



# 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, March 14, 2023

7:00 PM

City Council Chambers  
215 Pleasant Street  
Malden, MA 02148

---

### 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

### 3. ROLL CALL

*Also in attendance were Language Access Coordinator Elena Martinez, Director of IT Anthony Rodrigues, GIS Coordinator Steve Fama, Special Assistant to the Mayor Maria Luise, City Solicitor John McNaught, Jr.*

**Present - Councillors:** 10 - Barbara Murphy, Carey McDonald, Chris Simonelli, Jadeane Sica, Karen Colon Hayes, Ryan O'Malley, Craig Spadafora, Peg Crowe, Amanda Linehan and Stephen Winslow

**Absent - Councillors:** 1 - Paul Condon

### 4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Elena Martinez, Malden's Language Access Coordinator, will appear before the City Council with an update of the City's new multilingual telephone line.

*Elena Martinez presented an update on community partnerships and initiatives that she is currently working on to bring greater access to all residents of Malden, including Town Hall meetings in seven different languages and new technology the City has invested in for translation services.*

*More information may be found at <https://www.cityofmalden.org/947/Language-Access>*

Anthony Rodrigues, IT Director, will appear before the City Council to give an update on the cyber-attack.

*Anthony Rodrigues explained the cyber attack against the City, how it began and what steps were immediately taken to mitigate the damage. AI software recognized the breach, rapid response plan was instituted that included locking down all servers and*

*desktops, gathering evidence, remediation actions to restore critical business functions.*

## **5. PUBLIC COMMENT**

## **6. APPROVAL OF MINUTES**

[96-23](#)

Minutes for the meeting of February 28, 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.**

[97-23](#)

Minutes for the meeting of March 7, 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**

[98-23](#)

Mayoral Re-appointment: Kirk Zmijewski of 569 Fellsway East as a member of the Conservation Commission, said term to commence upon confirmation by the City Council and to expire on February 13, 2025. (Confirmation required)

**Sponsors:** Amanda Linehan

**Attachments:** [Mayor's Appointment Letter](#)

[Final Paper: 98-23](#)

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

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

[99-23](#)

Petition: Livery: David G. Ulysse, 230 Bryant St. # 3, Malden, MA - 1 vehicle (Renewal)

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

[100-23](#)

Petition: Lodging House: Top Tier Properties, LLC dba Sir Carlton, 33 Maple St. Malden, MA (Renewal)

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

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

[101-23](#)

Order: That the appropriation enumerated below, being in the amount of \$400,000 (Four Hundred Thousand Dollars), be appropriated from the Community Preservation Act Fund for the following project:

Kierstead Park Improvement Project: \$400,000 from General Reserve

Total Appropriation = \$400,000

**Sponsors:** Carey McDonald

**Attachments:** [Kierstead Recommendation Letter 2023.03.01](#)  
[Mayor's Letter of Support - Kierstead Park CPC Submission](#)  
[AMENDED Kierstead Recommendation Letter](#)

**A motion was made by Councillor at Large McDonald, seconded by Councillor O'Malley, that the Order be referred to the Finance Committee. The motion carried by a unanimous vote.**

### 102-23

Order: That the appropriation enumerated below, being in the amount of \$550,000 (Five Hundred Fifty Thousand Dollars), be appropriated from the Community Preservation Act Fund for the following project:

Early Learning Center Playground Project: \$550,000 from General Reserve

Total Appropriation = \$550,000

**Sponsors:** Carey McDonald

**Attachments:** [ELC Playground Project - Recommendation Letter 2023.03.01](#)  
[Mayor's Letter of Support ELC Playground CPC Submission](#)  
[AMENDED ELC Recommendation-Letter](#)

**A motion was made by Councillor at Large McDonald, seconded by Councillor O'Malley, that the Order be referred to the Finance Committee. The motion carried by a unanimous vote.**

### 103-23

Resolve: That it is the sense of the City Council that they wish to invite representatives from Urban Media Arts (UMA) to appear to present their "Who is Malden?" film builder program.

**Sponsors:** Barbara Murphy

**Attachments:** [FilmbuildingMaldenPresentationtoCityCouncil3-28-23a](#)  
[FilmbuildingMaldenHandouttoCityCouncil3-28-23](#)  
[Final Paper: 103-23](#)

**A motion was made by Councillor Crowe, seconded by Councillor Sica, that the Resolution be passed. The motion carried by a unanimous vote.**

## **10. COMMUNICATIONS**

## **12. COMMITTEE REPORTS**

### 104-23

Committee Report: Personnel/Appointments (Paper #35-23 Mayoral Appointment: Karin Nystrom, 630 Salem Street, Malden, MA as the tenant representative member of the Malden Housing Authority Board, said term to commence upon confirmation by the City Council and to expire May 1, 2028, to fill the vacancy left by the passing

of George Bayers.)

