



City of Malden

Malden City Hall
200 Pleasant Street
Malden, MA 02148

Meeting Minutes City Council

Tuesday, March 28, 2017

7:00 PM

John & Christina Markey Community Center,
7 Washington St.

1. CALL TO ORDER

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

3. ROLL CALL

Present - Councillors: 10 - Neal Anderson, Paul Condon, David D'Arcangelo, Deborah DeMaria, Neil C. Kinnon, John P. Matheson, Barbara Murphy, Ryan O'Malley, Craig Spadafora and Peg Crowe

Absent - Councillors: 1 - Jadeane Sica

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Ron Hogan from the Controllers Office will appear before the City Council to discuss a proposal to replace all high pressure Sodium Cobra Head Street lights with LED Lights.

Gary Stead from the Engineering Department will appear before the City Council to address the Lead Water Testing Program

5. APPROVAL OF MINUTES

[153-17](#) Minutes from the City Council meeting of February 28, 2017

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

[154-17](#) Minutes from the City Council meeting of March 7, 2017

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

6. APPOINTMENTS & ELECTIONS

[134-17](#) Mayor's Re-Appointment: Diego Barricelli, 33 Glen St., Malden member of the Public Works Commission, said term to expire on March 1, 2020

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

- [135-17](#) Mayor's Re-Appointment: Pasquale DeFeo, Jr., 84 Trevalley Rd., Revere, MA as Constable, said term to expire: April 1, 2020
A motion was made by Councillor DeMaria that the Appointment be referred to the Personnel/Appointments Committee. The motion carried by a unanimous vote.
- [136-17](#) Mayor's Re-Appointment: Kevin Jarvis, 64 Jewett St., Georgetown, as Veteran's Service Officer/Agent, said term to expire March 1, 2020
A motion was made by Councillor DeMaria that the Appointment be referred to the Personnel/Appointments Committee. The motion carried by a unanimous vote.
- [155-17](#) Mayor's Appointment: Andrew Zeiberg of 86 Lawrence St., Malden, MA to the License Board.
A motion was made by Councillor DeMaria that the Appointment be referred to the Personnel/Appointments Committee. The motion carried by a unanimous vote.
- [156-17](#) Mayor's Re-Appointment: Richard Breen, 79 Waite St. Ext. #45, Malden, as member of the Registrar of Voters
A motion was made by Councillor DeMaria that the Appointment be referred to the Personnel/Appointments Committee. The motion carried by a unanimous vote.
- [137-17](#) Council Re-Appointment: James Tuxbury, 111Glen St., Malden, MA as a Cemetery Trustee (Term Exp: 3/1/2021)
A motion was made by Councillor DeMaria that the Appointment be referred to the Personnel/Appointments Committee. The motion carried by a unanimous vote.

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

- [162-17](#) Petition: National Grid of North Andover, MA grants permission to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways Forest St., Malden
(HEARING REQUIRED)
The petition was granted with the following conditions (1) That Engineer be notified when dig safe is called. (2) That the streets and sidewalks be restored to the satisfaction of the Director of Public Works.
- [138-17](#) Class II: 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.
- [163-17](#) Class II: John's Service, 200 Beach 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.

[139-17](#)

Taxi Driver: Christopher Jackson, 24 Surfside Rd. #6, 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.

[140-17](#)

Livery Driver: Dawit Woldu, 15 Phillips 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.

[157-17](#)

Flower Sale: Boy Scout Troop 603, 493 Main St. April 15, 2017 8:00AM - 3:00PM

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

[158-17](#)

Extended Hours: Supreme Food Mart, 1018 Eastern Ave., (New) (24-7)

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

[159-17](#)

Pawnbroker: Art Carl Jewelers, 56 Pleasant St., Malden (Renewal)

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

[160-17](#)

Second Hand Dealer: A. C. Loan Co., 56 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.

[165-17](#)

Lodging House: Lawrence French 98 Laurel 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.

8. MOTIONS, ORDERS AND RESOLUTIONS

[141-17](#)

Order: That the City of Malden elects to engage in the process to change health insurance benefits under M.G.L. Ch. 32B, Section 21 through 23.

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

[167-17](#)

Order: That according to the Massachusetts General Laws, Chapter 268A, Section 20 job coach for Malden's Summer Youth Employment Program be exempt from provisions.

