



City of Malden

Malden City Hall
110 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Tuesday, February 6, 2018

7:00 PM

John & Christina Markey Community Center,
7 Washington St.

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

3. ROLL CALL

Present - Councillors: 8 - Neal Anderson, David Camell, Paul Condon, Peg Crowe, Barbara Murphy, Ryan O'Malley, Stephen Winslow and Deborah DeMaria

Absent - Councillors: 3 - John P. Matheson, Jadeane Sica and Craig Spadafora

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

5. APPROVAL OF MINUTES

[60-18](#) Minutes of the meeting of January 23, 2018.

A motion was made by Councillor Anderson, seconded by Councillor O'Malley, that the Council Minutes be approved. The motion carried by a unanimous vote.

[61-18](#) Minutes of the meeting of January 30, 2018.

A motion was made by Councillor Anderson, seconded by Councillor O'Malley, that the Council Minutes be approved. The motion carried by a unanimous vote.

6. APPOINTMENTS & ELECTIONS

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[62-18](#) Petition: National Grid of North Andover, MA requesting permission to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways Florence St., Malden to feed new commercial development (Malden City Hall Project).

(HEARING REQUIRED)

A motion was made by Councillor Murphy that the Petition be granted with conditions that (1) the streets and sidewalks be repaired to the satisfaction of the DPW director and; (2) That the Engineer be called when Dig Safe is notified. The motion carried by a unanimous vote.

[63-18](#) Amusement Machine: Town Line Ten Pin Corp., 665 Broadway, 25 machines (Renewal)

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

[64-18](#)

Class II: Joe Ciampa Auto Body Inc., 322 Eastern Ave. 4 cars (Renewal)

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

[65-18](#)

Class II: Andy's Service Center, Inc., 356 Lebanon St. 3 cars (Renewal)

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

[66-18](#)

Livery: Kassahun T. Damita, 411 Salem St. 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.

[67-18](#)

Livery: David Ulysse, 23 Bryant St. #3 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.

[68-18](#)

Livery: Linda Dellolacono, 259 Mountain 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.

[69-18](#)

Livery: Samson Assefa, 47 2nd 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.

[70-18](#)

Taxi Cab: Malden Trans. Inc. 290 Eastern Ave., 39 cabs (Renewal)

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

[71-18](#)

Taxi Driver: Christopher Jackson, 24 Surfside Rd. #6 Lynn, MA 01902 (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

A motion was made by Councillor that the docket rules be suspended for the purposes of taking an item out of order. The motion carried by unanimous vote.

[79-18](#)

Communication from the City Clerk's Office re: the Conservation Commission.

A motion was made by Councillor O'Malley that the Communication be received and filed. The motion carried by a unanimous vote.

[72-18](#) Be it hereby Ordained that Section 2.4 of Chapter 2 of the R.O. of 1991 be amended relative to the Conservation Commission.

Sponsors: Ryan O'Malley

A motion was made by Councillor O'Malley, seconded by Councillor Winslow, that the Ordinance be amended. The motion carried by a unanimous vote.

Yea: 8 - Anderson, Camell, Condon, Crowe, Murphy, O'Malley, Winslow and DeMaria

A motion was made by Councillor O'Malley, seconded by Councillor Anderson, that the Ordinance be enrolled as amended. The motion carried by the following vote:

Yea: 8 - Anderson, Camell, Condon, Crowe, Murphy, O'Malley, Winslow and DeMaria

A motion was made by Councillor O'Malley, seconded by Councillor Anderson, that the docket rules be suspended for the purposes of ordaining. The motion carried by the following vote:

Yea: 8 - Anderson, Camell, Condon, Crowe, Murphy, O'Malley, Winslow and DeMaria

A motion was made by Councillor O'Malley, seconded by Councillor Winslow, that the Ordinance be ordained. The motion carried by the following vote:

Yea: 8 - Anderson, Camell, Condon, Crowe, Murphy, O'Malley, Winslow and DeMaria

[73-18](#) Be it hereby Ordained that sections 700.14-700.14.9.3 of Chapter 12 of the R.O. 1991 relative to Rowe Quarry Reclamation and Redevelopment District be eliminated, and in its place zone that land currently zoned as Residence C from this point forward.

Sponsors: Jadeane Sica

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

[74-18](#) Be it hereby Ordained that Section 9.21.8 (d) of Chapter 9 of the R.O. of 1991 relative to regulation of specific breeds at Trafton Dog Park be eliminated in order to comply with MGL Chapter 140, Section 157 which stipulates that 'No city or town shall regulate dogs in a manner that is specific to breed.

