



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final City Council

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Tuesday, July 15, 2014

6:00 PM

City Council Chambers

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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:** 8 - Peg Crowe, Deborah DeMaria, Neil C. Kinnon, John P. Matheson, James M. Nestor, Jadeane Sica, Steven Ultrino and Neal Anderson

**Absent - Councillors:** 3 - David D'Arcangelo, Barbara Murphy and Craig Spadafora

### 8. MOTIONS, ORDERS AND RESOLUTIONS

[360-14](#)

Order: That \$644,194.72 be transferred from Salary Reserve Account to various Fire Department Accounts.

**Sponsors:** Steven Ultrino

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

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

**Yea:** 8 - Crowe, DeMaria, Kinnon, Matheson, Nestor, Sica, Ultrino and Anderson

[361-14](#)

Amending Section 8.42.7 of R.O. 1991 relative to Firefighters Salary Schedule.

**Sponsors:** Peg Crowe

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

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

**Yea:** 8 - Crowe, DeMaria, Kinnon, Matheson, Nestor, Sica, Ultrino and Anderson

**A motion was made by Councillor Crowe that rules be suspended for the purpose of ordaining. The motion carried by a unanimous vote.**

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

**Yea:** 8 - Crowe, DeMaria, Kinnon, Matheson, Nestor, Sica, Ultrino and Anderson

[362-14](#) Order: That \$11,847.72 be transferred from Revenue Reserve to Police Traffic Supervisors Salaries.

**Sponsors:** Steven Ultrino

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

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

**Yea:** 8 - Crowe, DeMaria, Kinnon, Matheson, Nestor, Sica, Ultrino and Anderson

[363-14](#) Amending Section 8.42.6 of R.O. 1991 relative to Traffic Supervisors Salary Schedule

**Sponsors:** Peg Crowe

**A motion was made by Councillor Crowe that t rules suspended. The motion carried by a unanimous vote.**

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

**Yea:** 8 - Crowe, DeMaria, Kinnon, Matheson, Nestor, Sica, Ultrino and Anderson

**A motion was made by Councillor Crowe that the rules be suspended for the purpose of ordaining. The motion carried by a unanimous vote**

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

**Yea:** 8 - Crowe, DeMaria, Kinnon, Matheson, Nestor, Sica, Ultrino and Anderson

[364-14](#) Ordered: That \$92,086.28 be transferred from various accounts to DPW Labor Salaries and Cemetery Labor Salaries

**Sponsors:** Steven Ultrino

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

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

**Yea:** 8 - Crowe, DeMaria, Kinnon, Matheson, Nestor, Sica, Ultrino and Anderson

[365-14](#) Amending Section 8.42 of R.O. 1991 relative to union Salary Schedules.

**Sponsors:** Peg Crowe

**A motion was made by Councillor Crowe tha rules be suspended. The motion carried by a unanimous vote.**

**Yea:** 8 - Crowe, DeMaria, Kinnon, Matheson, Nestor, Sica, Ultrino and Anderson

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

**Yea:** 8 - Crowe, DeMaria, Kinnon, Matheson, Nestor, Sica, Ultrino and Anderson

**A motion was made by Councillor Crowe that rules be suspended for the purpose of ordaining. The motion carried by a unanimous vote.**

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

**Yea:** 8 - Crowe, DeMaria, Kinnon, Matheson, Nestor, Sica, Ultrino and Anderson

[366-14](#)

Ordered: That \$395,716.10 be transferred from various accounts to Various salary accounts

**Sponsors:** Steven Ultrino

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

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

**Yea:** 8 - Crowe, DeMaria, Kinnon, Matheson, Nestor, Sica, Ultrino and Anderson

[367-14](#)

Amending Section 8.35-8.38 of R.O. 1991 relative to non-union salary schedules.

**Sponsors:** Peg Crowe

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

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

[368-14](#)

Order: That \$5,000.00 be transferred from Salary Reserve to City Clerk Temporary Salaries.

**Sponsors:** Steven Ultrino

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

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

**Yea:** 8 - Crowe, DeMaria, Kinnon, Matheson, Nestor, Sica, Ultrino and Anderson

[369-14](#)

Order: That poll worker stipends be increased.

**Sponsors:** John P. Matheson

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

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

**Yea:** 8 - Crowe, DeMaria, Kinnon, Matheson, Nestor, Sica, Ultrino and Anderson

[370-14](#) Order: That \$50,000.00 be transferred from Salary Reserve to Police Salaries.

**Sponsors:** Steven Ultrino

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

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

**Yea:** 8 - Crowe, DeMaria, Kinnon, Matheson, Nestor, Sica, Ultrino and Anderson

[371-14](#) Order: That the City of Malden comply with the provisions of Massachusetts General Laws Chapter 87 relative to the care and maintenance of public shade trees.

**Sponsors:** John P. Matheson

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

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

[372-14](#) Ordered: That the City Clerk notify inhabitants of the State Primary on Tuesday, September 9, 2014.

**Sponsors:** Neal Anderson

**A motion was made by Council President Anderson that rules be suspended. The motion carried by a unanimous vote.**

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

[373-14](#) Order: That polling places be designated for 2014

**Sponsors:** Neal Anderson

**A motion was made by Council President Anderson that rules be suspended. The motion carried by a unanimous vote.**

**A motion was made by Council President Anderson that the Order be adopted. The motion carried by a unanimous vote.**

## ENROLLED ORDINANCES

[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 ordained. The motion carried by the following vote:**

**Yea:** 7 - Crowe, DeMaria, Kinnon, Matheson, Sica, Ultrino and Anderson

**Nay:** 1 - Nestor

[374-14](#)

Re-Appointment of Robert Donnelly as a member of the Board of Assessors for a term expiring March 1, 2017.

**This Appointment was referred to the Compliance/Appointments Committee**

[375-14](#)

Reappointment of John Horne as member of the Board of Health for a term expiring March 1, 2017.

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

[376-14](#)

Re-appointment of William Settemio as a Cemetery Trustee for term expiring March 1, 2019

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

### **13. PERSONAL PRIVILEGE**

[377-14](#)

Executive Session on Pending Litigation (Washington v. City of Malden; Stead v. City of Malden)

Ordered: That the City Council meet with the City Solicitor in Executive Session to discuss pending litigation in the cases of Washington v. City of Malden and Stead v. City of Malden.

**Sponsors:** Neal Anderson

*The Council President declared that open discussion would be detrimental to the City's litigating position.*

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

**Yea:** 8 - Crowe, DeMaria, Kinnon, Matheson, Nestor, Sica, Ultrino and Anderson

**KAREN ANDERSON, CITY CLERK**