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

[142-17](#) Be it Ordained that Section 6.11 of the Revised Ordinances of 1991 relative to renewal of Self-Service Gas Stations be amended as follows: Renewal date be changed from on or before July 1, to May 1.

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

[143-17](#) Ordinance: Be it ordained that Section 5.3 of the Revised Ordinances of 1991 be amended relative to the position of Director of the Senior Center.

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

[144-17](#) Ordinance: Be it ordained that Section 8.35 of the revised Ordinances of 1991 be amended relative to the position of Director of the Senior Center

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

[145-17](#) Ordinance: Be it ordained that Section 8.36 of the revised Ordinances of 1991 be amended relative to the position of Director of the Senior Center

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

[161-17](#) Resolve: That the Mayor and Ward 4 Councillor draft an agreement between the City of Malden and Dosi Dough Realty in regards to 10 Florence St.

A motion was made by Councillor Kinnon seconded by Councillor Matheson to amend the resolution by adding at the end, "that the Mayor use the same distribution mitigation formula used in the current R I O at Overlook Ridge apartments, splitting the money received, half distributed to the Mayor and half distributed and divided equally to each Councillor." The motion carried by the following vote:

Yea: 8 - Anderson, Condon, D'Arcangelo, Kinnon, Matheson, Murphy, Spadafora and Crowe

Nay: 2 - DeMaria and O'Malley

A motion was made by Councillor Matheson seconded by Councillor Kinnon to strike "And Ward Four Councillor" from the resolution. The motion carried by the following vote:

Yea: 8 - Anderson, Condon, D'Arcangelo, Kinnon, Matheson, Murphy, Spadafora and Crowe

Nay: 2 - DeMaria and O'Malley

This Resolution, which shall now read as follows: "That the Mayor draft an agreement between the City of Malden and Dosi Dough Realty in regards to 10 Florence St, that the Mayor use the same distribution mitigation formula used in the current RIO at Overlook Ridge Apartments splitting the money received, half

distributed to the Mayor and half distributed and divided equally to each Councillor", was passed as amended. The motion carried by the following vote:

Yea: 9 - Anderson, Condon, D'Arcangelo, DeMaria, Kinnon, Matheson, Murphy, Spadafora and Crowe

Nay: 1 - O'Malley

[179-17](#) Annual Report of the Northeast Metropolitan Regional Vocational High School District.

9. COMMUNICATIONS

10. CLAIMS

[146-17](#) Claim: Edward Haggerty, 55R Beachview Terrace, Malden

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

[147-17](#) Claim: Alexandra Gryta, 37 Goodwin Ave., Malden

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

[148-17](#) Claim: Kevin Wilson, 234 Newland St., Malden

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

[150-17](#) Claim: Kimberly Hart 241 Glenwood St., Malden

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

[151-17](#) Claim: Oscar E. Wilson, 50 S. Common Street # 304 , Lynn

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

[152-17](#) Claim: John DeAngelo 20 Hillside Pk Malden

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

[164-17](#) Claim: Alain J. Suissa, 47 High St. #206, Medford

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

[166-17](#) Committee Report: Ordinance (Paper #57-17 that Section 8.35 of the Revised Ordinances of 1991 be amended Re: Assistant Controller)

11. COMMITTEE REPORTS

[57-17](#)

Be it ordained that Section 8.35 of the Revised Ordinances of 1991 be amended relative to Assistant Controller

A motion was made by Councillor Kinnon seconded by Councillor Murphy that paper 57-17 be amended to add that "The Appointment requires confirmation by City Council after having gone through the Personnel and Appointments Committee process." The motion was carried by the following vote:

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

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

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

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

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

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

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

12. TABLED PAPERS

[473-16](#)

Petition: Cellco Partnership dba Verizon Wireless to locate small cell wireless antenna and sustaining fixtures on existing utility pole #1983, adjacent to 1200 Eastern Ave.
(Hearing Required)

[338-16](#)

Be it Ordained that Section 3.37 of R.O. 1991 be amended relative to demolition notices to abutters

13. PERSONAL PRIVILEGE

14. ADJOURNMENT

THOMAS E. BRENNAN, CITY CLERK