



# City of Malden

Malden City Hall  
110 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final City Council

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Tuesday, April 11, 2017

7:00 PM

John & Christina Markey Community Center,  
7 Washington St.

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### 1. CALL TO ORDER

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

### 3. ROLL CALL

**Present - Councillors:** 11 - Neal Anderson, Paul Condon, David D'Arcangelo, Deborah DeMaria, Neil C. Kinnon, John P. Matheson, Barbara Murphy, Ryan O'Malley, Jadeane Sica, Craig Spadafora and Peg Crowe

### 4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Alex Bok from Baseball Field of Dreams provided an update to the City Council.

### 5. APPROVAL OF MINUTES

[168-17](#)

Minutes of the meeting of March 28, 2017

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

[169-17](#)

Minutes of the meeting of April 4, 2017

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

### 6. APPOINTMENTS & ELECTIONS

[170-17](#)

Mayor's Appointment: Patrick Fitzgerald, 45 Wesmur Rd., Malden, Full Member Planning Board, said term to expire: March 1, 2022

(CONFIRMATION REQUIRED)

A motion was made by Councillor DeMaria that the Appointment be referred to the Personnel/Appointments Committee. The motion carried by the following vote:

**Yea:** 10 - Anderson, Condon, D'Arcangelo, DeMaria, Kinnon, Murphy, O'Malley, Sica, Spadafora and Crowe

**Nay:** 1 - Matheson

### 7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

- [171-17](#) Lodging House: Cedar House LLC., 116-118 Cedar St. (Renewal)  
**A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [172-17](#) Class II: Broadway Used, 64 Broadway (New)  
**A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [173-17](#) Second Hand Dealer: Gold & Diamonds Etc. Inc. 27-29 Pleasant St. (Renewal)  
**A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [174-17](#) Pawnbroker: Gold & Diamonds Etc. Inc. 27-29 Pleasant St. (Renewal)  
**A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [175-17](#) Pool Table: Ryan's Family Amusements, 11 Charles St. (Renewal)  
**A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**

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

- [199-17](#) Order: That the sum of \$125,000 be and the same is hereby transferred from Legal Court Judgments to Workers Compensation Medical.  
**A motion was made by Councillor Condon that the Order be referred to the Finance Committee. The motion carried by a unanimous vote.**
- [176-17](#) Order: In accordance with the provisions of Massachusetts General Laws Chapter 66 Section 6A, the following individuals are hereby appointed as the City of Malden's record access officers:  
**A motion was made by Councillor D'Arcangelo that the Order be passed. The motion carried by the following vote:**  
**Yea:** 11 - Anderson, Condon, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, O'Malley, Sica, Spadafora and Crowe
- [177-17](#) Be it ordained that section 8.42.6 of the revised Ordinance of 1991 be amended relative to the salary schedule of the Traffic Supervisors:  
**A motion was made by Councillor Condon that the Ordinance be referred to the Finance Committee. The motion carried by a unanimous vote.**
- [178-17](#) Be it ordained that the Malden City Council shall discuss changes in Executive Session postings.  
**A motion was made by Councillor D'Arcangelo that the Ordinance be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.**

**9. COMMUNICATIONS**

[179-17](#) Annual Report of the Northeast Metropolitan Regional Vocational High School District.

**A motion was made by Councillor Matheson that the Communication be received and filed. The motion carried by a unanimous vote.**

**10. CLAIMS****11. COMMITTEE REPORTS**

[180-17](#) Committee Report: License (Paper #163-17 Class II (New): John's Service, 200 Beach St.)

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

[163-17](#) Class II: John's Service, 200 Beach St. (New)

**A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.**

[181-17](#) Committee Report: License (Paper #139-17 Taxi Driver License Renewal, Christopher Jackson, 24 Surfside Rd. #6, Lynn)

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

[139-17](#) Taxi Driver: Christopher Jackson, 24 Surfside Rd. #6, Lynn (Renewal)

**A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.**

[182-17](#) Committee Report: License (Paper #140-17 Renewal of Livery License, Dawit Waldu, 15 Phillips St.)

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

[140-17](#) Livery Driver: Dawit Woldu, 15 Phillips St., (Renewal)

**A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.**

[183-17](#) Committee Report: License (Paper #157-17 Flower Sale )

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

[157-17](#) Flower Sale: Boy Scout Troop 603, 493 Main St. April 15, 2017 8:00AM - 3:00PM

**A motion was made by Councillor Anderson that the Petition be granted. The**

motion carried by a unanimous vote.

