



City of Malden

Malden City Hall
200 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Tuesday, April 7, 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: 9 - Neal Anderson, Peg Crowe, David D'Arcangelo, Deborah DeMaria, Barbara Murphy, James M. Nestor, Craig Spadafora, Steven Ultrino and John P. Matheson

Absent - Councillors: 2 - Neil C. Kinnon and Jadeane Sica

[234-15](#)

Order: That the MRA be authorized to act on behalf of the City to obtain variances and subdivision of property at 341 Forest St.

Ordered: That, in accordance with the provisions of the Land Disposition Agreement for 341 Forest St. and the Special Permit granted by the Planning Board in Case #15-01 and filed with the City Clerk's Office on February 25, 2015, the City obtain necessary variances and reconfigure lot lines at 341 Forest and 74 Sylvan St. in the manner described in said decision; and be it further

Ordered: That the Malden Redevelopment Authority be directed and designated to act as the authorized representative of the City to file applications, appear at public hearings, file necessary documents and to take any and all additional actions as may be required to effectuate said variance and subdivision.

Sponsors: Barbara Murphy

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

Yea: 9 - Anderson, Crowe, D'Arcangelo, DeMaria, Murphy, Nestor, Spadafora, Ultrino and Matheson

[235-15](#)

Order: That the Mayor be authorized to execute utility and access easements for 341 Forest St. and 74 Sylvan St.

Ordered: That the Mayor be authorized to execute reciprocal access easements between Volunteers of America, the City of Malden and Malden Housing Authority for property at 341 Forest Street, 74 Sylvan Street, 2-32 Sylvan Street and 377-427A Forest Street; and be it further

Ordered: That the Mayor be authorized to execute utilities easements to

Volunteers of America for property at 341 Forest Street, 74 Sylvan Street, 2-32 Sylvan Street and 377-427A Forest Street.

Sponsors: Barbara Murphy

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

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

The City Engineer, the Director of Public Works and representatives of CDM Smith appeared to discuss the schedule for street and sidewalk replacement.

5. APPROVAL OF MINUTES

[218-15](#)

Minutes of the meeting of March 17, 2015

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

[219-15](#)

Minutes of the meeting of March 24, 2015

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

[220-15](#)

Minutes of the meeting of March 31, 2015

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

6. APPOINTMENTS & ELECTIONS

[221-15](#)

Mayor's Re-Appointment: Kenneth Antonucci, 14 Spruce St. as member of the Planning Board for term expiring March 1, 2020. (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.

[222-15](#)

Mayor's Re-Appointment: Jeanne Benoit, 55 Fairlawn St. as a member of the Board of Registrar of Voters for term to expire March 31, 2018. (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.

[223-15](#)

Mayor's Appointment: Stephen A. D'Amato 115 Winthrop Parkway, Revere as Constable

Dear Members of the Council,

Under the provisions of M.G.L. C.41, Sec. 91B, I hereby appoint

Stephen A. D'Amato of 115 Winthrop Parkway, Revere, Massachusetts as a constable to serve process in the City of Malden effective April 7, 2015, said term to expire April 7, 2018.

Sincerely,

GARY CHRISTENSON

Mayor, City of Malden

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

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[224-15](#)

Taxi Driver: Lesly J. Rene, 41 Warren 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.

[225-15](#)

Taxi Driver: Colin W. Quinlan 11 Russell St., Everett (Renewal)

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

[226-15](#)

Taxi Driver: Robert Analetto 59 Washington Ave. Stoneham (Taxi Time)

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

[227-15](#)

Taxi Driver: Robert Kelley 80 Franklin St., Stoneham (Taxi Time)

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

[228-15](#)

Taxi Driver: Gary D. Vitale 32 Woodcrest Dr., Melrose (Taxi Time)

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

[229-15](#)

Livery: Henok Tereff 30 Franklin St. #214 (Renewal)

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

[230-15](#)

Class II Century Auto Collision Center Inc. 448 Eastern Ave. (Renewal)

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

[231-15](#)

Class II: Cityline Auto Brokers LTD. 495-497 Broadway (Amendment to existing license)

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

[232-15](#) Order: That the Principal Planner be directed to research the cost and feasibility of implementing a moratorium on residential construction in the city of Malden.

Sponsors: David D'Arcangelo

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.

[233-15](#) Ordered: That the Director of Information Technology meet with the Citizen Engagement Committee for the purpose of exploring the possibility of the a free outdoor wireless program in the downtown area.

Sponsors: John P. Matheson and Barbara Murphy

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

[236-15](#) Order: That the Controller's Senior Account Supervisor be authorized to sign certain documents in the Controller's absence.

Sponsors: John P. Matheson

A motion was made by Councillor Nestor that the Order be amended to add the following: "provided that she obtain a surety bond as soon as possible". The motion carried by a unanimous vote.

A motion was made by Councillor D'Arcangelo that the Order be amended to add the following: "and it is further Resolved: That it is the sense of the City Council that the Mayor be requested to provide funding for additional compensation for these added responsibilities. The motion carried by a unanimous vote.

