



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

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

Tuesday, September 5, 2023

7:00 PM

City Council Chambers
215 Pleasant Street
Malden, MA 02148

Watch the live stream on YouTube:

<https://www.youtube.com/live/a2pswP2CU-k?si=YhYcoSVCNahGPh3U>

1. CALL TO ORDER

Council President Murphy called the meeting to order at 7:05 PM.

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

A moment of silence was offered in observance of Malden Firefighter Gary J. LoPresti, Jr., who suffered a line of duty death and was laid to rest on September 1, 2023.

3. ROLL CALL

Present - Councillors: 11 - Barbara Murphy, Carey McDonald, Chris Simonelli, Jadeane Sica, Karen Colon Hayes, Ryan O'Malley, Craig Spadafora, Peg Crowe, Amanda Linehan, Paul Condon and Stephen Winslow

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Malden resident, Darren Josey will appear before the City Council to share his "The Great Malden Outdoors Campaign" presentation.

Darren Josey of First Seed Sown, presented on his outdoor enablement campaign to bring awareness to the outdoor recreational opportunities available in Malden to people of all ages and activity levels. A program photo shoot is planned for September 14-19 with a city owned website to go live in May 2024.

5. PUBLIC COMMENT

A total of 25 people signed up for this evening's public comment. Council rules allow for thirty minutes of time allotted for public comment but after the first half hour, there was discussion to extend this time to give all a chance to speak. With ten people still in line who had signed up but not yet spoken, Councillor Linehan made a motion to extend public comment giving each of the ten speakers one minute, in the interest of time.

Given the majority of people were in attendance to speak on Papers 307 and/or 308, the sign in sheet is attached to the history of those two papers.

A motion was made by Councillor Linehan, seconded by Councillor O'Malley, that the public comment period be extended with the compromise that each additional speaker be granted one minute for their comments. The motion carried by a 10-1 vote.

6. APPROVAL OF MINUTES

[289-23](#)

Minutes for the meeting of June 27, 2023

A motion was made by Councillor Sica, seconded by Councillor Winslow, that the Council Minutes be approved. The motion carried by a unanimous vote.

7. APPOINTMENTS & ELECTIONS

[290-23](#)

Mayoral Re-appointment: Heresa LaForce of 327 Medford Street as a member of the Cultural Council, term to expire September 1, 2026 (Confirmation required)

Attachments: [Mayor's Re-appointment Letter - Heresa LaForce - Cultural Council](#)

A motion was made by Councillor Linehan, seconded by Councillor O'Malley, that the Appointment be received and filed. The motion carried by a unanimous vote.

[291-23](#)

Mayoral Appointment: Jessina Riano of 349 Pleasant Street #A2-2 as a member of the Cultural Council, term to expire August 23, 2026 (Confirmation required)

Attachments: [Mayor's Appointment Letter - Jessina Riano - Cultural Council](#)

A motion was made by Councillor Linehan, seconded by Councillor O'Malley, that the Appointment be placed on file. The motion carried by a unanimous vote.

[292-23](#)

Mayoral Appointment: Leilani Ricardo of 76 Pierce Street Unit 2 as a member of the Cultural Council, term to expire August 23, 2026 (Confirmation required)

Attachments: [Mayor's Appointment Letter - Leilani Ricardo - Cultural Council](#)

A motion was made by Councillor Linehan, seconded by Councillor O'Malley, that the Appointment be placed on file. The motion carried by a unanimous vote.

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

Councillor Colon Hayes remained present for the Public Hearing on National Grid petition, Paper 293-23 then asked to be recused prior to discussion on any of the Lodging House Petitions as she is active with the Metro North Housing Corp. Her request was approved by a 10-0 vote.

Council will hold public hearing on National Grid petition to install underground conduit.

