



City of Malden

Malden City Hall
200 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Tuesday, December 8, 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, Neil C. Kinnon, Barbara Murphy, James M. Nestor, Jadeane Sica, Craig Spadafora and John P. Matheson

Absent - Councillors: 1 - Steven Ultrino

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

5. APPROVAL OF MINUTES

6. APPOINTMENTS & ELECTIONS

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[649-15](#)

Class II Dealer: Louis Foreign Car Garage Inc., 191 Salem 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.

[650-15](#)

Class II Dealer: Andy's Service Center, Inc. 356 Lebanon 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.

[651-15](#)

Class II Dealer: Greenleaf Auto Sale II, Inc. 69 Newland 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.

[652-15](#)

Class II Dealer: L.B.'s Auto Body Plus Used Cars, 1176 Rear 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.

[653-15](#)

Class II Dealer: AGM Auto Sales, Inc., 135 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.

[654-15](#)

Class II Dealer: Baystate Auto Gallery LLC, 616 Broadway (Renewal)

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

[656-15](#)

Amusement Machines: East Side A.A. 14 Webster Court (Renewal)(4 Machines)

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

[657-15](#)

Amusement Machines: Alben Inc. dba Pearl St. Station, 53 Summer St. (Renewal) (2 machines)

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

[658-15](#)

Amusement Machines: Town Line Ten Pin Corp. 665 Broadway (Renewal) (25 Machines)

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

[659-15](#)

Amusement Machines: Lt. Dexter W. Clifford Chapter 85, 85 Willow St. (Renewal) (2 Machines)

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

[660-15](#)

Amusement Machines: Malden American Legion Post 69 - 368 Pleasant 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.

[661-15](#)

Extended Hours: Honey Dew Donuts, 691 Eastern Ave. (Renewal)5am-10pm M-Sat, 5am-9pm Sunday

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

[662-15](#)

Extended Hours: Planet Fitness, 795 Eastern Ave. (Renewal) (24 hours Mon-Thurs, 12noon-9pm Fridays, Sat & Sun 7am-7pm)

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

[666-15](#)

Class III: Malden Middlesex Motor Sales Inc., 35 Canal St.

A motion was made by Councillor Anderson docket rules be suspended. The motion carried by a unanimous vote.

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

License Committee. The motion carried by a unanimous vote.

[667-15](#)

Class II: Malden Middlesex Motor Sales, Inc., 35 Canal St. (Renewal)

A motion was made by Councillor Anderson that docket rules be suspended. The motion carried by a unanimous vote.

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

[668-15](#)

Class II: Jordan Motors Inc. 147 Ferry St. (Formerly Malden Auto Sales)

A motion was made by Councillor Anderson that docket rules be suspended. The motion carried by a unanimous vote.

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

[669-15](#)

Class II: MacMillen Automotive, 388 Eastern Ave. (Renewal)

A motion was made by Councillor Anderson that docket rules be suspended. The motion carried by a unanimous vote.

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

[663-15](#)

Order: That \$10,000.00 be transferred from Ward 4 Mitigation to Waitt's Mount Capital Improvement Account.

Sponsors: James M. Nestor

A motion was made by Councillor Nestor that financial rules be suspended. The motion carried by a unanimous vote.

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

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

9. COMMUNICATIONS

10. CLAIMS

11. COMMITTEE REPORTS

[670-15](#)

Committee Report: License (Re: Applications for renewal of Class II and Amusement Machine Licenses)

The Standing Committee on License, to whom was referred Papers #594, 624-629, 631-632 and 634-635 Series of 2015, having considered the same, make the following report: Committee recommends that these licenses be granted.

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.

[594-15](#) Class II Dealer: Rigano's Towing Service Inc. 1081 Fellsway (Renewal)

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

[624-15](#) Class II Dealer: Ken LaFauci dba Brother's Auto 969 Salem St. (Renewal)

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

[625-15](#) Class II: Malden Auto Brokers Inc. 225 Eastern Ave. (Renewal)

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

[626-15](#) Class II Dealer: West End Auto 1 Malden St. (Renewal)

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

[627-15](#) Class II Dealer: C & P Imports 595 Broadway (Renewal)

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

[628-15](#) Class II Dealer: Greenleaf Auto Enterprise Inc. 28 Broadway (Renewal)

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

[629-15](#) Class II Dealer: Quality Auto Sales Inc. 919 Eastern Ave. (Renewal)

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

[631-15](#) Class II Dealer: Eastern Motors Inc. 189 Eastern Ave. (Renewal)

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

[632-15](#) Class II Dealer: Richard's Motor Cars Inc. 672 Broadway (Renewal)

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

[634-15](#) Amusement Machines: R.F.A. Malden Inc. dba Ryan Family Amusements (Renewal)

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

[635-15](#) Amusement Machines: A.O.H. Division 12 259 Charles St. (Renewal)

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

[671-15](#) Committee Report: Ordinance (Re: Paper #612 Amending Ordinances relative to Compliance Officers Salaries)

The Standing Committee on Ordinance, to whom was referred Paper #612 Series of 2015, 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.

[612-15](#) Be it ordained that Section 8.38 of R.O. 1991 be amended relative to Compliance Officers' salaries

Sponsors: Neil C. Kinnon

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

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

A motion was made by Councillor D'Arcangelo that rules be suspended. 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, Kinnon, Murphy, Nestor, Sica, Spadafora and Matheson

13. PERSONAL PRIVILEGE

[664-15](#) Order: That the City Council meet in Executive Session to receive a status update on negotiations for temporary relocation of city offices and pending litigation on the Special Permit granted for 184-200 Pleasant St.

Sponsors: Neil C. Kinnon

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

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

[665-15](#) Order: That the City Council meet in executive session to discuss appraisal of the Malden Hospital property.

Sponsors: John P. Matheson

**A motion was made by Council President Matheson that the Order be adopted.
The motion carried by the following vote:**

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

The Council President declared that open discussion of relocation of City Hall Offices and the Malden Hospital appraisal report would be detrimental to the city's negotiating position.

The open meeting was recessed and executive session convened at 7:45 p.m. Executive session was adjourned and the open meeting reconvened at 8:43 p.m.

8. MOTIONS, ORDERS AND RESOLUTIONS

[672-15](#)

Order: That the Mayor be authorized to enter into or amend certain agreements relative to the relocation of city offices.

Ordered: That the Mayor be authorized to

1. Amend the Land Disposition Agreement with Jefferson Apartment Group for the property at 200 Pleasant St. by reducing the purchase price by \$20,000 for the purpose of settling the claim brought by Heritage 195 Pleasant St. LLC ;
2. Enter into a Land Disposition Agreement for the property at 110 Pleasant St. for a purchase price of \$1,880,000 for use as temporary city office space;
3. Enter into a 3 year lease at \$18/square foot for the property at 15-17 Pleasant St. for use as temporary city office space.

Sponsors: Craig Spadafora

A motion was made by Councillor Spadafora, seconded by Councillor DeMaria, that rules BE suspended. The motion carried by a unanimous vote.

A motion was made by Councillor Spadafora, seconded by Councillor DeMaria, that the Order be adopted. The motion carried by the following vote:

Yea: 8 - Anderson, Crowe, D'Arcangelo, DeMaria, Murphy, Sica, Spadafora and Matheson

14. ADJOURNMENT

AT 8:48 P.M., a motion was made by Councillor Sica that the meeting be adjourned. The motion carried by a unanimous vote.

KAREN ANDERSON, CITY CLERK