



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final City Council

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Tuesday, December 16, 2014

7:00 PM

City Council Chambers

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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:** 10 - Peg Crowe, David D'Arcangelo, Deborah DeMaria, Neil C. Kinnon, John P. Matheson, Barbara Murphy, James M. Nestor, Jadeane Sica, Craig Spadafora and Neal Anderson

**Absent - Councillors:** 1 - Steven Ultrino

### 4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

[583-14](#)

Petition of Nation Grid to install approximately 60' of 6- 5" PVC concrete encased conduit from manhole A639 to the city line

(Hearing required)

*Hearing Held*

A motion was made by Councillor Crowe that the Petition be granted with the following conditions: 1. that the street and sidewalk be repaired to the satisfaction of the Director of Public Works and 2. that Engineering be notified when Dig Safe is called. The motion carried by a unanimous vote.

### 5. APPROVAL OF MINUTES

[535-14](#)

Minutes of the meeting of December 2, 2014

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

[536-14](#)

Minutes of the meeting of December 9, 2014.

A motion was made by Councillor Matheson that the Council Minutes be approved. The motion carried by the following vote:

### 6. APPOINTMENTS & ELECTIONS

[537-14](#) Election of Council President for 2015

**A motion was made by Councillor Murphy that nominations be opened. The motion carried by a unanimous vote.**

**Councillor Murphy nominated Councillor Matheson. Councillor Kinnon seconded the nomination.**

**A motion was made by Councillor Murphy that nominations be closed. The motion carried by a unanimous vote.**

**Councillor Matheson was elected by the following vote:**

**Yea:** 10 - Crowe, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, Nestor, Sica, Spadafora and Anderson

[538-14](#) Mayor's Appointment: Constable, Mark Joseph Snider, 103 Boardman Ave., Melrose

Dear Members of the Council,

Under the provisions of M.G.L. C.41, Sec. 91B, I hereby appoint Mark Joseph Snider of 103 Boardman Avenue, Melrose, Massachusetts as a constable to serve process in the City of Malden effective December 9, 2014, said term to expire December 9, 2017.

If you have any questions, please do not hesitate to contact me. Thank you!

Sincerely,

GARY CHRISTENSON, Mayor

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

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

[539-14](#) Class II AGM Auto Sales, Inc. 135 Eastern Ave. (Renewal)

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

[540-14](#) Class II Auto Tech II, Inc. 1236 Eastern Ave. (Renewal)

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

[541-14](#) Class II Automotive Repair dba Linden Auto 121 Beach St. (Renewal)

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

[542-14](#) Class II Baystate Auto Gallery, LLC 616 Broadway (Renewal)

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

[543-14](#) Class II: Ken LaFauci dba Brother's Auto Body, 969 Salem St. (Renewal)

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

[544-14](#) Class II Cityline Auto Brokers LTD, 495 Broadway (2nd floor) (Renewal)

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

[545-14](#) Class II Culleton Brothers 336 Washington St. (Renewal)

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

[546-14](#) Class II Donald Rosmarinofski dba 99 Towing & Truck 469 Broadway (Renewal)

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

[547-14](#) Class II Eastern Motors Inc. 189 Eastern Ave. (Renewal)

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

[548-14](#) Class II Flag Motors Sales Inc. 209 Eastern Ave. (Renewal)

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

[549-14](#) Class II Frank's Auto Sales 189 Highland Ave. (Renewal)

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

[550-14](#) Class II Greenleaf Auto 28 Broadway (Renewal)

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

[551-14](#) Class II Greer Autobody dba Maplewood Motors 271R Broadway (Renewal)

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

[552-14](#) Class II L.B.'s Auto Body Plus Used Cars 1176R Eastern Ave. (Renewal)

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

- [553-14](#) Class II Maxima Auto Sales Corp. 17 Charles St. (Renewal)  
**A motion was made by Councillor Crowe that the Petition be granted. The motion carried by a unanimous vote.**
- [554-14](#) Class II Prestige Motors of Malden Inc. 600 Broadway (Renewal)  
**A motion was made by Councillor Crowe that the Petition be granted. The motion carried by a unanimous vote.**
- [555-14](#) Class II Richards Motor Cars Inc. 672 Broadway (Renewal)  
**A motion was made by Councillor Crowe that the Petition be granted. The motion carried by a unanimous vote.**
- [556-14](#) Class II Rigano's Towing Service Inc 1081 Fellsway (Renewal)  
**A motion was made by Councillor Crowe that the Petition be granted. The motion carried by a unanimous vote.**
- [557-14](#) Class II Rio Auto Group dba Dealer One 77 Broadway (Renewal)  
**A motion was made by Councillor Crowe that the Petition be granted. The motion carried by a unanimous vote.**
- [558-14](#) Class II River Auto Sales Inc. 77 Eastern Ave. (Renewal)  
**A motion was made by Councillor Crowe that the Petition be granted. The motion carried by a unanimous vote.**
- [559-14](#) Class II Salem St. Motors Inc. 369 Salem St. (Renewal)  
**A motion was made by Councillor Crowe that the Petition be granted. The motion carried by a unanimous vote.**
- [560-14](#) Class II Samuel Mikalixen dba Champion Motors 251 Broadway (Renewal)  
**A motion was made by Councillor Crowe that the Petition be granted. The motion carried by a unanimous vote.**
- [561-14](#) Class II Sega Auto Sales & Services Inc. 449 Ferry St. (Renewal)  
**A motion was made by Councillor Crowe that the Petition be granted. The motion carried by a unanimous vote.**
- [562-14](#) Class II Skips Auto Service Inc. 74R Highland Ave. (Renewal)  
**A motion was made by Councillor Crowe that the Petition be granted. The motion carried by a unanimous vote.**

