



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final Rules & Ordinance Committee

*Chairperson Peg Crowe
Vice Chair Amanda Linehan
Councillor at Large Carey McDonald
Councillor Chris Simonelli
Councillor Jadeane Sica*

Tuesday, February 15, 2022

6:00 PM

215 Pleasant Street
Rear Board Room # 113

Roll Call

Also in attendance was Council President Spadafora and Assistant City Solicitor Alicia McNeil.

Chair Crowe called the meeting to order at 6:09 P.M.

Present: 4 - Peg Crowe, Amanda Linehan, Carey McDonald and Chris Simonelli

Absent: 1 - Jadeane Sica

Minutes to be Approved

[47-22](#)

Minutes of the Meeting of December 14, 2022.

Clerk Lucey acknowledged that the year of the minutes will be changed from 2022 as shown on the agenda to the correct year 2021.

A motion was made by Councillor McDonald, seconded by Vice Chair Linehan, that the Committee Minutes be approved. The motion carried by a unanimous vote.

Business

[582-21](#)

Order: Be it hereby ordained that the City of Malden Revised Ordinances of 2020 Section 11.24.020 SITING AND INSTALLATION OF WIRELESS COMMUNICATIONS EQUIPMENT be amended by adding the following additional language; (see attached).

Sponsors: Craig Spadafora

Attachments: [5g updated ord. dec 21](#)

Chair Crowe called on the sponsor of the paper, Council President Spadafora to give background on the paper. Councillor Spadafora said he filed the paper in December of 2021 to strengthen the city's position with regards to small cells and tighten up the ordinance. Council President Spadafora continued that he researched other cities to see what they did. He said that National Grid owns most of the poles who in turn rents out the pole to the 5G company. He said that on Highland Ave there are currently three poles that were put in with nothing on the poles. Council President Spadafora stated he is not against 5G technology but wants the council to have more say on where they go. Councillor Spadafora said the reason why they don't look to put the small cell on city

owned poles is because then National Grid would not get the rent. Council President Spadadora went on to explain each section of the paper:

Section U would address the issues on the poles on Highland Ave and poles not getting erected solely for 5G equipment.

Section T- Boston has this language, the applicant should be looking to put equipment on city owned poles. The city would then be able to collect the rent.

On #1, Cambridge has this clause, by adopting this will control how much 5G equipment are getting put up on one street.

#2- this would give clear access to pedestrians

#3 - This clause would make 5G companies more responsive. Councillor Linehan stated we should make them adhere to this and at the same time the city should as well when we are putting up signs.

#4- Cambridge has this and it would give the city negotiation power if needed.

#5- like #4 it gives the city negotiation power if needed.

#6- another one Cambridge has, this would give the city the ability to address issues for future changes.

Councillor McDonald asked if the ordinance was intended for only new poles. Council President Spadadora answered no it would be for new and replacement poles and that it only affects 5G but we need to look at telephone poles as well.

Assistant City Solicitor McNeil said she will look at the language to make sure it conforms to FCC's rulings.

Councillor McDonald made a motion to amend item #6 to read:

6. Where the City has planned a redevelopment or change to a street, sidewalk, square, or other area of the City, applicants shall remove their installation at their own cost upon reasonable notice by the City, shall comply with all provisions of this section upon re-installation, and may apply to place their installation in a different location.

The motion was seconded by Councillor Linehan, it was so voted Crowe (y), Linehan (y), McDonald (y), Simonelli (y), motion passed 4-0

Councillor McDonald said that in item #2 the last sentence is incomplete. Councillor Simonelli made a motion to amend item #2, striking (and any other) ending the sentence after installation. The motion was seconded by Councillor McDonald, it was so voted: Crowe (y), Linehan (y), McDonald (y), Simonelli (y), motion passed 4-0.

Councillor Linehan made a motion to amend the language in section L adding "in digital format of a sufficient size to be posted on the city website or be able to transmit electronically" after "Photo simulations". The motion was seconded by Councillor McDonald and so voted : Crowe (y), Linehan (y), McDonald (y), Simonelli (y). Motion passed 4-0.

A motion was made by Councillor McDonald, seconded by Vice Chair Linehan, that the Order be recommended favorably as amended to the City Council after being reviewed by the Legal Department. The motion carried by a unanimous vote.

Other Business

Tabled

[283-21](#)

Order: That the City of Malden submit to the Massachusetts Legislature for passage in substantially the following form: (See Attached).

Sponsors: Stephen Winslow

Attachments: [Traffic Comm. - Charter Update 2021.Paper.283.21 Attachment](#)

Adjournment

A motion was made by Councillor Simonelli, seconded by Vice Chair Linehan, that the meeting be adjourned. The motion carried by a unanimous vote.

The meeting adjourned at 6:37 P.M.