



City of Malden

Malden City Hall
200 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Tuesday, January 26, 2016

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, Paul Condon, David D'Arcangelo, Deborah DeMaria, Neil C. Kinnon, John P. Matheson, Ryan O'Malley, Jadeane Sica and Barbara Murphy

Absent - Councillors: 1 - Craig Spadafora

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Representatives of Malden Reads appeared to present the "One City, One Book" selection for 2016.

5. APPROVAL OF MINUTES

[32-16](#) Minutes of the meeting of January 12, 2016.

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

[33-16](#) Minutes of the meeting of January 19, 2016.

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

6. APPOINTMENTS & ELECTIONS

[34-16](#) Re-Appointment of Kathryn Fallon as City Solicitor for a 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.

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[35-16](#) Petition: Mobilitie LLC to set one wood utility pole and anchor on each of the following streets: Bainbridge St., Goodwin Ave. and Rockwell St. (HEARING REQUIRED)

A motion was made by Council President Murphy that the Petition be withdrawn.
The motion carried by a unanimous vote.

[36-16](#)

Petition: Mobilitie, LLC to set one wood utility pole and anchor on
Hartshorn St. (HEARING REQUIRED)

A motion was made by Council President Murphy that the Petition be withdrawn.
The motion carried by a unanimous vote.

[37-16](#)

Taxi Driver: Paul J. Griffin, 168 Ferry St. #3 (New)

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

[38-16](#)

Taxi Driver: Dennis A. Sullivan, 500 Revere Beach Blvd. #205, Revere
(Renewal)

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

[39-16](#)

Taxi Driver: William C. Cook, 25 Sherman 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.

[40-16](#)

Taxi Driver: Kenneth Ferrandi, 70 Triton Ave., Winthrop (Renewal)

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

[41-16](#)

Taxi Driver: Donald F. Porter, 25 Sherman 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.

[42-16](#)

Taxi Driver: John A. Colanton, 4 Belmont Ave., Lynn (Renewal)

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

[43-16](#)

Taxi Driver: Frantz Paul, 15 Clarendon 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.

[44-16](#)

Taxi Driver: John William Johnson, 42 Vernon St. #2 (Renewal)

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

[45-16](#)

Livery Driver: Mujahid A. Moughal, 52 Hancock St. (New)

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

[46-16](#) Amusement Machines: Loyal Order of Moose, Lodge 1910, 562 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.

[47-16](#) Class II: Flag Motor Sales, Inc. 209 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.

8. MOTIONS, ORDERS AND RESOLUTIONS

[48-16](#) Be it Ordained that Section 2.26 of R.O. 1991 be amended relative to the composition of the Compliance Committee.

Sponsors: Barbara Murphy

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

[49-16](#) Order: That the City Council adopt Rules and Orders for 2016.

Sponsors: Craig Spadafora

A motion was made by Councillor DeMaria that the Order be referred to the Rules & Ordinance Committee. The motion failed by the following vote:

[50-16](#) Order: That \$21,499 be transferred from Police Salaries to Police Miscellaneous

Ordered: That the sum of Twenty One Thousand Four Hundred Ninety Nine Dollars (\$21,499.00) be and the same is hereby transferred from Police Salaries (0010-210-5110) to Police Miscellaneous (0010-210-5725).

RECOMMENDED:

Gary Christenson, Mayor

Sponsors: Neil C. Kinnon

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

[51-16](#) Resolve: That the Mayor enter into a contract for upgrades to the residence at Forestdale Cemetery

Resolved: That it is the sense of the City Council that the Mayor enter into a contract in the amount of \$133,640 to be funded through the Perpetual Care Account for upgrades to the residence at Forestdale Cemetery, as described in the proposed contract with Falite Brothers

Sponsors: Barbara Murphy

A motion was made by Councillor Kinnon that the Resolution be referred to the Cemetery Committee. The motion carried by the following vote:

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

Nay: 1 - Condon

[52-16](#)

Resolve: That DCR designate the eastern most lane of the northerly side of Fellsway East at the intersection of Fellsway East and Pleasant St. for vehicles traveling straight or turning right.

Resolved: That it is the sense of the City Council that, in order to mitigate severe traffic congestion between 1 Fellsway East and 61 Fellsway East, the Department of Conservation and Recreation designate the eastern most lane of Fellsway East heading in the northerly direction from the intersection of Fellsway East and Pleasant St. for vehicles traveling straight or turning right.

