



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Tuesday, June 24, 2014

7:00 PM

City Council Chambers

For Approval at the Meeting of September 2, 2014

1. CALL TO ORDER

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

3. ROLL CALL

Present - Councillors: 11 - Peg Crowe, David D'Arcangelo, Deborah DeMaria, Neil C. Kinnon, John P. Matheson, Barbara Murphy, James M. Nestor, Jadeane Sica, Craig Spadafora, Steven Ultrino and Neal Anderson

5. APPROVAL OF MINUTES

[340-14](#)

Minutes of the meeting of June 17, 2014.

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

6. APPOINTMENTS & ELECTIONS

[341-14](#)

Council Re-appointment: Craig Spadafora as member of the Commission on Energy Efficiency

A motion was made by Councillor Ultrino, seconded by Councillor D'Arcangelo, that the Appointment be confirmed. The motion carried by a unanimous vote.

Yea: 11 - Crowe, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, Nestor, Sica, Spadafora, Ultrino and Anderson

[342-14](#)

Council Re-appointment: Molly Pidgeon as member of the Commission on Energy Efficiency

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

Yea: 11 - Crowe, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, Nestor, Sica, Spadafora, Ultrino and Anderson

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[343-14](#) Taxi Driver License: Arthur Richard Kisthart, 31 Jefferson Ave., Chelsea, MA

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

[344-14](#) Taxi Driver License: Pietro Mirabile, 25 Woodland Rd., Stoneham, MA

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

[345-14](#) Livery License: Tayou A. Mamo, 15 Granville Ave.

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

[346-14](#) Self-Service Gas Station: Wash Depot, Inc. 333 Eastern Ave. (Renewal)

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

[347-14](#) Self Service Gas Station: Hess 21512 214-221 Broadway (Renewal)

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

8. MOTIONS, ORDERS AND RESOLUTIONS

[348-14](#) Order: That the Mayor be authorized to act behalf of the city on Mass DOT Project #607446 (Infrastructure improvements to the intersection of Highland Ave., Pleasant St. and Elm St.)

Sponsors: John P. Matheson

A motion was made by Councillor D'Arcangelo, seconded by Councillor Kinnon, that the Order be tabled. The motion carried by the following vote:

Yea: 7 - Crowe, D'Arcangelo, Kinnon, Murphy, Nestor, Sica and Spadafora

Nay: 4 - DeMaria, Matheson, Ultrino and Anderson

[349-14](#) Order: That the City take by eminent domain a temporary partial easement at 452 Pleasant St. for the public purpose of making infrastructure improvements to the intersection of Pleasant St., Elm Street and Highland Ave.

Sponsors: John P. Matheson

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

[350-14](#)

Order: That the City award damages under MGL Chapter 79 for a temporary partial easement taken at 452 Pleasant St.

Sponsors: John P. Matheson

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

[351-14](#)

Order: That the City re-take public property for purposes compliance with federal regulations regarding public improvements in accordance with the Safe Routes to School Infrastructure Project on Pleasant St., Elm Street and Highland Ave.

Sponsors: John P. Matheson

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

[352-14](#)

Order: That the City submit to the legislature for passage An Act Reconfiguring Certain Park Land in the city of Malden commonly known as Harris Delta.

Sponsors: John P. Matheson

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

[353-14](#)

Order: That various amounts be transferred to various accounts for the purpose of year end closing.

Ordered: That the sum of One Thousand Five Hundred Forty Three Dollars (\$1,543) be and the same is hereby transferred from Salary Reserve 0010-996-5110 to the following accounts:

Legislative Salaries	0010-111-5110	\$125.00
Controller Salaries	0010-134-5110	\$1,410.00
Legal Salaries	0010-151-5110	\$2.00
Engineering Salaries	0010-411-5110	\$2.00
Veteran's Salaries	0010-543-5110	\$1.00
Assessor Salaries	0010-141-5110	\$2.00
Board of Appeal Stipend	0010-176-5166	\$1.00

And be it further Ordered: That the sum of Seven Hundred Ninety Three Thousand Four Hundred Thirty Dollars (\$793,430) be and the same is hereby transferred from the following accounts:

\$60,000 from Revenue Reserve	0010-997-5725
\$8,430 from Non-Contributory Retirement	0010-910-5725
\$240,000 from Unemployment Comp	0010-913-5725
\$240,000 from Temp Loan Miscellaneous	0010-753-5725
\$245,000 from Contributory Pensions	0010-911-5725

Into the following accounts:

Executive Professional Services	0010-121-5300	\$35,000
Treasurer Tax Title	0010-146-5765	\$220,000
Legal Professional Services	0010-151-5300	\$8200
Legal Operating Costs	0010-151-5725	\$230
Workers Comp Wages	0010-912-5140	\$41,000
Workers Comp Medical	0010-912-5315	\$11,000
DPW Electricity for Streetlights	0010-424-5218	\$100,000
Library Utilities	0010-610-5218	\$23,000
DPW Utilities	0010-421-5218	\$180,000
Fire Overtime	0010-220-5150	\$40,000
Fire Fleet Maintenance	0010-220-5250	\$40,000
Police Line of Duty Medical	0010-210-5315	\$75,000
Public Fac. Maint. School Buildings	0010-195-5254	\$20,000

And be it further Ordered: That the sum of One Hundred Sixty Six Thousand Nine Hundred Forty Two Dollars and Thirteen Cents (\$166,942.13) be and the same is hereby transferred from Stabilization 8155-134-5000 into City Hall Relocation 4022-134-5725.

