



# City of Malden

Malden City Hall  
110 Pleasant Street  
Malden, MA 02148

## Meeting Minutes City Council

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Tuesday, June 6, 2017

7:00 PM

John & Christina Markey Community Center,  
7 Washington St.

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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 - Neal Anderson, Paul Condon, David D'Arcangelo, Deborah DeMaria, John P. Matheson, Barbara Murphy, Ryan O'Malley, Jadeane Sica, Craig Spadafora and Peg Crowe

**Absent - Councillors:** 1 - Neil C. Kinnon

### 4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Deborah Burke, Executive Director of the MRA, appeared before the City Council to introduce the consulting team working on a lower Commercial Street corridor study.

### 5. APPROVAL OF MINUTES

### 6. APPOINTMENTS & ELECTIONS

[284-17](#)

Mayor's appointment of Karen Colon Hayes as Director of Human Services and Community Outreach.

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

[473-16](#)

Petition: Cellco Partnership dba Verizon Wireless to locate small cell wireless antenna and sustaining fixtures on existing utility pole #1983, adjacent to 1200 Eastern Ave.

(HEARING REQUIRED)

A motion was made by Councillor O'Malley, seconded by Councillor Murphy, that the Petition be tabled. The motion carried by the following vote:

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

[474-16](#)

Petition: Cellco Partnership dba Verizon Wireless to locate small cell wireless antenna and sustaining fixtures on existing utility pole #2349 on

Salem St., adjacent to 324 Broadway.  
(HEARING REQUIRED)

**A motion was made by Councillor O'Malley, seconded by Councillor Murphy, that the Petition be tabled. The motion carried by the following vote:**

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

[285-17](#)

Petition: Comcast desires to be granted permission to run and maintain an underground conduit together with sustaining and protecting fixtures for the transmission of commercial lines, to be located substantially in accordance with the plan filed marked - 126-150 Pleasant St.  
(HEARING REQUIRED)

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

[286-17](#)

Petition: National Grid & Verizon requests permission to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures along and across the public way: Bryant St.  
(HEARING REQUIRED)

**A motion was made by Councillor Anderson, seconded by Councillor Murphy, that the Petition be tabled. The motion carried by the following vote:**

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

[287-17](#)

Petition: National Grid of Andover seeks permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located Canal St., Malden.  
(HEARING REQUIRED)

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

[288-17](#)

Petition: National Grid & Verizon New England, Inc. request permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the public way of Canal St. to relocate existing pole 2, approximately 15 feet north.  
(HEARING REQUIRED)

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

[289-17](#)

Lodging House: Mitoan LLC, 52 Maple 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**

[290-17](#) That Section 8.42.7 of the Revised Ordinances be amended as related to the Firefighters salary schedule.

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

[167-17](#) Order: That according to the Massachusetts General Laws, Chapter 268A, Section 20 job coach for Malden's Summer Youth Employment Program be exempt from provisions.

**A motion was made by Councillor DeMaria, seconded by Councillor Condon, that the Order be tabled. The motion carried by a unanimous vote.**

[291-17](#) Ordered: That a traffic demand management plan be established.

**A motion was made by Councillor Spadafora, seconded by Councillor Matheson, that the Ordinance be referred to Rules & Ordinance Committee and Traffic Mitigation Committee for a joint meeting. The motion carried by a unanimous vote.**

[292-17](#) Ordered: That the City GIS Department, or designee contractor, prepare a 3D visual zoning map to encompass the entire city for the purposes of identifying where desirable smart growth can be implemented.

**A motion was made by Councillor DeMaria, seconded by Councillor Anderson, that the Order be amended to include "The project to be completed on or before September 1, 2017". The motion carried by a unanimous vote.**

**A motion was made by Councillor Spadafora that the Order be amended to include "required that the number of units in each building be included". The motion carried by a unanimous vote.**

**A motion was made by Councillor Murphy that the Order be amended to strike "or designee contractor". The motion carried by a unanimous vote.**

**A motion was made by Councillor DeMaria that the Order be adopted as amended. The motion carried by a unanimous vote.**

[293-17](#) Ordered: That the City revoke its acceptance of Massachusetts General Laws Chapter 44, Section 53F 3/4th relative to the "PEG Access Special Revenue Account effective July 1, 2017.

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

[294-17](#) Ordered: That the City adopt Massachusetts General Laws Chapter 44 Section 53F1/2 relative to the establishment of an enterprise fund for PEG Access and Cable Related Funds effective July 1, 2017.