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

[237-15](#) Resolve: That the legislative delegation file legislation providing for a local option gas levy for snow removal and transportation related expenses.

Sponsors: John P. Matheson

A motion was made by Council President Matheson that the Resolution be tabled indefinitely. The motion carried by a unanimous vote.

9. COMMUNICATIONS

[238-15](#) Communication from the Planning Board relative to Paper #116-16 (Amending Ordinance to impose a one-year moratorium on creation of certain residential dwelling units)

Dear Councilors:

On March 31, 2015, the Planning Board and City Council Ordinance Committee jointly held a public hearing regarding the above-referenced

proposed amendment that you all attended.

As a result of the public hearing, a majority of the Planning Board, namely, all eight members present, voted to not endorse the moratorium and to recommend to the City Council:

1. disapproval of the amendment and
2. follow up on the outstanding actions and pursue the next steps identified in the *City of Malden Master Plan* of 2010, including review and implement the General Recommendations and complete the Implementation Matrix contained in the *Plan*.

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The minutes of the joint public hearing will be made available at your request. For your reference, attached please find the Planning Report & Recommendation dated March 31, 2015, which was presented at the hearing.

Finally, please be advised, that, if the City Council fails to act on the amendment within 90 days of the date the public hearing closed, a new duly advertised public hearing must be held. Accordingly, the final date for action is June 4, 2015.

I am available to discuss and answer any questions regarding the amendment and the Planning Board's recommendation. Please do not hesitate to contact me. Thank you.

Sincerely,

Michelle A. Romero, City Planner

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

10. CLAIMS

[239-15](#)

Claim: Janaina Hanson, 19 Overlook Ridge Terrace, Revere

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

[240-15](#)

Committee Report: Finance (Paper #95 That the Finance Committee meet with the Controller to develop a Request for Qualifications for auditing services for 2015)

The Standing Committee on Finance to whom was referred Paper # 95 Series of 2015 having considered the same make the following report: The Committee recommends this paper be reported out favorably with the following amendment: that the language be amended to read as follows: Ordered that the Controller publish a Request for Proposals for

auditing services for FY2016-2018 and provide responses to the Finance Committee for review.

Councillor Murphy for the Committee

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

[95-15](#)

Order: That the Finance Committee meet with the Controller to develop a Request for Qualifications for auditing services.

Sponsors: John P. Matheson

A motion was made by Councillor Murphy that the Order be amended to read as follows: Ordered that the Controller publish a Request for Proposals for auditing services for FY2016-2018 and provide responses to the Finance Committee for review.. The motion carried by a unanimous vote.

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

[241-15](#)

Committee Report: Compliance/Appointments (Appointment of Cemetery Trustees)

The Standing Committee on Compliance/Appointments makes the following report: The Committee recommends Joseph A. Barriss, 60 Gale Street, Malden and Daniel L. Grover, 22A Wigglesworth Street, Malden, be appointed as members of the Cemetery Board of Trustees.

Councillor Anderson for the Committee

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

A motion was made by Councillor Anderson that Joseph Barriss and Daniel Grover be appointed. The motion carried by the following vote:

Yea: 9 - Anderson, Crowe, D'Arcangelo, DeMaria, Murphy, Nestor, Spadafora, Ultrino and Matheson

[242-15](#)

Committee Report: Compliance/Appointments (Paper #211 Appointment of Eric Rubin as Director of Public Facilities)

The Standing Committee on Compliance/Appointments, to whom was referred Paper #211 Series of 2015, having considered the same make the following report: Committee recommends that this appointment be confirmed

Councillor Anderson for the Committee

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

[211-15](#)

Mayor's Appointment: Eric Rubin, 5 Sullivan Circle, Stoneham, MA as Director of Public Facilities for term expiring December 31, 2018

(Confirmation required)

**A motion was made by Councillor Anderson that the Appointment be confirmed.
The motion carried by the following vote:**

Yea: 7 - Anderson, Crowe, D'Arcangelo, DeMaria, Spadafora, Ultrino and Matheson

Nay: 2 - Murphy and Nestor

[243-15](#)

Committee Report: Compliance/Appointments (Paper #138 Re-Appointment of Lorraine Danca as member of the Planning Board)
The Standing Committee on Compliance/Appointments, to whom was referred Paper #138 Series of 2015, having considered the same make the following report: Committee recommends that this appointment be confirmed

Councillor Anderson for the Committee

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

[138-15](#)

Mayor's Re-Appointment of Lorraine Danca as a member of the Planning Board for term expiring March 1, 2020. (Confirmation required)

**A motion was made by Councillor Anderson that the Appointment be confirmed.
The motion carried by the following vote:**

Yea: 9 - Anderson, Crowe, D'Arcangelo, DeMaria, Murphy, Nestor, Spadafora, Ultrino and Matheson

13. PERSONAL PRIVILEGE

14. ADJOURNMENT

KAREN ANDERSON, CITY CLERK