



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Agenda - Final City Council

*Council President Craig Spadafora*  
*Councillor at Large Karen Colon-Hayes*  
*Councillor Paul Condon*  
*Councillor Peg Crowe*  
*Councillor Amanda Linehan*  
*Councillor at Large Carey McDonald*  
*Councillor Barbara Murphy*  
*Councillor Ryan O'Malley*  
*Councillor Jadeane Sica*  
*Councillor Chris Simonelli*  
*Councillor Stephen Winslow*

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Tuesday, September 13, 2022

7:00 PM

City Council Chambers  
215 Pleasant Street  
Malden, MA 02148

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### 1. CALL TO ORDER

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

### 3. ROLL CALL

### 4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

### 5. PUBLIC COMMENT

### 6. APPROVAL OF MINUTES

[358-22](#) Minutes for the meeting of June 28, 2022

[359-22](#) Minutes of the meeting of August 9, 2022

### 7. APPOINTMENTS & ELECTIONS

[360-22](#) Mayoral Re-appointment: George Laskey of 52 Blue Hill Avenue as a member of the Conservation Commission, said term to commence upon confirmation by the City Council and to expire on September 15, 2024.  
Confirmation required

**Sponsors:** Chris Simonelli

[361-22](#) Mayoral Re-appointment: Isaac Slavitt of 14 Gellineau Street as a member of the Conservation Commission, said term to commence upon confirmation by the City Council and to expire on September 15, 2024.

Confirmation required

**Sponsors:**

Chris Simonelli

**362-22**

Mayoral Appointment: Paul Lee of 52 Lyle Street as a member of the License Board, said term to commence upon confirmation by the City Council and to expire on June 1, 2028 to fill the vacancy of Frances Lin who has stepped down from the Board.

Confirmation required

**Sponsors:**

Chris Simonelli

**363-22**

Mayoral Appointment: Megan Melanson of 47 Blaine Street as a member of the Cultural Council, said term to expire on July 25, 2025. Megan will replace Gladly Montrose who resigned from the Council.

Confirmation not required

**Sponsors:**

Chris Simonelli

**364-22**

Mayoral Appointment: Mary D'Alba of 11 Fairmont Court as a member of the Cultural Council, said term to expire on July 25, 2025. Mary will replace Ose Schwab who resigned from the Council.

Confirmation not required

**Sponsors:**

Chris Simonelli

**365-22**

Mayoral Re-appointment: Frank Cina of 120 Mountain Avenue as a member of the Disability Commission, said term to expire on September 23, 2025.

Confirmation not required

**Sponsors:**

Chris Simonelli

## **8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES**

**366-22**

Petition: Massachusetts Electric Company d/b/a National Grid, 1101 Turnpike Street; North Andover, MA, W.O. No. 30630187 Elwell Street to install 1 SO pole beginning at a point approximately 15 feet Southwest of the centerline of the intersection of Elwell Street and Loomis Street. Install a steel stub pole on the sidewalk at the intersection of Elwell Street and Loomis Street. New pole to support the pole line on Loomis Street.

Hearing required

**Sponsors:**

Stephen Winslow

**Attachments:**

[20220908 PETITION FOR POLE AND WIRE LOCATIONS](#)

## **9. MOTIONS, ORDERS AND RESOLUTIONS**

**367-22**

Order: Be it ordained that Section 9.20.040 Standards and Regulations for Commercial Waste, of the MCC, be amended by adding new *Section 9.20.040 C (1) (e)*, to include "No dumpster shall be stored on the public way, including for purposes of pickup by the service provider."

**Sponsors:**

Craig Spadafora

**Attachments:** [Ordinance Amendment Proposal Letter 9 8 2022](#)  
[Prop Revisions to 9.20.040](#)  
[20220908\\_9.20.040 STANDARDS AND REGULATIONS FOR COMMERCIAL \](#)

[368-22](#) Order: Be it ordained that Section 11.08 (Streets and Sidewalks) of the MCC be amended by adding Section 11.08.200 to address markings on the public way.

