



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Tuesday, January 20, 2015

7:00 PM

City Council Chambers

1. CALL TO ORDER

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

3. ROLL CALL

Present - Councillors: 10 - Neal Anderson, Peg Crowe, David D'Arcangelo, Deborah DeMaria, Barbara Murphy, James M. Nestor, Jadeane Sica, Craig Spadafora, Steven Ultrino and John P. Matheson

Absent - Councillors: 1 - Neil C. Kinnon

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Representatives of Malden Reads appeared to present their 2015 book selection for the One City, One Book Program

5. APPROVAL OF MINUTES

[28-15](#)

Minutes of the meeting of January 6, 2015

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

[29-15](#)

Minutes of the meeting of January 13, 2015

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

6. APPOINTMENTS & ELECTIONS

[30-15](#)

Constable: Edgardo Gonzalez 24 Ripley St. (Renewal)

Dear Members of the Council:

Under the provisions of MGL C.41 Sec. 91B, I hereby appoint Edgardo Gonzalez of 24 Ripley St., Malden, Massachusetts as a constable to serve process in the City of Malden effective January 13, 2015, said term to expire January 13, 2018.

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

Sincerely,

GARY CHRISTENSON, Mayor

A motion was made by Councillor Anderson that the Appointment be placed on file. The motion carried by a unanimous vote.

[31-15](#)

Board of Assessors appointment of James O'Brien as Chairman
(Confirmation required)

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

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[32-15](#)

Taxi Driver: Dennis A Sullivan 500 Revere Beach Blvd #205, Revere
(Renewal)

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

[33-15](#)

Taxi Driver: Kenneth J. Ferrandi 70 Triton Ave., Winthrop (Renewal)

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

[34-15](#)

Taxi Driver: Michael Rapaglia 9 Richardson St.

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

[35-15](#)

Taxi Driver: Darren McClurg 85 High 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.

[36-15](#)

Taxi Driver: Shane Miller 48 Cedar St. Everett

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

[37-15](#)

Taxi Driver: Chris Gochakowski 48 Cedar St., Everett

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

[38-15](#)

Class II: Malden Middlesex Motor Sales Inc. 35 Canal 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.

[39-15](#)

Class II: Malden Auto Sales, 147 Ferry 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.

[40-15](#)

Class II: Main St. Auto Mall Inc. 259 Main 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.

[41-15](#)

Class II: Loca Enterprises Inc. dba L & L Sales & Service 7-11 Bow 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.

[42-15](#)

Class III: Malden Middlesex Motor Sales Inc. 35 Canal 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

[43-15](#)

Order: That \$200,000 be transferred from Central Fire Station CIP to Public Facilities School Building Maintenance.

Sponsors: Barbara Murphy

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

[44-15](#)

Order: That \$50,000 be transferred from Unemployment Compensation to Police line of Duty Medical

Sponsors: Barbara Murphy

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

[45-15](#)

Order: That \$100,000 be transferred from Temporary Loan Miscellaneous to DPW Equipment Parts

Sponsors: Barbara Murphy

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

[46-15](#)

Order: That \$21,000 be transferred from Various Accounts to various Permits Inspections & Planning Accounts

Sponsors: Barbara Murphy

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

[47-15](#)

Order: That the Summer Youth Payroll, Training and Business Coordinator be exempt from the provisions of MGL Chapter 268A, Section 20

Sponsors: Neal Anderson

A motion was made by Councillor Anderson that the Order be referred to the Compliance/Appointments Committee. The motion carried by a unanimous vote.

9. COMMUNICATIONS

10. CLAIMS[48-15](#)

Claim: Shigeki Koizumi 5 Monmouth St., Malden

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

[49-15](#)

Claim: Abdou Ouhaj, 62 Woodville St. #1, Everett

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

11. COMMITTEE REPORTS[50-15](#)

Committee Report: Ordinance (Paper #450 Amending Ordinances to create the position of Casino Relationship Manager)

The Standing Committee on Ordinance to whom was referred Paper #450 of 2014, having considered the same, make the following report:
Committee recommends that this paper be reported out favorably.

Councillor D'Arcangelo for the Committee

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

[450-14](#)

Be it ordained that the Revised Ordinances of 1991 to create the position of Casino Relationship Manager

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

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

[51-15](#)

Committee Report: Ordinance (Paper #575-14 Amending Section 3.22 relative to the composition of Municipal Building Committee)

The Standing Committee on Ordinance, to whom was referred Paper #575 Series of 2014, having considered the same, make the following report:
Committee recommends that this paper be reported out favorably with the following amendments:

1. By adding the words "the Director of Public Facilities" after the words "the Mayor or his designee" and
2. By adding after the words "two City Councillors appointed by the Council President", the words "one of whom shall be the councilor representing the ward where the building or addition is located."

Councillor D'Arcangelo for the Committee

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

[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 D'Arcangelo that the Ordinance be amended in accordance with the committee report. The motion carried by the following vote:

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

A motion was made by Councillor Nestor that the Ordinance be further amended to add the Council President or his designee. The motion carried by the following vote:

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

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

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

A motion was made by Councillor D'Arcangelo that the rules be suspended for purposes of ordaining. The motion carried by a unanimous vote.

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

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

[52-15](#) Committee Report: Ordinance (Paper #451-14 Order: That the City adopt a Complete Streets Policy)

The Standing Committee on Ordinance to whom was referred Paper #451 Series of 2014, having considered the same, make the following report: Committee recommends that this paper be reported out favorably.