[293-23](#)

Petition: Massachusetts Electric Company dba National Grid of North Andover, Plan #30713383 to construct a line of underground electric conduits located at the intersection of Salem Street and Holden Street in accordance with the attached

plans
(Hearing Required)

Attachments: [Intersection of Salem St & Holden St](#)
[Abutters 90-92 Salem Street](#)

Representative from National Grid appeared to speak on this work order to bring new service via an underground trench to their customer's property at 90 Salem Street. Council President Murphy opened the public hearing. Noone spoke in favor of this petition. One person, Francis Walton, spoke in opposition on the basis that Holden Street has just been paved and she did not want to see the street ripped up again. Councillor O'Malley stated he spoke to DPW and National Grid about exactly that and the parties came up with an agreeable plan to restore the street and that he confirmed the area National Grid will be working on does not encroach on the portion of the intersection that was recently paved.

A motion was made by Councillor O'Malley, seconded by Councillor Winslow, that the Petition be granted with the following conditions: (1) That the Engineer be called when Dig Safe is notified, (2) That the streets and sidewalks be restored to the satisfaction of the Director of Public Works with the area patched first with a temporary binder coat for 3-6 months, then a permanent topcoat via infrared machine to melt the existing and new roadway surfaces together, (3) that all work is to be completed by National Grid, and (4) when possible this work will be performed at night and accompanied by a police detail.

The motion carried by a unanimous vote.

294-23

Petition: Exterior Vending Machine: Water Stores, Inc. 159 Highland Avenue, Malden (New)

A motion was made by Councillor Sica, seconded by Councillor Winslow, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

295-23

Petition: Livery: Abdelkader Nadif, 1 Kneeland Street, Malden, 1 vehicle (New)

A motion was made by Councillor Sica, seconded by Councillor Winslow, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

296-23

Petition: Livery: FNU Sukhpreet Singh, 99 Florence St. Apt. 224, Malden, 1 vehicle (New)

A motion was made by Councillor Sica, seconded by Councillor Winslow, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

297-23

Petition: Lodging House: Cedar House LLC, 116-118 Cedar Street, Malden, 14 units (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Winslow, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[298-23](#)

Petition: Lodging House: Metro North Housing Corp, 22 Charles Street, Malden, 11 units (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Winslow, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[299-23](#)

Petition: Lodging House: Metro North Housing Corp, 115 Washington Street, Malden, 14 units (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Winslow, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[300-23](#)

Petition: Outdoor Parking: Three C Realty Trust, 54 Winter Street, Malden, 22 spaces (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Winslow, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[301-23](#)

Petition: Pool Tables: AOH Division 12, 259 Charles Street, Malden, 1 table (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Winslow, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

9. MOTIONS, ORDERS AND RESOLUTIONS

[302-23](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 11.28.010 Municipal Storm Drainage System is hereby amended by striking sections A, B, and C in their entirety and replacing with the following:

Sponsors: Peg Crowe and Stephen Winslow

Attachments: [Current 11.28.010 Municipal Storm Drainage System](#)

[Proposed Revisions: 11.28.010 Municipal Storm Drainage System](#)

[Draft 11.28.010 with Revisions 7 18 23](#)

Councillor Winslow spoke on behalf of both Paper 302 and 303, stating the updates to Malden's storm water management and drainage ordinances are required by MassDEP and are mandated by deadlines in doing so. Both of these papers were created in Rules and Ordinance Committee in conjunction with City Engineer Yem Lip, as was approved by Council Paper 277-23 on June 27, 2023 so it is unnecessary to refer the papers back into committee. The intent is to vote to enroll both papers on the floor.

Councillor O'Malley expressed his wish to send these papers back into Ordinance Committee as he does not think the updates go far enough above and beyond what is simply necessary by law.