**Sponsors:** Craig Spadafora

**Attachments:** [Ordinance Amendment Proposal Letter 9 8 2022](#)  
[DigSafeMarkingRemovalOrdinance](#)  
[11.08 STREETS AND SIDEWALKS](#)

[369-22](#) Order: That One Million Dollars (\$1,000,000) is appropriated to pay costs of reconstructing and making extraordinary repairs to the Central Business District Garage, including the payment of all costs incidental and related thereto, and to meet this appropriation, the Treasurer, with approval of the Mayor is authorized to borrow said amount under G.L. c. 44, §7(1) or any other enabling authority, and to issue bonds or notes of the City therefor.

**Sponsors:** Barbara Murphy

[370-22](#) Order: That the sum of One Hundred Twenty Eight Thousand One Hundred Sixty Four Dollars and Seventy Five Cents (\$128,164.75) be and the same is hereby appropriated from the TNC Surcharge Municipal Distribution Account to cover the following expenses: Road milling and paving, utility structure adjustments, pedestrian signal upgrades, wheelchair ramp upgrades, and new crosswalk line striping with thermoplastic at the intersection of Summer Street and Clifton Street.

**Sponsors:** Barbara Murphy

[371-22](#) Order: That the appropriation enumerated below, being in the amount of Thirty-One Thousand Four Hundred Seventy Dollars, (\$31,470) be appropriated from the Community Preservation Act Fund for the following project:  
Wallace Park Wall Restoration: \$31,470 from Historic Preservation Reserve

**Sponsors:** Barbara Murphy

**Attachments:** [Letter of Support Wallace Memorial Park\(3\)](#)  
[Wallace Park Wall 3 recommendation letter](#)

[372-22](#) Order: That the City Council empowers the City's Legal Department to investigate and answer the alleged Open Meeting Law Complaint filed by Lissette Alvarado from the Friends of Roosevelt Park on August 12, 2022 against the Malden City Council and Ward 6 Councillor Stephen Winslow.

**Sponsors:** Craig Spadafora

[373-22](#) Order: That the City Charter, and applicable City Ordinances, be amended to make the City Solicitor an elected position by (a) striking paragraph one of section 14 of the Malden City Charter, and (b) adding a new section 37 titled "City Solicitor" detailing the manner of election and a 6 year term of the City Solicitor.

**Sponsors:** Ryan O'Malley

[374-22](#) Order: That the City of Malden place a ballot question on the 2023 municipal ballot

asking: "Should the City of Malden install an artificial turf field at Roosevelt Park by the Salemwood School?"

A "yes" vote would support artificial turf; a "no" vote would reject artificial turf and support a grass field.

**Sponsors:**

Ryan O'Malley

**375-22**

Order that the City of Malden place a ballot question on the 2023 municipal ballot asking: "Should the Department of Elementary and Secondary Education revoke or not renew the charter of the Mystic Valley Regional Charter School?"

A "yes" vote would support revoking or not renewing the school's charter; a "no" vote would support the renewal the school's charter.

**Sponsors:**

Ryan O'Malley

**376-22**

Resolve: That the Malden City Council Objects to Orange Line Closure Process  
The Malden City Council strongly objects the Massachusetts Bay Transit Authority's approach to closing the Orange Line for one month starting August 19, 2022. In Malden, home to two Orange Line stations, 40% of our residents do not own a car and depend on transit service. While we recognize and endorse the need to invest in the safety and performance of our transit system, the manner in which the MBTA made this decision has created great hardship for our community. Countless residents, especially those with the fewest financial resources, are struggling to get to work, make medical and court appointments, attend school, get childcare, or visit loved ones in need. Most concerning was the lack of advance information available in multiple languages, the timing of this closure at the start of the school year, and the fact that that our elected leaders, including our Mayor and state legislators, had to fight to get adequate shuttle bus and commuter rail coverage. In the future, as it makes decisions about maintenance closures, we call on the MBTA to do the following:

1. Work directly with local community leaders to decide when closures will take place in a way that minimizes impact;
2. Provide information well in advance, in multiple languages, on how residents can navigate the closures; and
3. Establish funding to reimburse local governments and agencies as well as individual residents for hardships and additional expenses created by these closures.