Sponsors: David Camell

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

[75-18](#) Order: That the sum of One Hundred Seventy Seven Thousand Eight Hundred Eighty Three Dollars and Ninety Eight Cents (\$177,883.98) be and the same is hereby transferred from Salary Reserve (0010-996-5110) to various accounts.

Sponsors: Paul Condon

Motion made by Councillor Condon This Order was referred,a joint committe of

Rules and Ordinance and finance

[76-18](#) Order: That the sum of Four Thousand Two Hundred and Seventy Dollars (\$4,270) be and the same is hereby transferred from Revenue Reserve (0010-997-5725) to Board of Health Vaccine Program (0010-510-5257).

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.

[77-18](#) Order: That the sum of Fifty Thousand Dollars (\$50,000) be and the same is hereby transferred from Public Works Salaries (0010-421-5110) to Traffic Operating Costs (0010-422-5725).

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.

[92-18](#) Be it hereby Ordained that Sections 8.35, 8.36, 8.37, 8.38 of Chapter 8 of the R.O. of 1991 be amended relative to Salary Schedules.

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

[78-18](#) Resolve: That it is the sense of the City Council that the City work with the Massachusetts Bay Transportation Authority, residents, and businesses, to re-establish a bus stop on the western side of Main Street between Salem Street and Centre Street to ensure bus riders, especially those who are senior citizens or have mobility challenges, have more convenient and direct access to services and businesses on Pleasant and Exchange Streets.

Sponsors: Stephen Winslow, Ryan O'Malley, David Camell, Barbara Murphy and Deborah DeMaria

A motion was made by Councillor Camell, seconded by Councillor Murphy, that the Resolution be referred to the Public Property Committee. The motion carried by a unanimous vote.

[536-16](#) Resolve: That the City Council support the Mayor's Complete Streets Policy.

Sponsors: Peg Crowe

A motion was made by Councillor Crowe that the Resolution be passed. The motion carried by the following vote:

Yea: 8 - Anderson, Camell, Condon, Crowe, Murphy, O'Malley, Winslow and DeMaria

9. COMMUNICATIONS**10. CLAIMS**

[80-18](#)

Claim: Anthony DiNuzzo, 17 West St., Danvers, MA 01923.

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

[81-18](#)

Claim: Kay Allen, 26 Rockingham Ave., Malden, MA.

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

[82-18](#)

Claim: Nancy Hanson, 14 Emile Cir., Medford, MA 02155

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

[83-18](#)

Committee Report: Rules & Ordinance (Paper #38-18 Order: That Section 9.16(D) of Chapter 9 of the R.O. of 1991 be amended relative to Dog Licenses)

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

[38-18](#)

Order: That Section 9.16(D) of Chapter 9 of the R.O. of 1991 be amended relative to Dog Licenses.

Sponsors: Ryan O'Malley

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

Yea: 8 - Anderson, Camell, Condon, Crowe, Murphy, O'Malley, Winslow and DeMaria

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

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

Yea: 8 - Anderson, Camell, Condon, Crowe, Murphy, O'Malley, Winslow and DeMaria

[84-18](#)

Committee Report: Rules & Ordinance (Paper# 8-18 Be it hereby Ordained that Section 3.36 of Chapter 3 of the R.O. of 1991 be amended relative to vacant and foreclosed properties in the City of Malden.)

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

[8-18](#)

Be it hereby Ordained that Section 3.36 of Chapter 3 of the R.O. of 1991 be amended relative to vacant and foreclosed properties in the City of Malden.

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

Yea: 8 - Anderson, Camell, Condon, Crowe, Murphy, O'Malley, Winslow and DeMaria

[85-18](#)

Committee Report: Personnel/Appointments (Paper #27-18 Council confirmation to appoint Kathleen Fitzgerald, 90 Cedar St, Malden, MA., as a member of the Malden Local Historic District Study Committee, said term to expire upon presentation to the City Council of final report with recommendations and ordinance for the proposed local district or districts.)

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

[27-18](#)

Mayor's Appointment: Kathleen Fitzgerald, 90 Cedar St., Malden, as a member of the Malden Local Historic District Study Committee, said term to expire upon presentation to the City Council of a final report with recommendations and ordinance for the proposed local district or districts.

A motion was made by Councillor Crowe, seconded by Councillor Murphy, that the Appointment be confirmed. The motion carried by a unanimous vote.

[86-18](#)

Committee Report: Personnel/Appointments (Paper #28-18 Council confirmation of John King, 67 Upham Street, Malden, MA., as a member of the Malden Local Historic District Study Committee, said term to expire upon presentation to the City Council of a final report with recommendations and ordinance for the proposed local district or districts.)

