



City of Malden

Malden City Hall
110 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Tuesday, February 20, 2018

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, David Camell, Paul Condon, Peg Crowe, John P. Matheson, Barbara Murphy, Ryan O'Malley, Jadeane Sica, Craig Spadafora, Stephen Winslow and Deborah DeMaria

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

John Badillo from the Malden Army Recruiting Center appeared before the Council to discuss his work in the City.

Police Chief, Kevin Molis, and Superintendent, John Oteri, appeared before the Council to give an update on the Safety of the Malden Public Schools.

5. APPROVAL OF MINUTES

[93-18](#) Minutes of the meeting of Feb. 6, 2018.

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

[94-18](#) Minutes of the meeting of Feb. 13, 2018.

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

6. APPOINTMENTS & ELECTIONS

[95-18](#) Mayor's Appointment: Victoria Parsons, 37 Medford St., Malden as a member of the Conservation Commission, said term to commence upon her confirmation by the City Council, and to expire on February 7, 2021.

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

[96-18](#) Mayor's Re-appointment: Emery L. Haskell, 129 Wallace St., Malden as the Fire Commissioner, said term to expire March 1, 2021.

A motion was made by Councillor Crowe that the Appointment be referred to the

Personnel/Appointments Committee. The motion carried by a unanimous vote.

[97-18](#) Mayor's Re-appointment: Anthony Chiccuarelli, 22 Wesmur Rd., Malden, MA, as Human Resources Director, said term to expire February 2, 2021.

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

[98-18](#) Mayor's Re-appointment: Kathleen Young, 70 Essex St., Malden, MA, as a member of the Board of Registrars of Voters, said term to expire March 31, 2021.

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

[99-18](#) Mayor's Re-appointment: Charles Ioven, 42 Appleton St., Malden, as a member of the Planning Board, said term to expire March 1, 2023.

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

[100-18](#) Mayor's Re-appointment: Erica Lotz, 57 Newman Rd., Malden, as a member of the Department of Public Works Commission, said term to expire March 1, 2021.

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

[101-18](#) Mayor's Re-appointment: Michelle Romero, 34 Greystone Rd., Malden, as City Planner, said term to expire February 13, 2021.

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

[102-18](#) Council Re-appointment: Thomas E. Brennan, 12 South Cedar Park, Melrose, MA 02176, as City Clerk, term to expire February 28, 2021.

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

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[103-18](#) Class II: Kenneth G. Lafauci dba Brothers Auto Body, 969 Salem St., 0 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.

[104-18](#) Taxi Driver: John A. Colanton, 4 Belmont Ave., Lynn, MA 01905 (Renewal)

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

[105-18](#) Taxi Driver: Valentin Tchaly, 92 Devir 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.

[106-18](#)

Taxi Driver: Donald F. Porter, 25 Sherman St., Everett, MA 02149
(Renewal)

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

[107-18](#)

Taxi Driver: Carlos F. Vargas, 123 Wyoming Ave., Melrose, MA 02176
(Renewal)

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

[108-18](#)

Taxi Driver: Frantz Paul, 15 Clarendon 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.

[109-18](#)

Taxi Driver: Dennis Sullivan, 500 Revere Beach Blvd. #205, Revere, MA 02151 (Renewal)

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

[110-18](#)

Taxi Driver: Michael Rapaglia, 489 Lowell St., Methuen, MA 01844
(Renewal)

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

[111-18](#)

Taxi Driver: Daniel Knight, 18 Wadsworth St., Malden (Renewal)

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

[112-18](#)

Taxi Driver: John Danca, 36 Highland Ct., Malden (Renewal)

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

[113-18](#)

Taxi Driver: William Sweet, 117 Medford 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.

[114-18](#)

Taxi Driver: Allan Fisher, 28 Hazelwood 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.

[115-18](#)

Taxi Driver: John O'Flaherty, 21A John St., Chelsea, MA 02150 (Renewal)

A motion was made by Councillor Anderson that the Petition be referred to the

License Committee. The motion carried by a unanimous vote.

[116-18](#)

Taxi Driver: John Johnson, 97 Bucknam St., Everett, MA 02149 (Renewal)

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

[117-18](#)

Taxi Driver: William C. Cook, 98 Laurel 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.

[118-18](#)

Taxi Driver: Richard J. Habeeb, 826 Broadway, Revere, MA 02151 (Renewal)

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

[119-18](#)

Taxi Driver: John P. Melusky, 28 Hazelwood 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.

[120-18](#)

Taxi Driver: Joseph O'Hearn, 3 Miner St., Somerville, MA 02145 (Renewal)

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

[121-18](#)

Taxi Driver: David W. McNamara, 51 Melrose St. #2A, Melrose, MA 02176 (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

[122-18](#)

Be it hereby Ordained that Section 1.13A of Chapter 1 of the R.O. 1991 be amended relative to fees for fines remaining unpaid after notice.

Sponsors: Ryan O'Malley

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.

[123-18](#)

Be it hereby Ordained that Sections 300.3.6.2, 300.9, and 500.2.13 of Chapter 12 of the R.O. of 1991 be amended relative to Use Regulations of Offsite Parking Facilities, Special Permit Regulations for Offsite Parking Facilities, and General Offstreet Parking Requirements, Landscaping Requirements for Parking Areas.