**Sponsors:**

Carey McDonald, Amanda Linehan, Stephen Winslow, Peg Crowe and Ryan O'Malley

**377-22**

Resolve: That the Malden City Council invites members of the Malden youth community to speak in front of the Council about the importance of Hispanic Heritage Month and to invite the Council to upcoming events.

**Sponsors:**

Karen Colon Hayes

**378-22**

Resolve: That the Malden City Council recognize and celebrate Hispanic Heritage Month

**WHEREAS**, Hispanic Heritage Month began as a commemorative week in 1968 to recognize the contributions of the Hispanics, Latino or Latinx community during the civil rights movement **and**;

**WHEREAS**, in 1988 it was expanded to a month. Hispanic Heritage Month begins on September 15th, a historically significant day that marks the anniversary of independence of five Latin American countries: Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua and soon after, Mexico, on September 16th, Chile on September 18th and Belize on September 21st **and**;

**WHEREAS**, Hispanic progress is American progress. Latinos are the growth and the economic power of the U.S. with more than 62 million people and with 1.9 trillion dollars in purchasing power **and**;

**WHEREAS**, each year, Americans observe National Hispanic Heritage Month by celebrating the histories, cultures and contributions of American citizens whose ancestors came from Mexico, Spain, the Caribbean and Central and South America; **and**;

**WHEREAS**, Latino's are a large group of hard-working, passionate and full-of-values individuals who have contributed and continue to contribute to American society and in our city of Malden culture, economy and overall progress.

**NOW, THEREFORE**, be it resolved that the City Council hereby recognize in Malden and celebrate September 15th through October 15th as Hispanic Heritage Month.

**Sponsors:**

Karen Colon Hayes

**379-22**

Resolve: It is the sense of the Malden City Council that all City employees are to be treated with respect by all members of the Council, free from a hostile work environment, and are confident in the knowledge that carrying out their duties in good faith will not be met with retaliation, threats, or intimidation.

**Sponsors:**

Craig Spadafora

## **10. COMMUNICATIONS**

## **12. COMMITTEE REPORTS**

**380-22**

Committee will report out recommendations for Council policies for public access and remote participation.

**118-22**

The Committee on Technology Policy will meet to discuss adopting policies for public access and remote participation for Councillors and any other business moving forward with the committee.

## **13. 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  
**253-22** Petition: National Grid, 1101 Turnpike Street, North Andover, MA, Plan #30543076  
Commercial Street - National Grid to install beginning at a point approximately 350 feet southwest of the centerline of the intersection of Commercial Street and Centre Street and continuing approximately 80 feet in a southeast direction. Install 2-4" Primary Duct approximately 80 feet southeast from existing Pole #3 on sidewalk towards 0 Commercial Street for the purpose of serving the customer with electric service.

**Sponsors:** Peg Crowe

**Attachments:** [Petition Commercial Street #30543076](#)

**276-22** Mayoral Appointment: Stephanie Stone of 19 Pine Street, Malden as an associate member of the Planning Board, said term to commence upon confirmation by the City Council and expire March 1, 2024 to complete the unexpired term of Charles Ferguson.  
Confirmation required

**Sponsors:** Chris Simonelli

**287-22**  
**Order:** That the City Council discuss the disposition of property owned by the City identified as Parcel No. 185-575-507 in the City of Malden Assessor's Maps, also known as Louis Cohn Way/Robbins Street. Such discussion to include a description of the parcel and it's present use and possible alternatives for future use, care, custody, and control of the property, which will be maintained at the sole expense of the lessee, and that payments include the amount of any taxes that would otherwise be due to the city as well as including whether or not to enter a License Agreement for business use of said property.

**Sponsors:** Jadeane Sica

**Attachments:** [Assessors Handout Pub Prop Meeting 62822](#)

**303-22** Mayoral Appointment: Helena Clarke of 39 Acorn Street as a member of the License Board, said term to commence upon confirmation by the City Council and to expire on June 1, 2028, to fill the vacancy of Frances Lin who has stepped down from the Board.  
Confirmation required

**Sponsors:** Chris Simonelli

#### **14. PERSONAL PRIVILEGE**

#### **15. ADJOURNMENT**

**GREGORY LUCEY, CITY CLERK**