



City of Malden

Malden City Hall
200 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Tuesday, March 29, 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, Deborah DeMaria, Neil C. Kinnon, John P. Matheson, Ryan O'Malley, Jadeane Sica, Craig Spadafora and Barbara Murphy

Absent - Councillors: 1 - David D'Arcangelo

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Representatives of JRM appeared to discuss trash and recycling collections in the City.

Representatives of the Mayor's Office and the Malden Redevelopment Authority will appear to provide an update on the status of the Field of Dreams project at the National Grid site.

[180-16](#)

Resolve: That Alex Bok provide a viable plan for the National Grid site within 60 days.

Resolved: That it is the sense of the City Council that Alex Bok provide a viable plan for the redevelopment of the National Grid site within 60 days or the city withdraw support for the project.

Sponsors: Craig Spadafora

A motion was made by Councillor Spadafora, seconded by Councillor Kinnon, that the Resolution be passed. The motion carried by a unanimous vote.

5. APPROVAL OF MINUTES

[173-16](#)

Minutes of the meeting of March 15, 2016

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

[174-16](#)

Minutes of the meeting of March 22, 2016.

A motion was made by Councillor Spadafora that the Council Minutes be

approved. The motion carried by a unanimous vote.

6. APPOINTMENTS & ELECTIONS

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[175-16](#)

Taxi Driver: Charles E. Steele Jr. 50 Water St. #28, Medford

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

[176-16](#)

Pool Table: Loyal Order of Moose #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.

[177-16](#)

Outdoor Parking: T. J. Automotive, 315 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.

[178-16](#)

Outdoor Parking: Rigano's Inc., 1081 Fellsway (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

[179-16](#)

Order: That the Mayor be authorized for file an application for grants under the Housing and Community Development Act of 1974 and the Cranston-Gonzalez Housing Act of 1990 (CDBG Budget)

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.

[181-16](#)

Be it ordained that Chapter 9 of the Revised Ordinances of 1991 be amended relative to storage of Solid Waste

Be it hereby Ordained by the Malden City Council that Chapter 9 of the Revised Ordinances of 1991, as amended, be further amended as follows:

- In Section 9.27 (Definitions Applicable to All Waste), by striking out the first two sentences of the definition of "receptacles" and inserting in place thereof the following:
"Recycling bins and approved trash bags, which have been placed in barrels which are watertight, have tight fitting lids, be rust resistant and are structurally sound and easily filled, emptied and cleaned."
- In Section 9.28 (Standards and Regulations), by adding after the

words “approved trash bags” as appearing in the fourth paragraph of Subsection A (Residential Waste) the words “stored in barrels”

- In Section 9.28 (Standards and Regulations), by adding after the words “properly ties or secured” as appearing in the first sentence of Subsection B 2 (Solid Waste Collection by City Collector) the words “and stored in barrels”.

Sponsors: Ryan O'Malley

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

[182-16](#)

Be it ordained that Section 2.4 of R.O. 1991 be amended relative to the composition of the Historic Commission, the Conservation Commission, the Planning Board and the Housing Authority

Be it ordained by the Malden City Council that Section 2.4 of the Revised Ordinances of 1991 as amended be and the same are hereby further amended as follows:

-by adding after the words “Conservation Commission (5) 2 years” as appearing in the section entitled “Appointed by Mayor & Confirmed by the City Council” the following: “provided that no two members shall reside in the same ward”.

-by adding after the words “Housing Authority (4) 5 years” as appearing in the section entitled “Appointed by Mayor & Confirmed by the City Council” the following: “provided that no two members shall reside in the same ward”.

-by adding after the words “Planning Board (9) 5 years” as appearing in the section entitled “Appointed by Mayor & Confirmed by the City Council” the following: “provided that no less than one members shall reside in each ward”.

-by adding after the words “Historic Commission(5) 2 years” as appearing in the section entitled “Appointed by the Mayor” the following: “provided that no two members shall reside in the same ward.”

Sponsors: Neil C. Kinnon

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

[183-16](#)

Order: That the City submit to the Massachusetts Legislature for passage in substantially the following form An Act Relative to the composition of the Community Preservation Committee in the City of Malden

Ordered: That the City submit to the Massachusetts legislature for

passage in substantially the following form:

An Act Relative to the Composition of the Community Preservation Committee in the City of Malden:

Section 1. Notwithstanding the provisions of Massachusetts General Laws Chapter 44B Section 5 or any other general or special law to the contrary, the City of Malden may by ordinance establish a Community Preservation Committee consisting of not less than five nor more than fifteen members.

Section 2. This act shall take effect upon passage.

Sponsors: Neil C. Kinnon

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

[184-16](#)

Order: That representatives of the Master Planning Steering Committee appear before the Council to provide a status update on their activities.

Sponsors: Deborah DeMaria

The Council President asked that the Master Planning Steering Committee be requested to attend the first meeting in May.