Councillor McDonald in conversation with City Engineer learned the real goal of these updates is that any property in the city that could have a material impact by individual decisions on runoff should be reviewed by the City Engineer and that is what this ordinance update will accomplish. Further, once this piece of ordinance is passed then attention may be given to smaller properties and residential questions about runoff. How

storm water is managed is of great importance to the entire community as is witnessed by flooding in streets and school parking lots; it is Councillor McDonald's intent to revisit and review the runoff of these smaller parcels.

A motion was made by Councillor Winslow, seconded by Councillor Crowe, that the Ordinance be enrolled to the City Council. Councillors Condon and Sica were not present at the time of this vote. The motion carried by the following vote:

Yea: 8 - Murphy, McDonald, Simonelli, Colon Hayes, Spadafora, Crowe, Linehan and Winslow

Nay: 1 - O'Malley

Abstain: 2 - Sica and Condon

[303-23](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 11.28.020 Storm Water Management and Land Disturbance Regulation is hereby amended by striking in its entirety and replacing with the following:

Sponsors: Peg Crowe and Stephen Winslow

Attachments: [Current 11.28.020 Storm Water Management and Land Disturbance Regulation Ordinance](#)
[Proposed Revisions: 11.28.020 Storm Water Management and Land Disturbance Regulation](#)
[Draft 11.28.020 Storm Water Management and Land Disturbance with Revisions](#)

A motion was made by Councillor Winslow, seconded by Councillor Crowe, that the Ordinance be enrolled to the City Council. Councillors Condon and Sica were not present at the time of this vote. The motion carried by the following vote:

Yea: 8 - Murphy, McDonald, Simonelli, Colon Hayes, Spadafora, Crowe, Linehan and Winslow

Nay: 1 - O'Malley

Abstain: 2 - Sica and Condon

[304-23](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 2.20.020 Elected Officials Salary Classification Plan be hereby amended to reflect the following compensation levels to be effective January 1, 2024.

Sponsors: Barbara Murphy and Stephen Winslow

Per Council Rule 15.02, Council President Murphy vacated the Chair to engage in debate regarding Papers 304 and 305. Councillor Spadafora presided over the meeting during the time of the discussion.

A motion was made by Council President Murphy, seconded by Councillor at Large McDonald, that the Order be referred to a joint session of Rules & Ordinance and Finance Committee. The motion carried by the following vote:

Yea: 11 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, O'Malley, Spadafora, Crowe, Linehan, Condon and Winslow

[305-23](#)

Order: That the sum of Twenty-Two Thousand Five Hundred Dollars (\$22,500.00) is transferred from Salary Reserve (0010-996-5110) to Executive Salaries (0010-121-5110) and that Forty One Thousand Two Hundred Fifty Dollars

(\$41,250.00) is transferred from Salary Reserve (0010-996-5110) to Legislative Salaries (0010-111-5110)

Sponsors: Barbara Murphy

A motion was made by Council President Murphy, seconded by Councillor at Large McDonald, that the Order be referred to a joint session of Rules & Ordinance and Finance Committee. The motion carried by the following vote:

Yea: 11 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, O'Malley, Spadafora, Crowe, Linehan, Condon and Winslow

306-23

Order: At the call of the President, allowable by Council Rule 1.04 and with the majority of the Body in agreement, a special meeting of the Malden City Council shall be held on Tuesday, September 19, 2023 at 7:00 PM for the purpose of continuing with regular business in lieu of the previously anticipated Municipal Preliminary.

Sponsors: Barbara Murphy

A motion was made by Councillor Winslow, seconded by Councillor O'Malley, that the Order be adopted. The motion carried by a unanimous vote.

307-23

Order: That the following non-binding question be included on the November 7, 2023 Municipal Election ballot, subject to review, edit and approval of the City Clerk and City Solicitor.

Should the City of Malden remove all bus and bike lanes from Route 60, return any funds required, and prohibit any future bus lanes or bike lanes from being approved that would cause an elimination of motor vehicle traffic lanes or inhibit parking in the City?