[184-17](#)

Committee Report: License (Paper #158-17 (New) Extended Hours

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

[158-17](#)

Extended Hours: Supreme Food Mart, 1018 Eastern Ave., (New) (24-7)

**A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.**

[185-17](#)

Committee Report: License (Renewal for Art Carl Jewelers, Pawnbroker, A.C.Loan Co., 2nd Hand Dealer, Lawrence W. French, Lodging House)

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

[159-17](#)

Pawnbroker: Art Carl Jewelers, 56 Pleasant St., Malden (Renewal)

**A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.**

[160-17](#)

Second Hand Dealer: A. C. Loan Co., 56 Pleasant St. (Renewal)

**A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.**

[165-17](#)

Lodging House: Lawrence French 98 Laurel St. (Renewal)

**A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.**

[186-17](#)

Committee Report: Rules & Ordinance (Paper #338-16 to amend relative to Demolition Notices to Abutters

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

[338-16](#)

Be it Ordained that Section 3.37 of R.O. 1991 be amended relative to demolition notices to abutters

**A motion was made by Councillor Spadafora that the Ordinance be enrolled. The motion carried by a unanimous vote.**

[187-17](#)

Committee Report: Rules & Ordinance (Paper #126-17 Amending Section 9.43 Re: Regulations of lead pipes within residential housing)

**A motion was made by Councillor Spadafora, seconded by Councillor O'Malley, that the Committee Report be received and filed. The motion carried by a unanimous vote.**

[126-17](#)

Be it hereby ordained by the Malden City Council that the R.O. of 1991 as amended be and the same are hereby amended by adding a new Section 9.43 Re: Regulation of Lead Pipes within Residential Housing

A motion was made by Councillor Spadafora, seconded by Councillor Condon, that section (a) of the Ordinance be amended by striking out "obtain a certificate issued by the Department of Public Works stating" and inserting the word "certify" in its place. Also to change the word "certificate" to "certification". The motion carried by a unanimous vote.

A motion was made by Councillor Spadafora, seconded by Councillor Condon that the Ordinance be further amended in section (b) by striking out "obtain a certificate issued by the Department of Public Works stating" and inserting the word "certify" in its place. Also to change the word "certificate" to "certification". The motion carried by a unanimous vote.

A motion was made by Councillor Spadafora, seconded by Councillor Condon, that the Ordinance be further amended to include an additional section (c) that will read "Any property owner that is replacing water service on their property shall obtain a permit from the Department of Public Works." The motion carried by a unanimous vote.

A motion was made by Councillor Spadafora that the Ordinance be enrolled as amended. The motion carried by the following vote:

**Yea:** 11 - Anderson, Condon, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, O'Malley, Sica, Spadafora and Crowe

A motion was made by Councillor Spadafora that the docket rules be suspended for the purpose of ordaining. The motion carried by the following vote:

**Yea:** 11 - Anderson, Condon, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, O'Malley, Sica, Spadafora and Crowe

A motion was made by Councillor Spadafora that the Ordinance be ordained. The motion carried by the following vote:

**Yea:** 11 - Anderson, Condon, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, O'Malley, Sica, Spadafora and Crowe

[188-17](#)

Committee Report: Rules & Ordinance (Paper #142-17 Amending the date of Renewal of Self Service Gas Station)

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

[142-17](#)

Be it Ordained that Section 6.11 of the Revised Ordinances of 1991 relative to renewal of Self-Service Gas Stations be amended as follows: Renewal date be changed from on or before July 1, to May 1.

A motion was made by Councillor Spadafora that the Ordinance be enrolled. The motion carried by a unanimous vote.

[189-17](#)

Committee Report: Personnel/Appointments (Paper #156-17 Mayor's reappointment of Richard Breen as a member of the Registrar of Voters Board term to expire March 31, 2020)

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

[156-17](#)

Mayor's Re-Appointment: Richard Breen, 79 Waite St. Ext. #45, Malden, as member of the Registrar of Voters

**A motion was made by Councillor DeMaria that the Appointment be confirmed. The motion carried by a unanimous vote.**

[190-17](#)

Committee Report: Personnel/Appointments (Paper #107-17 Mayor's Reappointment of Salvatore Gennetti as Police Commissioner)

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

[107-17](#)

Mayor's Appointment: Salvatore Gennetti, 307 Pearl St., Malden, .Police Commissioner

**A motion was made by Councillor DeMaria that the Appointment be confirmed. The motion carried by a unanimous vote.**

[191-17](#)

Committee Report: Personnel/Appointments (Paper #43-17 Mayor's Reappointment of James S. Conway to the Licensing Board term to expire June 1, 2022)

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

[43-17](#)

Mayor's Re-Appointment: James S. Conway, 414 Fellsway East, Malden, License Board

**A motion was made by Councillor DeMaria that the Appointment be confirmed. The motion carried by a unanimous vote.**

[192-17](#)

Committee Report: Personnel/Appointments (Paper #155-17 Mayor's appointment of Andrew Zeiberg to the Licensing Board term to expire June 1, 2018)

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

[155-17](#)

Mayor's Appointment: Andrew Zeiberg of 86 Lawrence St., Malden, MA to the License Board.