- [563-14](#) Class II West End Auto 1 Malden St. (Renewal)  
**A motion was made by Councillor Crowe that the Petition be granted. The motion carried by a unanimous vote.**
- [564-14](#) Class III Malden Broadway Auto Body Inc. 590-600 Broadway (Renewal)  
**A motion was made by Councillor Crowe that the Petition be granted. The motion carried by a unanimous vote.**
- [565-14](#) Class II John MacMillen dba MacMillen Automotive 388 Eastern Ave. (Renewal)  
**A motion was made by Councillor Crowe that the Petition be granted. The motion carried by a unanimous vote.**
- [566-14](#) Class II Hub Starters & Alternators Inc. 172 Broadway (Renewal)  
**A motion was made by Councillor Crowe that the Petition be granted. The motion carried by a unanimous vote.**
- [567-14](#) Class II C & C Collison 251 Broadway (Renewal)  
**A motion was made by Councillor Murphy that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [568-14](#) Class II Louis Foreign Car Garage Inc. 191 Salem St. (Renewal)  
**A motion was made by Councillor Murphy that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [569-14](#) Class II Scott M. Fitzpatrick dba Wentworth Auto Sales 730 Eastern Ave. Suite 091b (Renewal)  
**A motion was made by Councillor Murphy that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [570-14](#) Class I Baystate Ambulance Sales, Inc. dba Baystate Motorsports 163 Eastern Ave. (Renewal)  
**A motion was made by Councillor Murphy that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [571-14](#) Class II: Commercial Auto Body Inc. dba Commercial Auto Sales 29 Madison St. (New)  
**A motion was made by Councillor Murphy that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [572-14](#) Class II Ruxckaia Teados Inc. dba King Motors 105/109 Broadway (New)  
**A motion was made by Councillor Murphy that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**

[573-14](#) Livery License: Malachi Mamo 15 Granville Ave. (Transfer)

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

[574-14](#) Livery License: Yassine Zaimi 260 Washington St. #103

**A motion was made by Councillor Nestor that the Petition be granted subject to a favorable report from Compliance Officers relative to the availability of offstreet parking. The motion carried by a unanimous vote.**

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

[575-14](#) Be it ordained that Section 3.22 of the Revised Ordinances of 1991 be amended relative to the composition of the Municipal Building Committee

**Sponsors:** Peg Crowe

**A motion was made by Councillor Crowe that the Ordinance be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.**

[576-14](#) Be it ordained that Section 3.14 of the Revised Ordinances of 1991 as amended be further amended relative to Gas Fitting Fees

**Sponsors:** Peg Crowe

**A motion was made by Councillor Crowe that the Ordinance be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.**

[577-14](#) Order: That \$6500 be transferred from Revenue Reserve to the Holiday Parade Account

**Sponsors:** Steven Ultrino

**A motion was made by Councillor Spadafora that rules be suspended. The motion carried by a unanimous vote.**

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

**Yea:** 10 - Crowe, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, Nestor, Sica, Spadafora and Anderson

[578-14](#) Ordered: That the Mayor be authorized file and accept grants from the state Executive Office of Energy and Environmental Affairs for improvements to Coytemore Lea Park

**Sponsors:** James M. Nestor

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

**Yea:** 10 - Crowe, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, Nestor, Sica, Spadafora and Anderson

[579-14](#) Order: That 794-838 Eastern Ave be designated as the site for relocation of the Police Station and that Construction Management At Risk delivery methods, as permitted under MGL Chapter 149A be employed to assure timely relocation of the facility

**Sponsors:** Neal Anderson

**A motion was made by Council President Anderson that the Order be adopted.  
The motion carried by the following vote:**

**Yea:** 11 - Crowe, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, Nestor, Sica, Spadafora, Ultrino and Anderson

[580-14](#) Order: That the Council President be authorized to call a special meeting, if necessary, between December 16, 2014 and January 6, 2015 for the purpose of taking actions relative to relocation of City Hall and the Police Station.

