



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, April 25, 2023

7:00 PM

City Council Chambers
215 Pleasant Street
Malden, MA 02148

Watch the live stream on YouTube:

https://www.youtube.com/live/AHawygJ_-uQ?feature=share

1. CALL TO ORDER

Council President Murphy called the meeting to order at 7:12 PM.

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

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

3. ROLL CALL

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Members of the Malden High School Civics Club will appear before the City Council to provide an update on Paper 138-22 MALDEN YOUTH COUNCIL

Arya Shah, Jessica Li, Nicholas Duggan, and Ethan Wong from Malden Youth Civics Council presented to the Council their vision for a Youth Board in the City. A PDF of their presentation is attached to the history of Paper 138-22.

5. PUBLIC COMMENT

One email for public comment was read into the record. The statement was submitted by James Tuxbury of 111 Glen Street and was in support of Paper 137-23 to approve 2% COLA for retirees and survivors of the Malden Retirement System.

6. APPROVAL OF MINUTES

[169-23](#)

Minutes for the meeting of April 11, 2023

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

[170-23](#)

Minutes for the meeting of April 18, 2023

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

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

The Council will hold two public hearings on National Grid petitions for electrical work.

[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](#)

Alex Pettenati of National Grid, 170 Medford Street, Malden appeared to speak on behalf of the petition.

Councillor Winslow expressed his support for this project but did ask that a condition of the permit be the sidewalks and especially driveways are put back per the site plans for the new storage unit being built.

Council President Murphy stated that the City is still awaiting report from National Grid outlining an inventory of double poles and abandoned underground infrastructure. She proposed tabling this petition until such time that information has been received.

A motion was made by Councillor O'Malley, seconded by Councillor Crowe, that the Petition be tabled to the City Council. The motion carried by a unanimous vote.

[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](#)

Alex Pettenati of National Grid, 170 Medford Street, Malden appeared to speak on behalf of the petition.

Councillor Crowe expressed her support for this project but did ask that the only trenching for this project is the sidewalk; if the street needs to be open the Petitioner would have to report back. During the two days it will take to do this job, plates are preferred to shutting down the entire sidewalk.

Council President Murphy stated that the City is still awaiting report from National Grid outlining an inventory of double poles and abandoned underground infrastructure. She proposed tabling this petition until such time that information has been received.

A motion was made by Councillor O'Malley, seconded by Councillor Crowe, that the Petition be tabled to the City Council. The motion carried by a unanimous vote.

[173-23](#)

Petition: Outdoor Parking: T.J. Automotive Corp. 315 Pleasant Street, 20 spaces
(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.

8. MOTIONS, ORDERS AND RESOLUTIONS

[174-23](#)

Order: That the sum of \$3,000,000 is appropriated to pay costs of street reconstruction, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

Sponsors: Carey McDonald

Attachments: [Malden City Council Roadwork May 2023](#)

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

[175-23](#)

Order: That the sum of \$3,000,000 is appropriated from available general fund free cash to pay for costs associated with street and sidewalk reconstruction.

Sponsors: Carey McDonald

Attachments: [Malden City Council Roadwork May 2023](#)

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

[176-23](#)

Order: That the appropriation enumerated below, being in the amount of \$300,000 (Three Hundred Thousand Dollars), be appropriated from the Community Preservation Act Fund for the following project:

Affordable Housing Trust Fund \$300,000 from Community Housing

Sponsors: Carey McDonald

Attachments: [Revised AHTF Recommendation-Letter 2023.04.26](#)

[Mayor's Letter of Support - Affordable Housing Trust Fund CPC Submission.pdf](#)

A motion was made by Councillor at Large McDonald, seconded by Councillor

Simonelli, that the Order be referred to the Finance Committee. The motion carried by a unanimous vote.

