



City of Malden

Malden City Hall
200 Pleasant Street
Malden, MA 02148

Meeting Minutes City Council

Tuesday, March 7, 2017

7:00 PM

John & Christina Markey Community Center,
7 Washington St.

1. CALL TO ORDER

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

3. ROLL CALL

Present - Councillors: 9 - Neal Anderson, Paul Condon, David D'Arcangelo, Neil C. Kinnon, John P. Matheson, Barbara Murphy, Ryan O'Malley, Jadeane Sica and Peg Crowe

Absent - Councillors: 2 - Deborah DeMaria and Craig Spadafora

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

5. APPROVAL OF MINUTES

6. APPOINTMENTS & ELECTIONS

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

8. MOTIONS, ORDERS AND RESOLUTIONS

[128-17](#)

Order: That pursuant to the R.O. of 1991 Section 4.36 that the Mayor, on behalf of the City be allowed to enter into a four year contract with Patriot Properties, Inc. as approved by the City Solicitor and the Comptroller to perform appraisal services over a four year period. Fee for said services shall not exceed Three hundred sixteen thousand four hundred dollars, (\$316,400.00)

A motion was made by Councillor Condon that the Order be referred to the Finance Committee. The motion carried by a unanimous vote.

[129-17](#)

Order: That the Revised Ordinance of 1991 Section 2:10 be amended as follows: That the City Solicitor or an Assistant City Solicitor attend each regularly scheduled City Council meeting and Committee of the Whole meeting.

A motion was made by Councillor D'Arcangelo that the Order be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

[130-17](#)

Be it ordained that any newly appointed person to any and all duly established Board or Commissions be a Malden resident. Should any member currently serving on a Board or Commission not be a resident

of Malden he/she may continue to serve and be reappointed to said Board or Commission

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

10. CLAIMS

11. COMMITTEE REPORTS

[277-16](#)

Be it ordained that Section 4.22 of the Revised Ordinances of 1991 be amended relative to payment of small claims

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

Yea: 9 - Anderson, Condon, D'Arcangelo, Kinnon, Matheson, Murphy, O'Malley, Sica and Crowe

A motion was made by Councillor Sica that the Docket rules be suspended for the purpose of ordaining. The motion carried by a unanimous vote.

Yea: 9 - Anderson, Condon, D'Arcangelo, Kinnon, Matheson, Murphy, O'Malley, Sica and Crowe

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

Yea: 9 - Anderson, Condon, D'Arcangelo, Kinnon, Matheson, Murphy, O'Malley, Sica and Crowe

[117-17](#)

Order: That \$606,000 in funds available in the expendable trust be appropriated and allocated in the following manner:

1. \$303,000 be appropriated into the City Development Mitigation Account
2. \$303, 000 be appropriated to be used for the survey & design of the 108 Loan streets; provided that any remaining funds be split equally between the 11 Councillors and be further appropriated into the individual Councillor mitigation accounts.

A motion was made by Councillor Condon that the Order be discharged from the Finance Committee to the full Council. The motion carried by a unanimous vote.

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

Yea: 8 - Anderson, Condon, D'Arcangelo, Kinnon, Matheson, Murphy, Sica and Crowe

Nay: 1 - O'Malley

[132-17](#)

Order: To authorize the MRA to increase the amount of the 108 Loan as provided for in Council Paper #390 of 2016 from \$2 million to \$2.4

million if necessary to complete the same streets referenced in Paper #390.

A motion was made by Councillor Condon that the Order be discharged from Finance Committee and to the full council. The motion carried by a unanimous vote.

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

Yea: 9 - Anderson, Condon, D'Arcangelo, Kinnon, Matheson, Murphy, O'Malley, Sica and Crowe

[133-17](#) Committee Report: License (Paper # 108, 109, 110, 112, 113, 114, 115, 116, 127 of Series 2017.) The standing committee on license to whom was referred Papers #108-17, 109-17, 110-17, 112-17, 113-17, 114-17, 115-17, 116-17, 127-17. Having considered the same make the following report: Committee recommends that these licenses be granted.

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

[108-17](#) Class II; Transfer Class II Dealer License, Top Cars Auto Mall Inc., 259 Main St.

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

[109-17](#) Taxi Driver: Michael Rapaglia 489 Lowell St., Methuen (Renewal)

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

[110-17](#) Taxi Driver: Daniel P. Knight 13 School St. #1, Everett (Renewal)

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

[112-17](#) Taxi Driver: Michael K. Norton, Jr. 6 Black Rock Rd., Melrose (New)

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

[113-17](#) Taxi Driver: John A. Danca, 26 Highland Ave., Malden (Renewal)

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

[114-17](#) Taxi Driver: Carlos A. Gutierrez 75 Condor St. East Boston (Renewal)

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

[115-17](#) Taxi Driver: James Schulz, 10 Ashland St. #2, Malden (Renewal)

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

[116-17](#)

Taxi Driver: Michael A. Miano, 8 Maple Ave., Danvers, MA (Renewal)

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

[127-17](#)

Petition: Maxima Auto Sales Corp. dba Maxima Auto Sales II, 105 Broadway (Revised)

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

12. TABLED PAPERS

13. PERSONAL PRIVILEGE

[131-17](#)

That the City Council meet in Executive Session for the purpose of discussing pending litigation and on-going Audit, review Executive Session minutes, and any other matter that may lawfully come before it.

A motion was made by Councillor Condon that the Council convene in Executive Session for the purpose of discussing pending litigation and on-going audit. The Council President declared that open discussion would be detrimental to the city's litigating position. The motion was carried by the following vote:

Yea: 9 - Anderson, Condon, D'Arcangelo, Kinnon, Matheson, Murphy, O'Malley, Sica and Crowe

14. ADJOURNMENT

Meeting recessed and Executive Session convened at 7:40pm

Meeting reconvened and adjourned at 8:45pm

THOMAS E. BRENNAN, CITY CLERK