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

[295-17](#) Ordered: That the balance remaining in the PEG Access Special Revenue account at the close of FY2017, be and the same, is hereby transferred into the newly created PEG Access Enterprise Fund.

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

[296-17](#) Order: That \$2,264,818 be transferred from Sale of Municipal Property (2520-134-5000) to Police Station Construction (4027-134-5860)

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

[297-17](#) Order: That \$7,232,351.41 be transferred from Sale of Municipal Property (2520-134-5000) to City Hall Relocation (4022-134-5860)

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

## **9. COMMUNICATIONS**

## **10. CLAIMS**

[298-17](#) Claim: Bernie Valerio, 48 Chatham, Everett

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

[299-17](#) Claim: Jason Hamelin, 10 Rudolf 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**

[300-17](#) Committee Report: Finance (Paper #268-17 Order: That \$6,000 be transferred from Recreation Department Salaries to Recreation/Stadium Gas & Light.)

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

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

[268-17](#) Order: That \$6,000 be transferred from Recreation Department Salaries (0010-699-5110) to Recreation/Stadium Gas & Light (0010-699-5218)

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

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

[301-17](#) Committee Report: Finance (Paper #267-17 Order: That \$8,000 be transferred from Revenue Reserve to Recreation/Stadium Gas & Light.)

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

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

[267-17](#)

Order: That \$8,000 be transferred from Revenue Reserve (0010-997-5110) to Recreation/Stadium Gas & Light (0010-699-5218)

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

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

[302-17](#)

Committee Report: Finance (Paper #266-17 Order: That \$37,000 be transferred from unemployment compensation to Library Gas & Light.)

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

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

[266-17](#)

Order: That \$37,000 be transferred from Unemployment Compensation (0010-913-5725) to Library Gas & Light (0010-610-5218).

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

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

[303-17](#)

Committee Report: Finance (Paper #265-17 ordered that \$55,325.00 be transferred for DPW Salaries to DPW Operating Costs)

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

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

[265-17](#)

Order: That \$55,325 be transferred from DPW Salaries (0010-421-5120) to DPW Operating Costs (0010-421-5725)

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

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

[305-17](#)

Committee Report on Planning/Ordinance Re: Paper #233 Series of 2017 having considered the same make the following recommendation: Committee recommends that this paper be reported out favorably.

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

[233-17](#)

Order: That the City Council extend the existing moratorium six months until December 31, 2017 and include all area's and zones not currently included.

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

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

**A motion was made by Councillor Spadafora that the docket rules be suspended. The motion carried by the following vote:**

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

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

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

[306-17](#)

Committee Report on Planning/Ordinance Re: Paper #201 Series of 2017 having considered the same make the following recommendation: Committee recommends that this paper be reported out favorably.

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

[201-17](#)

Ordered: That the current Moratorium be extended for another six (6) months

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

[307-17](#)

Committee Report on Planning/Ordinance Re: Paper #202 Series of 2017 having considered the same make the following recommendation: Committee recommends that this paper be reported out favorably.

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

[202-17](#)

Ordered: That the City limit the height of future apartment condominium multi-unit developments to no more than three (3) stories outside of Downtown Malden

**A motion was made by Councillor Spadafora that the Ordinance be enrolled. The motion carried by a unanimous vote.**

**A motion was made by Councillor Spadafora, seconded by Councillor Condon, that the docket rules be suspended. The motion carried by the following vote:**

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

**A motion was made by Councillor Spadafora, seconded by Councillor Condon, that the Ordinance be ordained. The motion carried by the following vote:**

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

[308-17](#) Committee Report on Planning/Ordinance Re: Paper #226 Series of 2017 having considered the same make the following recommendation: Committee recommends that this paper be reported out favorably.

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

[226-17](#) Be it hereby ordained by the Malden City Council that Chapter 12 of the R. O. of the 1991 be amended relative to establishing use regulations, dimensional controls, parking requirements and amending the definition for new business use, Kennel.

**A motion was made by Councillor Spadafora that the Ordinance be enrolled. The motion carried by a unanimous vote.**

**A motion was made by Councillor Condon that the docket rules be suspended. The motion carried by the following vote:**

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

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

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

## **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

[181-16](#) Be it ordained that Chapter 9 of the Revised Ordinances of 1991 be amended relative to storage of Solid Waste

[203-17](#) Ordered: That the City Council redefine the Central Business District Boundaries

## **13. PERSONAL PRIVILEGE**

## **14. ADJOURNMENT**

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

**THOMAS E. BRENNAN, CITY CLERK**