Recommended:

Gary Christenson, Mayor

Sponsors: Steven Ultrino

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

Yea: 10 - Crowe, DeMaria, Kinnon, Matheson, Murphy, Nestor, Sica, Spadafora, Ultrino and Anderson

Nay: 1 - D'Arcangelo

11. COMMITTEE REPORTS

[354-14](#)

Committee Report: Finance (Paper #302 Annual Appropriation Order for FY2015)

The Standing Committee on Finance to whom was referred Paper #302 Series of 2014 having considered the same make the following report: Committee recommends that this paper be reported out favorably with the following amendments:

1. Decrease the Water/Sewer Administrative Salaries by \$525
2. Increase Mayor's administrative Salaries by \$78,966.06
3. Increase Revenue (MRA Pilot Payment) by \$78,966.06
4. Increase Fellmere Pond by \$20,000 (80% of FY14 appropriation).
5. Reduce Revenue Reserve by \$20,000
6. Increase Cemetery Salaries by \$3,000
7. Decrease Revenue Reserve by \$3,000

Councillor Ultrino for the Committee

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

[302-14](#)

Annual Appropriation Order for Fiscal Year 2015

A motion was made by Councillor Ultrino, seconded by Councillor Matheson, that the Order be amended by reducing Water/Sewer Administrative Salaries by \$525. The motion carried by the following vote:

Yea: 11 - Crowe, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, Nestor, Sica, Spadafora, Ultrino and Anderson

A motion was made by Councillor Ultrino, seconded by Councillor Matheson, that the Order be amended by increasing Mayor's Administrative Salaries by \$78,966.06 and increasing revenue (MRA Pilot Payment) by \$78,966.06. The motion carried by the following vote:

Yea: 11 - Crowe, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, Nestor, Sica, Spadafora, Ultrino and Anderson

A motion was made by Councillor Ultrino, seconded by Councillor Matheson, that the Order be amended by increasing Fellsmere Pond Restoration by \$20,000 (80% of the FY2014 appropriation) and reducing Revenue Reserve by \$20,000.00. The motion carried by the following vote:

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

Nay: 3 - Kinnon, Nestor and Spadafora

A motion was made by Councillor Ultrino, seconded by Councillor Matheson, that the Order be amended by increasing Cemetery Salaries by \$3,000 and reducing Revenue Reserve by \$3,000. The motion carried by the following vote:

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

Nay: 1 - Spadafora

A motion was made by Councillor Ultrino, seconded by Councillor Matheson, that the Order be amended by increasing the School Department Budget by \$2,226,293, resulting in a total school budget of \$63,192,240, increasing the total city appropriation by \$1,371,285, increasing revenue (Stabilization) by \$465,000, reducing the Stabilization Account by \$465,000, reducing DPW Snow & Ice by \$300,000 and reducing Revenue Reserve by \$90,008. The motion carried by the following vote:

Yea: 6 - Crowe, DeMaria, Matheson, Sica, Ultrino and Anderson

Nay: 5 - D'Arcangelo, Kinnon, Murphy, Nestor and Spadafora

A motion was made by Councillor Ultrino, seconded by Councillor Matheson, that the Order be adopted as amended. The motion carried by the following vote:

Yea: 6 - Crowe, DeMaria, Matheson, Sica, Ultrino and Anderson

Nay: 5 - D'Arcangelo, Kinnon, Murphy, Nestor and Spadafora

[355-14](#)

Committee Report: License (Papers #317 and #332/14)

The Standing Committee on License to whom was referred Papers #317 and #332 Series of 2014 having considered the same make the following report: Committee recommends that these licenses be granted.

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.

[317-14](#)

Taxi Driver: John R. Washington, Jr., 155 Crown Point Dr., Hyde Park, MA 02136

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

[332-14](#)

Livery License: Hicham Kedadry, 75 Converse Ave. (New)

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

[356-14](#)

Committee Report: Ordinance (Paper #333 Amending Ordinances relative to hours of operation for Canvassers)

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

[333-14](#)

Be it ordained that Section 6.2 of the Revised Ordinances of 1991 be amended to add hours of operation for canvassers.

Sponsors: Peg Crowe

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

Yea: 11 - Crowe, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, Nestor, Sica, Spadafora, Ultrino and Anderson

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

[357-14](#)

Committee Report: Compliance/Appointments (Paper #329/14 Mayor's Appointment of Amanda Linehan as member of the Redevelopment Authority)

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

[329-14](#)

Mayor's Appointment: Amanda Mantone Linehan, 83 Blomerth St. as a member of the Malden Redevelopment Authority Board (Confirmation required)

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

Yea: 11 - Crowe, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, Nestor, Sica, Spadafora, Ultrino and Anderson

[358-14](#)

Committee Report: Compliance/Appointments (Paper #334 That the Summer Youth Co-ordinator be exempt from provisions of MGL Chapter 268A Section 20.

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

[334-14](#)

Order: That the Summer Youth Coordinator be exempt from the provisions of MGL Chapter 268A Section 20.

Sponsors: Neal Anderson

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

[359-14](#)

Be it Ordained that the Revised Ordinances of 1991 be amended relative to the Department of Water Utilities and the Municipal Hearing Officer

Sponsors: Peg Crowe

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

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

Nay: 1 - Kinnon

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

Yea: 8 - Crowe, DeMaria, Matheson, Murphy, Sica, Spadafora, Ultrino and Anderson

Nay: 3 - D'Arcangelo, Kinnon and Nestor

13. PERSONAL PRIVILEGE

At 8:45 p.m., on the motion of Councillor Matheson, the meeting was recessed subject to the call of the Chair.

KAREN ANDERSON, CITY CLERK