Sponsors: Paul Condon

A motion was made by Councillor Condon, seconded by Councillor DeMaria, that the Resolution be passed. The motion carried by the following vote:

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

9. COMMUNICATIONS

10. CLAIMS

11. COMMITTEE REPORTS

[53-16](#)

Committee Report: License (Various License Renewals - Class I, Class II, Amusement Machines, Extended Hours)

The Standing Committee on License, to whom was referred Papers #4 (Class I), 5, 7, 8, 29, 592-15, 595-15, 633-15, 653-15 (Class II), 12 (Extended Hours), 9, 10 & 11, 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 the following vote:

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

[4-16](#)

Class I Dealer: Bay State Ambulance Sales, Inc. 163 Eastern Ave. (Renewal)

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

[5-16](#)

Class II Dealer: Metro Auto Collision & Sales, Inc. 55 Madison St. (Renewal)]

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

[7-16](#)

Class II Dealer: Automotive Repair dba Linden Auto, 121 Beach St. (Renewal)]

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

[8-16](#)

Class II Dealer: Salem St. Motors, Inc., 369 Salem St. (Renewal)

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

[29-16](#)

Class II: Main Auto Mall Inc., 259 Main St. (Renewal)

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

[592-15](#)

Class II Dealers: Maxima Auto Sales Corp. 17 Charles St. (Renewal)

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

[595-15](#)

Class II Dealer: Rio Auto Group Corp. dba/Dealer One Motors 77 Broadway (Renewal)

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

[633-15](#)

Class II Dealer: Culleton Bros. Inc. 366 Washington (Renewal)

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

[12-16](#)

Extended Hours: Walgreen's #03130, 185 Centre St. (Renewal)

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

[9-16](#)

Amusement Machine: ITAMS Post 16, 40 Oakland St. (Renewal)

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

[10-16](#)

Amusement Machines: Provo Corp. dba Patrick's 36-40 Lebanon St. (Renewal)]

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

[11-16](#) Amusement Machines: GLS Associates Inc. 50 Holden St. (Renewal)

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

[54-16](#) Committee Report: License (Class II Renewal: Jordan Motors Inc, 147 Ferry St.)

The Standing Committee on License, to whom was referred Paper #668 Series of 2015, having considered the same make the following report: Committee recommends that this license be granted with the following condition: that, on or before May 1st, the lot be lined in accordance with the approved plot plan and that all spaces on the lot be numbered in a manner that designates use for a specific business.

COUNCILLOR ANDERSON FOR THE COMMITTEE

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

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

[668-15](#) Class II: Jordan Motors Inc. 147 Ferry St. (Formerly Malden Auto Sales)

A motion was made by Councillor Anderson that the Petition be granted with the condition that, on or before May 1st, the lot be lined in accordance with the approved plot plan and that all spaces on the lot be numbered in a manner that designates use for a specific business.

[55-16](#) Committee Report: Ordinance (Paper #514-15 Amending Chapter 12 Section 200.2 of R.O. 1991 relative to zoning map - Hanover St.)
The Standing Committee on Ordinance, to whom was referred Paper #514 Series of 2015, having considered the same make the following report: Committee recommends that this paper be reported out favorably.

COUNCILLOR KINNON FOR THE COMMITTEE

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

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

[514-15](#) Be it ordained that Section 200.2 (Zoning Map) Chapter 12 of the Revised Ordinances of 1991 be amended relative to the property known as 11 Hanover Street.

Sponsors: Neil C. Kinnon

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

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

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

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

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

[56-16](#)

Committee Report: Ordinance (Paper #13 Amending Section 8.42.1 of R.O. 1991 relative to corrective changes to Library Salary Schedule) The Standing Committee on Ordinance, to whom was referred Paper #13 Series of 2016, having considered the same make the following report: Committee recommends that this paper be reported out favorably.

COUNCILLOR DEMARIA FOR THE COMMITTEE

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

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

[13-16](#)

Be it Ordained that Section 8.42.1 of the Revised Ordinances of 1991 be amended relative to the Library Salary Schedule (Corrective Change)

Sponsors: David D'Arcangelo

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

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

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

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

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

12. TABLED PAPERS

UNDER SUSPENSION OF RULES

[57-16](#)

Resolve: That the Mayor identify a funding source to conduct a traffic study of Fellsway East in partnership with DCR

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 Resolution be passed. The motion carried by a unanimous vote.

[58-16](#)

Resolve: That the City conduct a feasibility study for acquisition of a portion of Malden Hospital site and for low impact development on the remainder of the site.

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 Resolution be referred to the Finance Committee. The motion carried by a unanimous vote.

13. PERSONAL PRIVILEGE

14. ADJOURNMENT

At 7:50 p.m., a motion was made by Councillor Anderson that the meeting be adjourned.

KAREN ANDERSON, CITY CLERK