Sponsors: Jadeane Sica

Attachments: [Mayor's Centre Street Memo Sept 2023](#)

Both Papers 307 and 308, as well as a communication from Mayor Christenson, were read into the record collectively then discussion opened with a statement by Councillor Sica.

Councillor Sica stated she proposed these two questions for the November ballot after being approached by a group of constituents seeking Council assistance. She further stated she is not anti-bus and bike lane but rather thinks further public input is beneficial for the entire city, in order to find a better way to make these lanes work for everyone. Councillor Winslow outlined all the public input over several years that has led to multiple successful projects involving bus and bike lanes and how the number of traffic accidents has dropped by 22% on Centre Street.

There was consensus among all the Councillors that a major cause of traffic back ups involving bike and bus lanes is that the lanes were painted by MBTA prior to getting the timing of traffic lights synchronized. Now, the timing of the lights has been worked on and so there is hope the traffic congestion will be eased. Also, there is the question of losing hundreds of thousands of dollars if Malden broke their MOU currently in place with MBTA, which is in effect until November 2024. All were in agreement that more public conversations are necessary and welcomed.

A motion was made by Councillor Sica, seconded by Councillor at Large Spadafora, that the Order be adopted. The motion failed by the following vote:

Yea: 3 - Murphy, Sica and Spadafora

Nay: 8 - McDonald, Simonelli, Colon Hayes, O'Malley, Crowe, Linehan, Condon and Winslow

[308-23](#)

Order: That the following non-binding question be included on the November 7, 2023 Municipal Election ballot, subject to review, edit and approval of the City Clerk and City Solicitor.

Should the City of Malden remove and prohibit any future bike lanes, which create traffic lanes that are bumped out at any point after the beginning or end of any street?

Sponsors: Jadeane Sica

Attachments: [Mayor's Centre Street Memo Sept 2023](#)

A motion was made by Councillor Sica, seconded by Councillor at Large Spadafora, that the Order be adopted. The motion failed by the following vote:

Yea: 3 - Murphy, Sica and Spadafora

Nay: 8 - McDonald, Simonelli, Colon Hayes, O'Malley, Crowe, Linehan, Condon and Winslow

[309-23](#)

Order: That the following non-binding question be included on the November 7, 2023 Municipal Election ballot, subject to review, edit and approval of the City Clerk and City Solicitor.

Should the Department of Elementary and Secondary Education revoke or not renew the charter of the Mystic Valley Regional Charter School?

Sponsors: Ryan O'Malley

Councillor O'Malley stated he has decided that there is not enough time within the next two months to properly educate Malden voters on the pros and cons of this question as a ballot initiative. He moved to withdraw the order and place the paper on file.

A motion was made by Councillor O'Malley, seconded by Councillor at Large Colon Hayes, that the Order be withdrawn. The motion carried by a unanimous vote.

[310-23](#)

Order: That the following non-binding question be included on the November 7, 2023 Municipal Election ballot, subject to review, edit and approval of the City Clerk and City Solicitor.

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

Sponsors: Ryan O'Malley

Councillor O'Malley stated he has decided that there is not enough time within the next two months to properly educate Malden voters on the pros and cons of this question as a ballot initiative. He moved to withdraw the order and place the paper on file.

A motion was made by Councillor O'Malley, seconded by Councillor Condon, that the Order be withdrawn. The motion carried by a unanimous vote.

[311-23](#)

Resolve: That it is the sense of the City Council that the City Engineer and Transportation Planner meet with the Public Works Committee to report on (1)

efforts to create safer streets, including the City's Complete Streets Plan update, (2) the status of the Centre Street Bus Lane Pilot project and (3) other high cost road reconstruction plans under development such as Broadway that are anticipated to be funded with federal and state grants.

Sponsors: Stephen Winslow

A motion was made by Councillor Winslow, seconded by Councillor Crowe, that the Resolution be amended to strike 'meet with the Public Works Committee' and replace with 'appear before the Full Council'. The motion carried by a unanimous vote.