**A motion was made by Councillor DeMaria that the Appointment be confirmed. The motion carried by a unanimous vote.**

[193-17](#)

Committee Report: Personnel/Appointments (Paper #137-17 Council Re-Appointment of Jim Tuxbury as a Cemetery Trustee term to expire March 1, 2021)

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

[137-17](#)

Council Re-Appointment: James Tuxbury, 111Glen St., Malden, MA as a Cemetery Trustee (Term Exp: 3/1/2021)

**A motion was made by Councillor DeMaria that the Appointment be confirmed. The motion carried by a unanimous vote.**

[194-17](#)

Committee Report: Personnel/Appointments (Paper #134-17 Mayor's reappointment of Diego Baricelli term to expire March 1, 2020)

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

[134-17](#)

Mayor's Re-Appointment: Diego Barricelli, 33 Glen St., Malden member of the Public Works Commission, said term to expire on March 1, 2020

**A motion was made by Councillor DeMaria that the Appointment be confirmed. The motion carried by a unanimous vote.**

[195-17](#)

Committee Report: Personnel/Appointments (Paper #66-17 Mayor's reappointment of George Laskey as a member of the Conservation Commission term to expire September 15, 2018)

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

[66-17](#)

Mayor's Appointment: George Laskey, 52 Blue Hill Ave. Conservation Commission (re-appointment)

**A motion was made by Councillor DeMaria that the Appointment be confirmed. The motion carried by a unanimous vote.**

[196-17](#)

Committee Report: Personnel/Appointments (Paper #105-17 Mayor's appointment of Eric Henry as a full time member of the Planning Board term to expire on March 1, 2022)

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

[105-17](#)

Mayor's Appointment: Eric Henry, 75 Wiley St., Malden, Planning Board..

**A motion was made by Councillor DeMaria that the Appointment be confirmed. The motion carried by a unanimous vote.**

[197-17](#)

Committee Report: Personnel/Appointments (Paper #103-17 Mayor's reappointment of Richard Petraglia to be a member of the Human Rights, Fair Housing and Disability Issues Commission term to expire March 1, 2018)

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

[103-17](#)

Mayor's Appointment: Richard Petraglia, 32 Willard St., Malden, to the Human Rights, Fair Housing and Disability Issues Commission

**A motion was made by Councillor DeMaria that the Appointment be confirmed. The motion carried by a unanimous vote.**

[198-17](#)

Committee Report: Personnel/Appointments (Paper #106-17 Mayor's Appointment of Tewedaj Gebreselassie to the Planning Board as an associate member term to expire March 1, 2019)

**A motion was made by Councillor DeMaria that the Committee Report be received and filed. The motion carried by the following vote:**

**Yea:** 9 - Anderson, Condon, DeMaria, Kinnon, Murphy, O'Malley, Sica, Spadafora and Crowe

**Nay:** 2 - D'Arcangelo and Matheson

[106-17](#)

Mayor's Appointment: Tewedaj Gebreselassie, 525 Highland Ave. #30, Malden as Associate Member of the Planning Board.

**A motion was made by Councillor Matheson, seconded by Councillor D'Arcangelo, that the Appointment be tabled. The motion failed by the following vote:**

**Yea:** 2 - D'Arcangelo and Matheson

**Nay:** 9 - Anderson, Condon, DeMaria, Kinnon, Murphy, O'Malley, Sica, Spadafora and Crowe

**A motion was made by Councillor DeMaria that the Appointment be confirmed. The motion carried by the following vote:**

**Yea:** 10 - Anderson, Condon, D'Arcangelo, DeMaria, Kinnon, Murphy, O'Malley, Sica, Spadafora and Crowe

**Nay:** 1 - Matheson

## **12. TABLED PAPERS**

[504-16](#)

Be it ordained that Section 6.10 of R.O. 1991 be amended relative to fees for storage of flammable fluids.

[137-16](#)

Petition: National Grid to replace existing 25 psig to LP 4" Regulator Station in the sidewalk area of 158 Washington St., Malden, MA

[473-16](#)

Petition: Cellco Partnership dba Verizon Wireless to locate small cell wireless antenna and sustaining fixtures on existing utility pole #1983, adjacent to 1200 Eastern Ave.  
(HEARING REQUIRED)

[474-16](#)

Petition: Cellco Partnership dba Verizon Wireless to locate small cell wireless antenna and sustaining fixtures on existing utility pole #2349 on Salem St., adjacent to 324 Broadway.  
(HEARING REQUIRED)

## **13. PERSONAL PRIVILEGE**

Councillor Matheson proposed discussion on Fellsway plans. The City Council decided to hold off further discussion and request representatives from DCR come to the meeting of April 25, 2017 for more information.

## **14. ADJOURNMENT**

**THOMAS E. BRENNAN, CITY CLERK**