



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Tuesday, February 28, 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: 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

The Mayor and City Council were presented with a check to the City of Malden for the purchase of City Hall by Sandi Silk of Jefferson Apartment Group, and were presented with a brief overview of the upcoming development plans.

5. APPROVAL OF MINUTES

[101-17](#)

Minutes of the City Council meeting of February 14, 2017

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

[102-17](#)

Minutes of the City Council meeting of February 21, 2017

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

6. APPOINTMENTS & ELECTIONS

[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 referred to the Personnel/Appointments Committee. The motion carried by a unanimous vote.

[104-17](#)

Mayor's Appointment: Roberto DiMarco, 17 Division, Malden to Conservation Commission (Reappointment)

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

[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 DeMaria that the Appointment be referred to the Personnel/Appointments Committee. 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 referred to the Personnel/Appointments Committee. The motion carried by a unanimous vote.

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[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 referred to the License Committee. 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 referred to the License Committee. 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 referred to the License Committee. The motion carried by a unanimous vote.

[111-17](#) Taxi Driver: Valerie E. Samone, 491 Bridge Road, Florence, MA (New)

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

8. MOTIONS, ORDERS AND RESOLUTIONS

[100-17](#)

Order: That the Treasurer and Controller insure that payment described in the offline agreement between the developer "Accurate Realty Management:" or any other developer for the development of property at 10 Florence St. be informed that any such payment must be made to the City of Malden for disbursement. Further that such payments shall be put into the mitigation funds of the city and split according to City Ordinances.

Sponsors: Neil C. Kinnon

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

[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.

Sponsors: Paul Condon

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

[118-17](#)

Ordered: That the City of Malden prioritize the replacement of lead service lines above all other non-emergency infrastructure projects

Sponsors: Ryan O'Malley

A motion was made by Councillor D'Arcangelo that the Order be referred a joint Public Works and Finance Committee. The motion failed by the following vote:

Yea: 2 - DeMaria and O'Malley

Nay: 9 - Anderson, Condon, D'Arcangelo, Kinnon, Matheson, Murphy, Sica, Spadafora and Crowe

A motion was made by Councillor Kinnon, seconded by Councillor Matheson, that the Order be defeated. The motion carried by the following vote:

Yea: 7 - Anderson, Condon, Kinnon, Matheson, Murphy, Sica and Spadafora

Nay: 4 - D'Arcangelo, DeMaria, O'Malley and Crowe

119-17

Order: That the Council President be approved to appoint Municipal Hearing Officer.

Sponsors: Neil C. Kinnon

A motion was made by Councillor DeMaria, seconded by Councillor D'Arcangelo, that the Order be amended to say Interim Municipal Hearing Officer. The motion carried by a unanimous vote.

A motion was made by Councillor Condon that the Appointment be appointed as amended. The motion carried by a unanimous vote.

9. COMMUNICATIONS

10. CLAIMS

120-17

Claim: Julie Ladner 14 Chatham St., Malden

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

121-17

Claim Christopher Hurley, 32 Woodland Road, Malden

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

122-17

Claim: Yvonne Reteguiz 138 Lebanon St., Malden

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

123-17

Claim: Bianca Jimenez, 111 Andrew St., Danvers

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

124-17

Claim: Donna Duncan, 94 Rockwell St., Malden

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

11. COMMITTEE REPORTS

[125-17](#) Committee Report: License (Various Licenses Renewals-, Taxi Drivers, Livery, Taxi Company)

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

[68-17](#) Taxi Company: Malden Trans. Inc., 290 Eastern Ave. (Renewal)

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

[69-17](#) Taxi Company: Yellow Trans. Inc. 290 Eastern Ave. (Renewal)

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

[70-17](#) Taxi Driver: Edward Blake 8 Faulkner St., Malden (Renewal)

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

[71-17](#) Taxi Driver: William C. Cook, 98 Laurel St., Malden (Renewal)

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

[72-17](#) Taxi Driver: Allan Fischer, 28 Hazelwood St., Malden (Renewal)

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

[73-17](#) Taxi Driver: Chris Gochakowski, 48 Cedar St. Everett (Renewal)

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

[74-17](#) Taxi Driver: Richard J. Habeeb, 826 Broadway, Revere (Renewal)

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

[75-17](#) Taxi Driver: Scott J. Hilliard, 228 Bellingham Ave., Revere (Renewal)

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

[76-17](#) Taxi Driver: David McNamara 51 #2A Melrose St., Melrose (Renewal)

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

[77-17](#) Taxi Driver: John P. O'Flaherty, 31A John St., Chelsea (Renewal)

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

[78-17](#) Taxi Driver: Frantz Paul 15 Clarendon St., Malden (Renewal)

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

[79-17](#) Taxi Driver: Lesly Rene, 41 Warren Ave., Malden (Renewal)

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

[80-17](#) Taxi Driver: William L. Sweet, 620 Highland Ave., Malden (Renewal)

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

[81-17](#) Taxi Driver: Valentin Tchaly, 29 Devir St. #408, Malden (Renewal)

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

[82-17](#) Taxi Driver: Carlos F. Vargas, 123 W. Wyoming Ave., Melrose (Renewal)

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

[83-17](#) Taxi Driver: Donald F. Porter, 25 Sherman St., Everett (Renewal)

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

[84-17](#) Livery: Samson Assefa, 47 2nd St. (Renewal)

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

[85-17](#) Livery: Brahim Boudlal, 1 Maple St. #10 (Renewal)

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

[86-17](#) Livery: Syed Jafri (Green Shamrock Car Service) 101 Waite St. (Renewal)

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

[87-17](#) Livery: Arsmmed Monghal, 52 Hancock St. (Renewal)

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

[88-17](#) Livery: David Ulysse, 230 Bryant St. #3 (Renewal)

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

This Committee Report was received and filed

[234-16](#)

Council Appointment: Chamber of Commerce Representative to the Human Rights, Fair Housing and Disability Issues Commission (Term Expiring: July 1, 2017)

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

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

Nay: 1 - Kinnon

[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

Sponsors: Paul Condon and Neil C. Kinnon

A motion was made by Councillor Condon that the docket rules be suspended. 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 Condon that the Ordinance be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

12. TABLED PAPERS

13. PERSONAL PRIVILEGE

14. ADJOURNMENT

A motion was made by Councillor Murphy that the meeting be adjourned. The motion carried by a unanimous vote.

THOMAS E. BRENNAN, CITY CLERK