**Sponsors:** Amanda Linehan

**A motion was made by Councillor Linehan, seconded by Councillor Winslow, that the Committee Report be received and filed. The motion carried by a unanimous vote.**

[35-23](#)

Mayoral Appointment: Karin Nystrom of 630 Salem Street as the Tenant Representative Member of the Malden Housing Authority Board, said term to commence upon confirmation by the City Council and to expire May 1, 2028, to fill the vacancy left by the passing of George Bayers.  
Confirmation required

**Sponsors:** Amanda Linehan

**Attachments:** [Nystrom Appointment Letter](#)

**A motion was made by Councillor Linehan, seconded by Councillor Winslow, that the Appointment be confirmed. The motion carried by a unanimous vote.**

[105-23](#)

Committee Report: The Standing Committee on License to whom was referred Papers 66 through 80 of Series 2023, having considered the same, make the following report that the petitions be recommended out favorably to the Full City Council.

**Sponsors:** Jadeane Sica

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Committee Report be received and filed. The motion carried by a unanimous vote.**

[66-23](#)

Petition: Amusement Machines - Provo Corp. dba Patrick's & Franny's, 36-40 Lebanon Street, Malden, MA - 3 machines (Renewal)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be granted. The motion carried by a unanimous vote.**

[67-23](#)

Petition: Livery - Limo Lounge, Inc. 56 Linden Avenue #4, Malden, MA - 1 vehicle (New)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be granted. The motion carried by a unanimous vote.**

[68-23](#)

Petition: Taxi Driver - Alan Ambrose, 21 Ripley Street, Malden, MA (New)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be granted. The motion carried by a unanimous vote.**

[69-23](#)

Petition: Taxi Driver - Ryan Bragg, 27 Slayton Way Unit 3, Roxbury, MA (New)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be granted. The motion carried by a unanimous vote.**

[70-23](#)

Petition: Taxi Driver - Louis Ciulla, 235 Revere St. #503, Revere, MA (New)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be granted. The motion carried by a unanimous vote.**

[71-23](#)

Petition: Taxi Driver - William Cook, 19 Talbot St. #614, Saugus, MA (Renewal)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be granted. The motion carried by a unanimous vote.**

[72-23](#)

Petition: Taxi Driver - Clark Heighton, 476 Shirley Street #3, Winthrop, MA (New)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be granted. The motion carried by a unanimous vote.**

[73-23](#)

Petition: Taxi Driver - Christopher Jackson, 24 Surfside Rd. #6, Lynn, MA (Renewal)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be granted. The motion carried by a unanimous vote.**

[74-23](#)

Petition: Taxi Driver - Dominique Long, 120 Salem Street, Malden, MA (New)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be granted. The motion carried by a unanimous vote.**

[75-23](#)

Petition: Taxi Driver - Reda Neharbelaid, 13 School Street, Everett, MA (New)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be granted. The motion carried by a unanimous vote.**

[76-23](#)

Petition: Taxi Driver - Michael Rapaglia, 9 Richardson Street, Malden, MA (Renewal)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be granted. The motion carried by a unanimous vote.**

[77-23](#)

Petition: Taxi Driver - William Sweet, 117 Medford St. #1, Malden, MA (Renewal)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be granted. The motion carried by a unanimous vote.**

[78-23](#)

Petition: Taxi Driver - Valentin Tchaly, 30 Washington Street #508, Brighton, MA (Renewal)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be granted. The motion carried by a unanimous vote.**

[79-23](#)

Petition: Taxi Driver - Carlos Vargas, 290 Mishawum Road #2039, Woburn, MA (Renewal)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be granted. The motion carried by a unanimous vote.**

[80-23](#)

Petition: Taxi Driver - John Walters, 5 Hancock Street #11, Everett, MA (New)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be granted. The motion carried by a unanimous vote.**

[106-23](#)

Committee Report: The Standing Committee on Rules & Ordinance, to whom was referred Paper # 429 Series of 2022, having considered the same make the following report: Committee recommends that this paper be recommended out favorably to the Full Council.