Sponsors: Ryan O'Malley

A motion was made by Councillor O'Malley that the Ordinance be referred to a joint Rules & Ordinance and Planning Board Committee meeting. The motion

carried by a unanimous vote.

[124-18](#)

Be it hereby Ordained that Section 300.3 of Chapter 12 of the R.O. of 1991 be amended relative to Use Regulations for various Business, Industrial and Other uses.

Sponsors: Ryan O'Malley

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

[125-18](#)

Be it hereby Ordained that Section 5.2 of Chapter 5 of the R.O. of 1991 be amended relative to the Human Rights, Fair Housing, and Disabilities Issues Commission.

Sponsors: Ryan O'Malley

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.

[126-18](#)

Be it hereby Ordained that Section 700.3 of Chapter 12 of the R.O. of 1991 be amended relative to Home Occupations.

Sponsors: John P. Matheson

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

9. COMMUNICATIONS

[137-18](#)

Communication from the Mayor re: Paper #354-17 (Small Cell Ordinance)

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

10. ENROLLED ORDINANCES

[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 ordained. The motion carried by the following vote:

Yea: 11 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria

11. CLAIMS

[127-18](#)

Claim: YWCA, 54 Washington St. Malden, MA 02148.

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

Yea: 10 - Anderson, Camell, Condon, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria

Recused: 1 - Crowe

12. COMMITTEE REPORTS

128-18

Committee Report: Rules & Ordinance (Paper# 9-18 Be it hereby ordained that Section 3.2 of Chapter 3 of the R.O. of 1991 be amended relative to Building Permit Fees.)

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

9-18

Be it hereby Ordained that Section 3.2 of the R.O. of 1991 be amended relative to Building Permit Fees.

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

Yea: 11 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria

129-18

Committee Report: Rules & Ordinance (Paper# 10-18 Be it hereby Ordained that section 3.14 of Chapter 3 of the R.O. of 1991 be amended relative to Plumbing/Gas permit fees.)

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

10-18

Be it hereby Ordained that Section 3.14 of Chapter 3 of the R.O. of 1991 be amended relative to Plumbing/Gas Permit Fees.

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

Yea: 11 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria

130-18

Committee Report: Rules & Ordinance (Paper# 11-18 Be it hereby Ordained that section 3.33 of Chapter 3 of the R.O. of 1991 be amended relative to Electrical Permit Fees.

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

11-18

Be it hereby Ordained that Section 3.33 of Chapter 3 of the R.O. of 1991 be amended relative to Electrical Permit Fees.

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

Yea: 11 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria

- [131-18](#) Committee Report: Rules & Ordinance (Paper# 12-18 Be it hereby Ordained that Chapter 12 of the R.O. of 1991 be amended by adding a new section relative to Driveway Permits.)
- A motion was made by Councillor O'Malley that the Committee Report be received and filed. The motion carried by a unanimous vote.**
- [12-18](#) Be it hereby Ordained that Chapter 3 of the R.O. of 1991 be amended by adding a new section relative to Driveway Permits.
- A motion was made by Councillor O'Malley, seconded by Councillor Matheson, that the Ordinance be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.**
- [132-18](#) Committee Report: Rules & Ordinance (Paper# 92-18 be it hereby Ordained that Sections 8.35, 8.36, 8.37, and 8.38 be amended relative to Salary Schedules.)
- A motion was made by Councillor O'Malley that the Committee Report be received and filed. 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 enrolled. The motion carried by the following vote:**
- Yea:** 11 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria
- [133-18](#) Committee Report: Rules & Ordinance (Paper# 461-17 Be it hereby Ordained that Section 300.3 of the R.O. of 1991 be amended relative to use regulations for hotels and motels.)
- A motion was made by Councillor O'Malley that the Committee Report be received and filed. The motion carried by a unanimous vote.**
- [461-17](#) Be it Ordained that Section 300.3 of the R.O. of 1991 be amended relative to use regulations for hotels and motels.
- Sponsors:** Craig Spadafora
- A motion was made by Councillor O'Malley that the Ordinance be enrolled. The motion carried by the following vote:**
- Yea:** 11 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria
- [134-18](#) Committee Report: Finance (Paper #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 to Various Accounts.)
- A motion was made by Councillor Condon that the Committee Report be received and filed. 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

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

Yea: 11 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria

[135-18](#) Committee Report: Finance (Paper #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 to Board of Health Vaccine Program.)

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

[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 adopted. The motion carried by the following vote:

Yea: 11 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria

[136-18](#) Committee Report: Finance (Paper #77-18 order that the sum of fifty thousand dollars (\$50,000) be and the same is hereby transferred from Public Works salaries to Traffic Operating Costs).

A motion was made by Councillor Condon that the Committee Report be received and filed. 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 adopted. The motion carried by the following vote:

Yea: 11 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Spadafora, Winslow and DeMaria

13. 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).

14. PERSONAL PRIVILEGE

15. ADJOURNMENT

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

THOMAS E. BRENNAN, CITY CLERK