A motion was made by Councillor Winslow, seconded by Councillor O'Malley, that the Resolution be passed as amended. The motion carried by a unanimous vote.

[312-23](#)

Resolve: That it is the sense of the Malden City Council that we support the work done by the Mass State Ethics Commission to educate our employees and enforce Mass State Ethics Laws, and that we will respect and stand behind the bipartisan work done by this and all state agencies in carrying out their mission.

Be it further resolved, that the Malden City Council will support all employees participating in providing testimony to any state agency and discourages the public criticism of any employee who has provided such testimony.

Sponsors: Jadeane Sica, Chris Simonelli and Craig Spadafora

Discussion on this resolve opened with a reading of a written statement by Councillor Sica to address the actions of Councillor Colon-Hayes after completion of an investigation done by the Mass State Ethics Commission.

Debate revolved around the Council's ability to discourage criticism of public employees. Councillor Sica agreed to amend the resolve by removing the words, 'and discourages the public criticism of any employee who has provided such testimony'.

A motion was made by Councillor Sica, seconded by Councillor Crowe, that the Resolution be amended by striking the words 'and discourages the public criticism of any employee who has provided such testimony'. Councillors Colon-Hayes and O'Malley were not present at the time of this vote.

The motion carried by the following vote:

Yea: 9 - Murphy, McDonald, Simonelli, Sica, Spadafora, Crowe, Linehan, Condon and Winslow

Abstain: 2 - Colon Hayes and O'Malley

A motion was made by Councillor Sica, seconded by Councillor at Large Spadafora, that the Resolution be passed as amended. The motion carried by the following vote:

Yea: 8 - Murphy, McDonald, Simonelli, Sica, Spadafora, Crowe, Condon and Winslow

Nay: 1 - Linehan

Abstain: 2 - Colon Hayes and O'Malley

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

Attachments: [Youth Board Presentation for City Council April 25 2023](#)

399-22

Petition: Boston Gas d/b/a National Grid, 40 Sylvan Road, Waltham MA, W.O. No. 90000XX to install a new gas Regulator Station on Green Street near the intersection of Medford Street in accordance with the attached plans.
Hearing required

Attachments: [National Grid Green Street WO #90000XX](#)
[Notice of Public Hearing & Abutters Green and Medford](#)

171-23

Petition: Massachusetts Electric Company dba National Grid of North Andover, Plan #30683608 to construct a line of underground electric conduits located at the intersection of Eastern Avenue and Marlboro Street in accordance with the attached plans
(Hearing Required)

Attachments: [National Grid Eastern @Marlboro Plan# 30683608](#)
[Abutters List - National Grid Eastern @Marlboro Plan# 30683608](#)

172-23

Petition: Massachusetts Electric Company dba National Grid of North Andover, Plan #30511632 to construct a line of underground electric conduits located at the intersection of Main Street and Cross Street in accordance with the attached plans
(Hearing Required)

Attachments: [National Grid Main @Cross Plan# 30511632](#)
[Abutters List - National Grid Main @Cross Plan# 30511632](#)

214-23

Petition: ExteNet Systems, 3030 Warrenville Road, Suite 340 Lisle, IL, Project No. 100523 - ExteNet Systems seeking grant of location to install fiber conduit beginning at a point approximately located at 244-248 Main Street running up to approximately 22 Charles Street.
(Hearing Required)

Attachments: [ExteNet Systems Fiber Plans 244-288 Main Street Project No. 100523](#)
[ExteNet Systems Abutters List Main and Charles Project No. 100523](#)

14. PERSONAL PRIVILEGE

15. ADJOURNMENT

A motion was made by Councillor Crowe, seconded by Councillor O'Malley, that

the meeting be adjourned. The motion carried by a unanimous vote.
Meeting was adjourned at 10:45.

CAROL ANN DESIDERIO, CITY CLERK