**Sponsors:** Peg Crowe

**A motion was made by Councillor Crowe, seconded by Councillor Winslow, that the Committee Report be received and filed. The motion carried by a unanimous vote.**

[429-22](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 2.12.170 Recreation Programs/Recreation Coordinator be amended.

**Sponsors:** Stephen Winslow

**Attachments:** [MCC 2.12.170 Amendment](#)

*Councillor Crowe spoke on behalf of the Ordinance Committee saying this paper is necessary to allow the Recreation Department to enforce the policies for permitting and park usage that are in their department rules. Two main areas of this paper are for Council approval on long term park permits on requests over one year and to give authority to Compliance Officers and Recreation Coordinator or their designees to enforce rules and permits as issued.*

**A motion was made by Councillor Crowe, seconded by Councillor Winslow, that the Ordinance be enrolled to the City Council. The motion carried by the following vote:**

**Yea:** 10 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, O'Malley, Spadafora, Crowe, Linehan and Winslow

[107-23](#)

Committee Report: The Standing Committee on Rules & Ordinance, jointly with Resiliency & Sustainability Committee, to whom was referred Paper 32-23, having considered the same, make the following report that the paper be recommended out favorably as drafted to the Full City Council.

**Sponsors:** Stephen Winslow and Peg Crowe

**A motion was made by Councillor Winslow, seconded by Councillor Crowe, that the Committee Report be received and filed. The motion carried by a unanimous vote.**

[32-23](#)

Be it hereby ordained by the City Council of the City of Malden as follows that MCC 11.12.010 REGULATION OF BICYCLE TRAILS is hereby amended by striking such section in its entirety and replacing it with the following language:

**Sponsors:** Stephen Winslow and Ryan O'Malley

**Attachments:** [Draft Language Amendment for 11.12.010](#)  
[Suggested Signage](#)

*Councillor Winslow spoke on behalf of the joint meeting between Rules & Ordinance and Resiliency & Sustainability committees saying the purpose of this paper is to update our current ordinance to comply with new State law electric bikes and scooters. He went on to say that he and Councillor Murphy had received calls from Chief Cronin requesting some time to discuss the expectations of the Council on the MPD regarding enforcement*

*of this new policy and 15 MPH speed limit. For this reason, Councillor Winslow made a motion to table Paper 32-23 until such discussions may be had.*

**A motion was made by Councillor Winslow, seconded by Councillor Crowe, that the Ordinance be tabled to the City Council. The motion carried by a unanimous vote.**

### **13. TABLED PAPERS**

#### **Tabled to a Future Meeting**

##### 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

##### 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](#)

##### 31-23

Petition: Class I License for Smart Buy USA of 616 Broadway, renewal, 26 vehicles

**Attachments:** [Treasurer Grover's written agreement](#)

**A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be taken from the table to the City Council. The motion carried by a unanimous vote.**

*Councillor Sica made a motion to take Paper 31-23 off the table and grant. This paper was held up until the petitioner had got up to date with overdue tickets and past tax bills. As of this date, Treasurer Grover has reported to License Committee that those liabilities have been satisfied and application for Class I License may be approved.*

**A motion was made by Councillor Sica, seconded by Councillor Simonelli, that the Petition be granted. The motion carried by a unanimous vote.**

### **10. EXECUTIVE SESSION**

##### 108-23

Order: That the City Council meet with legal counsel in executive session in regard to Barkosky v. Malden Police Department, et al., under Massachusetts General Laws Chapter 30A Section 21(a)(3) to discuss strategy with respect to litigation, as such discussion in open meeting would have a detrimental effect on the City's litigating position, and to admit Maria Luise, Special Assistant to the Mayor.  
(Roll Call Required)

**Sponsors:** Barbara Murphy

*Councillor O'Malley made a suggestion for future Executive Sessions that the Department Head related to the case be invited to sit in on updates.*

*Council President Murphy announced the Council meeting will reconvene after Executive Session only for the purposes of adjournment. After personal privilege, all Councillors proceeded to Room 113 for the matter of Barkosky v. Malden Police Department.*

**A motion was made by Councillor Crowe, seconded by Councillor O'Malley, that the Order be adopted. The motion carried by the following vote:**

**Yea:** 10 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, O'Malley, Spadafora, Crowe, Linehan and Winslow

**15. PERSONAL PRIVILEGE**

**16. ADJOURNMENT**

**A motion was made by Councillor O'Malley, seconded by Councillor Crowe, that the meeting be adjourned. The motion carried by a unanimous vote. The meeting adjourned at 9:37 PM.**

**CAROL ANN DESIDERIO, CITY CLERK**