Parking Salaries:	\$5,699.75
Police Salaries:	\$14,294.75
Facilities Salaries:	\$22,771.10
Public Works Salaries:	\$7,808.42
Recreation Salaries:	\$3,909.81
Senior Ctr Salaries:	\$4,987.29
Teen Ctr Salaries:	\$3,428.48

Traffic Salaries:	\$1,341.63
Treasurer Salaries:	\$14,395.04
Veterans Salaries:	\$2,820.45

Sponsors: Craig Spadafora

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

11. TABLED PAPERS

12. PERSONAL PRIVILEGE

13. ADJOURNMENT

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

The meeting adjourned at 10:08 PM.

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

GREGORY LUCEY, CITY CLERK