[177-23](#)

Order: That the appropriation enumerated below, being in the amount of \$160,000 (One Hundred Sixty Thousand Dollars), be appropriated from the Community Preservation Act Fund for the following project:
Trafton Park Improvement Project
Phase II Construction: \$160,000 from FY23 General Reserve

Sponsors: Carey McDonald

Attachments: [Trafton Park Recommendation Letter 2023.03.24.pdf](#)

[Mayor's Letter of Support - Trafton Park CPC Submission.pdf](#)

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

ENROLLED ORDINANCES

[18-23](#)

Be it hereby ordained by the Malden City Council that the Code of the City of Malden (MCC) be amended by adding Title 6, Chapter .20, Section .040 PERMIT FOR EXTERIOR VENDING MACHINES

Sponsors: Craig Spadafora and Paul Condon

Attachments: [Final Paper: 18-23](#)

A motion was made by Councillor Crowe, seconded by Councillor Condon, that the Ordinance be ordained. The motion carried by the following vote:

Yea: 10 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, Spadafora, Crowe, Linehan, Condon and Winslow

[81-23](#)

Be it hereby ordained by the City Council of the City of Malden that the Code of the City of Malden (MCC) be amended by adding Title 2, Chapter .16, Section .150 POLICE COMMUNITY ADVISORY COUNCIL

Sponsors: Karen Colon Hayes, Amanda Linehan, Carey McDonald, Stephen Winslow, Peg Crowe and Ryan O'Malley

Attachments: [Police Community Advisory Council Paper - 2.22.23](#)

[Mayor's Letter to the Council re PCAC Ordinance](#)

[Final Paper: 81-23](#)

A motion was made by Councillor Crowe, seconded by Councillor at Large McDonald, that the Ordinance be ordained. The motion carried by the following vote:

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

9. COMMITTEE REPORTS

[178-23](#)

Committee Report: The Standing Committee on Rules and Ordinance to whom was

referred Paper 135 of Series 2023, having considered the same, make the following report that the paper be recommended out favorably, as amended, to the Full City 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.

135-23

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 2.16.005 AFFORDABLE HOUSING TRUST FUND BOARD OF TRUSTEES is hereby amended

Sponsors: Carey McDonald, Amanda Linehan and Stephen Winslow

Attachments: [AHTF Ordinance Update](#)

Councillor McDonald took a moment to express that this ordinance amendment reflects the work the AHTF has already done. They created an action plan in 2021, which has a lot of great work and public engagement with residents and housing professionals. This paper helps to set the tone on how to get affordable housing done on the implementation side.

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

179-23

Committee Report: The Standing Committee on Rules and Ordinance to whom was referred Paper 238 of Series 2022, having considered the same, make the following report that the paper be recommended out favorably, as amended, to the Full City Council.

Sponsors: Peg Crowe

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

238-22

Order: That the Malden City Council establish a Food Policy Council

Sponsors: Peg Crowe

Attachments: [FPC draft ordinance](#)

[Mayor's Admin Policy on Food Council Policy](#)

[Final Paper: 238-22](#)

After having met with Mayor Christenson and BOH Director Chris Webb, it was decided this Food Policy Council would be better organized as an administrative policy managed under the Board of Health rather than a new ordinance. Much like when the city developed Complete Streets, having Food Policy Council as an administrative policy allows for more flexibility in the event any part of the policy needs to be updated as the council progresses. Changing an existing ordinance is much more complicated. This will also give the Food Policy Council the ability to go after funding and grants. This paper was amended in committee from an ordinance to a resolve endorsing the Mayor's Food Policy Council.

A motion was made by Councillor Crowe, seconded by Councillor Sica, that the Resolve be approved. The motion carried by a unanimous vote.

[180-23](#)

Communication: From Mayor Gary Christenson presenting his Administrative Policy to establish a Food Policy Council

Attachments: [Mayor's Admin Policy on Food Council Policy](#)

[Final Paper: 180-23](#)

A motion was made by Councillor Crowe, seconded by Councillor Sica, that the Communication be received and filed. The motion carried by a unanimous vote.