Councillor D'Arcangelo for the Committee

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

[451-14](#) Order: That the City adopt a Complete Streets Policy

Sponsors: Peg Crowe

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.

[53-15](#) Committee Report: Ordinance (That certain matters be placed on file)
The Standing Committee on Ordinance to whom was referred Papers #172-14, 319-13, 328-12, 333-12, 354-12, 377A&B-13, 400-12, and 513-14, having considered the same make the following report: Committee

recommends that these papers be placed on file.

Councillor D'Arcangelo for the Committee

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

[172-14](#)

That Council Rules be amended relative to appointments to Special Committees.

Sponsors: David D'Arcangelo

A motion was made by Councillor D'Arcangelo that the Order be placed on file. The motion carried by a unanimous vote.

[319-13](#)

That the City submit to the legislature for passage An Act Relative to the Composition and Manner of Election of the School Committee

A motion was made by Councillor D'Arcangelo that the Order be placed on file. The motion carried by a unanimous vote.

328-12

A motion was made by Councillor D'Arcangelo that the Ordinance be placed on file. The motion carried by a unanimous vote.

[333-12](#)

That the Council adopt Revised Ordinances of 2012

A motion was made by Councillor D'Arcangelo that the Ordinance be placed on file. The motion carried by a unanimous vote.

[354-12](#)

Amending Section 3.1 of R.O. 1991 to adopt the stretch energy code

A motion was made by Councillor D'Arcangelo that the Ordinance be placed on file. The motion carried by a unanimous vote.

[377A-13](#)

Ordered that the Mayor be authorized to sign the attached Memorandum of Understanding with the MRA

A motion was made by Councillor D'Arcangelo that the Order be placed on file. The motion carried by a unanimous vote.

[377B-13](#)

Be it Ordained that the Revised Ordinances of 1991 be amended to create a Parking Department and Office of Community Planning and Development

A motion was made by Councillor D'Arcangelo that the Ordinance be placed on file. The motion carried by a unanimous vote.

[400-12](#)

That R.O. 1991 be amended relative to election and appointment of officers, terms and conditions of employment

A motion was made by Councillor D'Arcangelo that the Ordinance be placed on file. The motion carried by a unanimous vote.

[513-14](#)

Amending Chapter 12 to create a new use residential use category,

definition and use, dimensional and parking regulations for Dormitory

Sponsors: Peg Crowe

A motion was made by Councillor D'Arcangelo that the Ordinance be placed on file. The motion carried by a unanimous vote.

[54-15](#)

Committee Report: Ordinance (Paper #430-14 Amending Ordinances relative to agreements and expenditures relative to gaming)

The Standing Committee on Ordinance to whom was referred Paper #430-14, 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:

Be it hereby ordained by the Malden City Council that the Revised Ordinances of 1991, as amended, be and the same are hereby amended as follows:

-By adding a new section 2.31 as follows:

SECTION 2.31 AUTHORITY TO ENTER INTO AGREEMENTS RELATIVE TO GAMING

.1 No city official shall enter into any agreement, modify an existing agreement or take any action relative to gaming, with any public, private or non-profit entity, without the approval of the City Council. Such approval shall require an affirmative vote of 2/3 of the members of the Council.

.2 No expenditure of funds received on account of any agreement, grant or mitigation fund relative to gaming and deposited in an account other than the general fund shall be made except upon appropriation by the City Council. Such appropriation shall require an affirmative vote of a majority of the members of the Council.

Councillor D'Arcangelo for the Committee

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

[430-14](#)

Be it ordained that R.O. 1991 be amended by adding a new Section 2.31 relative to the Everett Casino and/or the Surrounding Community Agreement

Sponsors: David D'Arcangelo and James M. Nestor

A motion was made by Councillor Anderson that the Ordinance be amended to require a majority vote. The motion failed by the following vote:

Yea: 4 - Anderson, Crowe, DeMaria and Ultrino

Nay: 6 - D'Arcangelo, Murphy, Nestor, Sica, Spadafora and Matheson

A motion was made by Councillor D'Arcangelo that the Ordinance be amended

in accordance with the Committee Report. The motion carried by the following vote:

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

Nay: 4 - Anderson, Crowe, DeMaria and Ultrino

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

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

Nay: 4 - Anderson, Crowe, DeMaria and Ultrino

[55-15](#)

Committee Report: Ordinance (Council Rules for 2015)

The Standing Committee on Ordinance having reviewed rules for 2015 make the following report: Committee recommends that the Rules for 2014 be adopted for 2015 with the following amendment:

-by adding a new rule 47.02 as follows:

47.02 Unless otherwise provided by ordinance or charter, the Council President shall designate members to serve on any Special Committee established by any city official or city department on which Council representation is requested. No member shall serve on any such committee without having been designated by the President.

COUNCILLOR D'ARCANGELO FOR THE COMMITTEE

This Committee Report was received and filed

[56-15](#)

Order: That the City Council adopt rules for 2015

A motion was made by Councillor D'Arcangelo that the Order be adopted. The motion carried by a unanimous vote.

[57-15](#)

Be it Ordained that Section 3.2 of the Revised Ordinances of 1991 be amended relative to Permit Fees for Demolition

Sponsors: David D'Arcangelo

A motion was made by Councillor D'Arcangelo that the rules be suspended. The motion carried by a unanimous vote.

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.

13. PERSONAL PRIVILEGE

14. ADJOURNMENT

At 9:00 p.m., Councillor Ultrino made a motion that the meeting be adjourned. The motion carried by a unanimous vote.

KAREN ANDERSON, CITY CLERK