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

[28-18](#)

Mayor's Appointment: John King, 67 Upham St., Malden, as a member of the Malden Local Historic District Study Committee, said term to expire upon presentation to the City Council of a final report with recommendations and ordinance for the proposed local district or districts.

A motion was made by Councillor Crowe, seconded by Councillor Murphy, that the Appointment be confirmed. The motion carried by a unanimous vote.

[87-18](#)

Committee Report: Personnel/Appointments (Paper #29-18 Council confirmation appointment of Jessica Slavin Connelly, 17 Corey Road, Malden, MA., to be appointed as a member of the Malden Local Historic District Study Committee, term to expire upon presentation to the City Council of a final report with recommendations and ordinance for the proposed local district or districts.)

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

[29-18](#)

Mayor's Appointment: Jessica Slavin Connelly, 17 Corey Rd., Malden, as a member of the Malden Local Historic District Study Committee, said term to expire upon presentation to the City Council of a final report with recommendations and ordinance for the proposed local district or districts.

A motion was made by Councillor Crowe, seconded by Councillor Murphy, that the Appointment be confirmed. The motion carried by a unanimous vote.

- [88-18](#) Committee Report: Personnel/Appointments (Paper # 31-18, Council confirmation of David Hancock, 5 Ridgewood Road, Malden, MA., be appointed as a member of the Malden Local Historic District Study Committee, term to expire upon presentation to the City Council of a final report with recommendations and ordinance for the proposed local district or districts.
- A motion was made by Councillor Crowe that the Committee Report be received and filed. The motion carried by a unanimous vote.**
- [31-18](#) Mayor's Appointment: David Hancock, 5 Ridgewood Rd., Malden, as a member of the Malden Local Historic District Study Committee, said term to expire upon presentation to the City Council of a final report with recommendations and ordinance for the proposed local district or districts.
- A motion was made by Councillor Crowe, seconded by Councillor Murphy, that the Appointment be confirmed. The motion carried by a unanimous vote.**
- [89-18](#) Committee Report: License (Paper# 32, 33, 34, 35, & 36-18 Various Class II License Renewals)
- A motion was made by Councillor Anderson that the Committee Report be received and filed. The motion carried by a unanimous vote.**
- [32-18](#) Class II: Quality Auto Sales, 856 Eastern Ave. 0 Cars (Renewal)
- A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.**
- [33-18](#) Class II: Top Cars Auto Mall, Inc., 259 Main St. 35 Cars (Renewal)
- A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.**
- [34-18](#) Class II: C & P Imports, 595 Broadway, 0 Cars (Renewal)
- A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.**
- [35-18](#) Class II: Smart Buy Auto Group Inc., 497 Broadway, 27 Cars (Renewal)
- A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.**
- [36-18](#) Class II: L & L Sales + Service, 11 Bow St., 15 Cars (Renewal)
- A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.**
- [90-18](#) Committee Report: License (Paper# 37-18 Taxi Cab License renewal for Taxi Time, 67 Porter St.)
- A motion was made by Councillor Anderson that the Committee Report be received and filed. The motion carried by a unanimous vote.**
- [37-18](#) Taxi Cab: Taxi Time, 67 Porter St. (1 cab)

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

12. TABLED PAPERS

[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

[379-17](#)

Petition of National Grid and Verizon New England Inc. to install a jointly owned pole on Cross St approximately 200 feet from the intersection of Main St.

(HEARING REQUIRED)

[380-17](#)

Petition of Verizon Wireless to install Small Cell antenna on an existing utility pole on Glenwood St.

(HEARING REQUIRED)

[411-17](#)

National Grid and Verizon New England, Inc request permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: Bryant St. for service to new customer's Pad Mount transformer

(HEARING REQUIRED).

[458-17](#)

Mayor's Appointment: Brian Creamer, 49 Newman Rd., Malden, MA, as a member of the Conservation Commission, said term to expire November 1, 2019.

A motion was made by Councillor Crowe, seconded by Councillor Winslow, that the Appointment be taken from the table. The motion carried by a unanimous vote.

Yea: 8 - Anderson, Camell, Condon, Crowe, Murphy, O'Malley, Winslow and DeMaria

A motion was made by Councillor Crowe, seconded by Councillor Murphy, that the Appointment be confirmed. The motion carried by the following vote:

Yea: 8 - Anderson, Camell, Condon, Crowe, Murphy, O'Malley, Winslow and DeMaria

13. PERSONAL PRIVILEGE

14. ADJOURNMENT

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

THOMAS E. BRENNAN, CITY CLERK