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

[185-16](#)

Order: That \$1,880,000 be appropriated from available Free Cash for the purchase of 110 Pleasant St. for municipal use.

Ordered: That the sum of \$1,880,000 (One Million Eight Hundred Eighty Thousand Dollars) be appropriated from available Free Cash for the purchase of 110 Pleasant St. for municipal use.

Sponsors: Neil C. Kinnon

A motion was made by Councillor Kinnon that financial rules be suspended. The motion carried by the following vote:

Yea: 9 - Anderson, Crowe, Condon, DeMaria, Kinnon, Matheson, Sica, Spadafora and Murphy

Nay: 1 - O'Malley

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

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

9. COMMUNICATIONS

10. CLAIMS

[186-16](#) Claim: Traci & Kevin Fitzgerald, 46 Boston St., Malden

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

11. COMMITTEE REPORTS

[187-16](#) Committee Report: License (Paper #153-16 Extended Hours for CVS Pharmacy, 32 Ferry St.)

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

[153-16](#) Extended Hours: CVS Pharmacy #672, 32 Ferry St. (Renewal)]

A motion was made by Councillor Anderson that the Petition be granted with the condition that a Police detail be on site from midnight to 6 a.m. seven days a week. The motion carried by a unanimous vote.

[188-16](#) Committee Report: License (Various Livery, Taxi, Secondhand Dealer and Pawnbroker Licenses)

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

[138-16](#) Livery Driver: David Ulysse 230 Bryant St. (Renewal)

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

[139-16](#) Livery: Stagne Louis 71 Clifton St. #2 (New)

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

[140-16](#) Taxi Driver: John P. Walters 5 Hancock St. #11, Everett (Renewal)

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

[141-16](#) Taxi Driver: Fredrick B. Hardy, 93 Brunswick St., Dorchester (Renewal)

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

[143-16](#) Taxi Driver: Francisco Flores, 37 Baily Rd. #2, Somerville (New)

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

[144-16](#) Taxi Driver: Michael A. Miano, 8 Maple Ave., Danvers (New)

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

- [145-16](#) Taxi Driver: German D. Henao 31 E. Wyoming , Melrose (New)]
A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.
- [146-16](#) Taxi Driver: Marc Olivieri 204 Bryant St. #1 (New)
A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.
- [147-16](#) Taxi Driver: Christopher J. Jackson 24 Surfside Rd. #6, Lynn
A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.
- [149-16](#) Second Hand Dealer: Gold & Diamonds, 27-29 Pleasant St. (Renewal)
A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.
- [150-16](#) Second-hand Dealer: Art Carl Jewelers & A.C. Loan 56 Pleasant St. (Renewal)
A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.
- [151-16](#) Pawnbroker: Gold & Diamonds, 27-29 Pleasant St. (Renewal)
A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.
- [152-16](#) Pawnbroker: Art Carl Jewelers & A.C. Loan 56 Pleasant St. (Renewal)
A motion was made by Councillor Anderson that the Petition be granted. The motion carried by a unanimous vote.
- [189-16](#) Committee Report: Appointments (Paper#131-16 Re-appointment of Eric MacCuish as a member on the Planning Board)
A motion was made by Councillor Matheson that the Committee Report be received and filed. The motion carried by a unanimous vote.
- [131-16](#) Mayor's Re-Appointment: Eric MacCuish, 101 Hill St. as member of the Planning Board
A motion was made by Councillor Matheson that the Appointment be confirmed. The motion carried by a unanimous vote.
- [190-16](#) Committee Report: Appointments (Paper#132-16 Re-appointment of Diane Chuha as a member on the Planning Board)
A motion was made by Councillor Matheson that the Committee Report be received and filed. The motion carried by a unanimous vote.

- [132-16](#) Mayor's Re-Appointment: Diane Chuha, 19 Marion St. as a member of the Planning Board
A motion was made by Councillor Matheson that the Appointment be confirmed. The motion carried by a unanimous vote.
- [191-16](#) Committee Report: Appointments (Paper#523-15 Re-appointment of Paul Buckley as a member on the Conservation Commission)
A motion was made by Councillor Matheson that the Committee Report be received and filed. The motion carried by a unanimous vote.
- [523-15](#) Mayor's Appointment: Paul Buckley, 115 Emerald Street, as member of the Conservation Commission (Term Exp: 10/5/17)
A motion was made by Councillor Matheson that the Appointment be confirmed. The motion carried by a unanimous vote.
- [192-16](#) Committee Report: Appointments (Part-time vacancy on Board of Assessors)
A motion was made by Councillor Matheson that the Committee Report be received and filed. The motion carried by a unanimous vote.
- [193-16](#) Order: That Robert Donnelly be appointed to the part-time position on the Board of Assessors for a term expiring March 1, 2017.

12. TABLED PAPERS

13. PERSONAL PRIVILEGE

14. ADJOURNMENT

A motion was made by Councillor Sica that the be adjourned. The motion carried by the following vote:

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

KAREN ANDERSON, CITY CLERK