[181-23](#)

Committee Report: The Standing Committee on Rules & Ordinance, in a joint session with Finance Committee, to whom was referred Paper 136 Series of 2023, having considered the same make the following report: Joint committees unanimously recommend Paper 136 out favorably for a vote of the Full City Council.

Sponsors: Peg Crowe and Carey McDonald

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

[136-23](#)

Be it hereby ordained by the Malden City Council that the Code of the City of Malden (MCC) be amended by updating Title 2, Chapter 20, Sections 030, 040, 050, and 060 as is related to non-union employee compensation, by adding a 3% cost of living adjustment effective 07/01/2022 to the Officer, Specialist, Clerk, and Unclassified salary schedules.

Sponsors: Peg Crowe and Carey McDonald

Attachments: [Non Union Salary Ordinances 2.20.030 Officers.pdf](#)

[Non Union Salary Ordinances 2.20.040 Specialist.pdf](#)

[Non Union Salary Ordinances 2.20.050 Clerks.pdf](#)

[Non Union Salary Ordinances 2.20.060 Unclassified.pdf](#)

[Final Paper: 136-23](#)

Paper 136-23 reflects both an ordinance change for the purpose of updating the salary schedules as listed in the MCC 2.20 and also a financial request to move money from Salary Reserve account to fund the annual COLA. For this reason, Council President Murphy asked for two separate votes on this one paper. Councillor McDonald requested a standard practice on how future papers are written and voted on when they hold both an Ordinance and Financial aspect.

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

A motion was made by Councillor Crowe, seconded by Councillor Sica, that the Council be rules suspended for the purposes of ordaining. The motion carried by a unanimous vote.

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

A motion was made by Councillor Crowe, seconded by Councillor Sica, that the Ordinance be ordained. The motion carried by the following vote:

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

A motion was made by Councillor at Large McDonald, seconded by Councillor Condon, that the financial transfer piece of this paper be adopted. The motion carried by the following vote:

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

[182-23](#)

Committee Report: The Standing Committee on Finance, to whom was referred Papers #137, 138, 160, and 161 Series of 2023, having considered the same make the following report: Committee recommends these papers out favorably to the Full Council.

Sponsors: Carey McDonald

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

[137-23](#)

Order: That the City Council approve an additional 2% COLA for FY23 retroactive to July 1, 2022 for all retirees and survivors of the Malden Retirement System.

Sponsors: Carey McDonald

Attachments: [Retirement Board Recommendation](#)

[Final Paper: 137-23](#)

A motion was made by Councillor at Large McDonald, seconded by Councillor Condon, that the Order be adopted. The motion carried by the following vote:

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

[138-23](#)

Order: That the sum of Two Million Dollars (\$2,000,000) is appropriated from available water sewer enterprise fund retained earnings to be used for continued lead line replacement throughout the City.

Sponsors: Carey McDonald

Attachments: [Final Paper: 138-23](#)

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

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

Prior to voting on Papers 160 and 161 of Series 2023, Councillor Crowe asked if she may be allowed to recuse herself, as she has a financial interest in these papers through

her full time day job. The motion was made by Councillor Crowe, seconded by Councillor O'Malley. Motion to recuse was passed via unanimous roll call vote. Council President was also then careful to again vote to receive the Committee Report without Councillor Crowe present.

160-23

Order: That the Mayor be authorized to file an application for grants under the Housing and Community Development Act of 1974 and the Cranston-Gonzalez Housing Act of 1990 (CDBG Budget).

Sponsors: Carey McDonald

Attachments: [Mayor's CDBG Budget Letter](#)
[Mayor's Proposed FY24 CDBG Budget](#)
[Final Paper: 160-23](#)

A motion was made by Councillor Condon, seconded by Councillor Simonelli, that the Order be adopted. The motion carried by the following vote:

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

Recused: 1 - Crowe

161-23

Order: The City of Malden file with the U.S. Department of Housing and Urban Development a Consolidated Plan including applications for grants under the Housing and Community Development Act of 1974 as amended and the Cranston-Gonzalez Housing Act of 1990 as amended to be administered by the Office of Strategic Planning & Community Development for fiscal year 2024, including all understanding and assurances contained therein on or substantially in the form presented to this meeting; and that Gary Christenson, Mayor and Chief Executive Officer of the City of Malden, be and hereby is directed and designated as the authorized representative for and in the name and behalf of the City of Malden to sign and file said plan, to act in connection with said plan, and to provide such additional information as may be required.