**Sponsors:** Neal Anderson

**A motion was made by Council President Anderson that the Order be adopted.  
The motion carried by a unanimous vote.**

## **9. COMMUNICATIONS**

## **10. CLAIMS**

## **11. COMMITTEE REPORTS**

[581-14](#) Committee Report: Compliance/Appointments (Re: Paper #512 That the Compliance/Appointments Committee approve a job description and announcement relative to the vacancy on the Board of Assessors

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

**Yea:** 10 - Crowe, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, Nestor, Sica, Spadafora and Anderson

[512-14](#) Order: That Compliance/Appointments committee develop a job announcement to fill the vacancy on the Board of Assessors  
Ordered: That the Compliance/Appointments Committee review and approve the Assessors job description and develop a job announcement relative to the vacancy on the board for approval by the full Council.

**Sponsors:** John P. Matheson

**A motion was made by Councillor Nestor that the Order be tabled. The motion carried by a unanimous vote.**

Committee Report: Ordinance (RE: Paper #501 Amending Section 8.35 of R.O. 1991 relative to the Officers Salary Plan)

The Standing Committee on Ordinance to whom was referred Paper #501 Series of 2014, having considered the same make the following report: Committee recommends that this paper be reported out favorably with the following amendment: That everything after the enacting clause be stricken and the following inserted in place thereof:

-by striking out Section 8.35 as it currently exists and inserting in place thereof the following:

(See attachment)

The following positions shall be classified M1A: Assessor, Public Health Nurse, Assistant Librarian, Assistant City Engineer, City Planner, Inspector of Buildings, Inspector of Plumbing, Inspector of Wires, GIS Supervisor, Assistant Director - Public Facilities.

The following positions shall be classified M1: Superintendent of Cemeteries, Director of Online Services & Communication, Director of Strategy & Business Development, Chief Administrative Officer

The following positions shall be classified M2: Director - Board of Health, Director of Engineering, Director - Human Resources, Director - Information Technology, Director - Library Services, Director - Public Facilities/Associate Building Inspector, Director - Public Works, Director - Water Utilities, Assessor, City Clerk, City Solicitor, Controller, Treasurer/Collector.

The following positions shall be classified MCC3: Chief Financial Officer, Chief Financial Officer/Treasurer, Chief Financial Officer/Controller, Chief Financial Officer/Assessor

Notwithstanding the provisions of this section, no person employed by the city for a period of less than twelve months shall receive any increase in remuneration until the employee's anniversary date of employment; provided that, upon the anniversary date of employment, said salary shall be increased to the step and grade corresponding to the step and grade in which the employee was hired, as contained herein. No employee who occupies a position which has been reclassified within the 12 months immediately preceding an increase in remuneration as contained herein shall be eligible for said increase until the anniversary date of the employee's hiring next subsequent to the first anniversary date of reclassification. This paragraph shall take effect on January 1, 2015.

**Attachments:** [PROPOSED](#)

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



[501-14](#) Amending Section 8.35 of R.O. 1991 relative to Officer Salaries

**Sponsors:** Peg Crowe

**A motion was made by Councillor Crowe that the Ordinance be amended in accordance with the Committee Report. The motion carried by a unanimous vote.**

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

**Yea:** 10 - Crowe, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, Nestor, Sica, Spadafora and Anderson

**A motion was made by Councillor Crowe that the rules be suspended. The motion carried by a unanimous vote.**

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

**Yea:** 10 - Crowe, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, Nestor, Sica, Spadafora and Anderson

## **12. TABLED PAPERS**

[273-14](#) Amending the definitions of "Family" and "Rooming House" as appearing in Chapter 12, Sections 800.6 of R.O. 1991

**Sponsors:** Peg Crowe

**A motion was made by Councillor Crowe that the Ordinance be taken from the table. The motion carried by a unanimous vote.**

**A motion was made by Councillor Kinnon that the Ordinance be adjourned. The motion carried by the following vote:**

**Yea:** 6 - D'Arcangelo, Kinnon, Matheson, Murphy, Nestor and Spadafora

**Nay:** 4 - Crowe, DeMaria, Sica and Anderson

[452-14](#) Resolve: That the Mayor recommend funding of a Casino Relationship Manager effective November 5, 2014

**Sponsors:** Neil C. Kinnon, James M. Nestor and David D'Arcangelo

**A motion was made by Councillor Nestor that the Resolution be taken from the table. The motion carried by a unanimous vote.**

**A motion was made by Councillor Nestor that the Resolution be passed with the words " by November 5th" deleted. The motion carried by a unanimous vote.**

## **13. PERSONAL PRIVILEGE**

## **14. ADJOURNMENT**

**At 8:05 p.m., a motion was made by Councillor Sica that the meeting be adjourned. The motion carried by a unanimous vote.**

**KAREN ANDERSON, CITY CLERK**