Sponsors: Carey McDonald

Attachments: [Mayor's CDBG Budget Letter](#)
[Mayor's Proposed FY24 CDBG Budget](#)
[Final Paper: 161-23](#)

A motion was made by Councillor Condon, seconded by Councillor Simonelli, that the Order be adopted. The motion carried by the following vote:

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

Recused: 1 - Crowe

183-23

Committee Report: The Standing Committee on License to whom was referred Papers 99, 100, 124 through 134, 153 through 156, and 158 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 Simonelli, seconded by Councillor at Large Colon Hayes, that the Committee Report be received and filed. The motion carried by a unanimous vote.

Prior to voting on Papers 153, 154, 155 of Series 2023, Councillor Sica asked if she may be allowed to recuse herself, as she has a relation to the petitioner. The motion was made by Councillor Sica, seconded by Councillor O'Malley. Motion to recuse was passed via unanimous roll call vote.

[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 O'Malley, that the Petition be granted. 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 O'Malley, that the Petition be granted. The motion carried by a unanimous vote.

[124-23](#)

Petition: Livery: Kassahun T. Damita, 411 Salem Street, 1 vehicle (Renewal)

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

[125-23](#)

Petition: Outdoor Parking: AGM Auto Sales, 135 Eastern Ave. - 24 spaces (Renewal)

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

[126-23](#)

Petition: Outdoor Parking: Andreas Tsitos, 25-37 Florence Street, Malden, 34 spaces (Renewal)

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

[127-23](#)

Petition: Outdoor Parking: Andreas Tsitos, 29 Madison Street, Malden, 40 spaces (Renewal)

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

[128-23](#)

Petition: Pawnbroker: Art Carl Jewelers & A.C. Loan, 56 Pleasant Street, Malden (Renewal)

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

[129-23](#)

Petition: Pawnbroker: Gold & Diamonds Etc. Inc. 27-29 Pleasant Street, Malden (Renewal)

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

[130-23](#)

Petition: Second-Hand Dealer: Art Carl Jewelers & A.C. Loan, 56 Pleasant Street (Renewal)

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

[131-23](#)

Petition: Second-Hand Dealer: Gold & Diamonds Etc. Inc. 27-29 Pleasant Street, Malden (Renewal)

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

[132-23](#)

Petition: Self-Service Gas Station: Snap Mart, Inc. 245 Main Street, Malden (Renewal)

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

[133-23](#)

Petition: Self-Service Gas Station: Speedway #2504, 214 Broadway, Malden (Renewal)

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

[134-23](#)

Petition: Self-Service Gas Station: Wash Depot I, Inc. 333 Eastern Avenue, Malden (Renewal)

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

[153-23](#)

Petition: Outdoor Parking: Rigano's, Inc. 1081 Fellsway, Malden, 20 spaces (Renewal)

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

[154-23](#)

Petition: Outdoor Parking: Rigano's, Inc. 1152 Eastern Avenue, Malden, 10 spaces (Renewal)

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

[155-23](#)

Petition: Outdoor Parking: Rigano's, Inc. 1176 Eastern Avenue, Malden, 15 spaces (Renewal)

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

[156-23](#)

Petition: Outdoor Parking: Robert McNulty, 28 Cedar Street, Malden, 14 spaces

(Renewal)

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

[158-23](#)

Petition: Second-Hand Dealer: GameStop #6263, 44 Broadway Suite A-110

(Renewal)

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

10. 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](#)

11. PERSONAL PRIVILEGE

12. ADJOURNMENT

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

CAROL ANN DESIDERIO, CITY CLERK