



City of Malden

Malden City Hall
200 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Tuesday, October 4, 2016

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

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Representatives of Community Opportunities Group appeared to discuss the moratorium study.

[401-16](#)

Order: That the City Council establish a five-member Ad Hoc Committee on the Moratorium Study.

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

5. APPROVAL OF MINUTES

[388-16](#)

Minutes of the meeting of September 20, 2016.

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

[389-16](#)

Minutes of the meeting of September 27, 2016.

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

6. APPOINTMENTS & ELECTIONS

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

8. MOTIONS, ORDERS AND RESOLUTIONS

[390-16](#)

Order: That the MRA apply for a Section 108 Loan for reconstruction of certain streets.

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.

[391-16](#)

Resolve: That the Council deny confirmation to any new appointee to Housing Authority or Conservation Commission if confirmation would result in the board having more than one member from any ward and to the Planning Board if confirmation would result in more than two members from any ward.

Sponsors: Neil C. Kinnon

A motion was made by Councillor Kinnon, seconded by Councillor Crowe, that the Resolution be referred. The motion carried by the following vote:

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

Nay: 1 - Matheson

9. COMMUNICATIONS

10. CLAIMS

11. COMMITTEE REPORTS

[393-16](#)

Committee Report: Compliance/Appointments (Paper #237 Council Appointment of Resident Representative to the Human Rights, Fair Housing and Disability Issues Commission)

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

[237-16](#)

Council Appointment: Resident Representative to the Human Rights, Fair Housing and Disability Issues Commission (Term Expiring: July 1, 2017)

A motion was made by Councillor D'Arcangelo that Susan Thomson of 440 Ferry St. be appointed to the Human Rights, Fair Housing and Disability Issues Commission. The motion carried by a unanimous vote.

[394-16](#)

Committee Report: Compliance/Appointments (Paper #258 Mayor's Appointment: Victoria Parsons, 37 Medford St. as member of Conservation Commission)

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

[258-16](#)

Mayor's Appointment: Victoria Parsons, 37 Medford St., Malden, MA as member of the Conservation Commission (Term Exp: May 3, 2018)

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

[395-16](#) Committee Report: Compliance/Appointments (Paper #254 Appointment to fill vacancy on Board of Health)

A motion was made by Councillor D'Arcangelo, seconded by Councillor Matheson, that the Committee Report be appointed. The motion carried by the following vote:

[254-16](#) Council Appointment: Member of the Board of Health (Term Exp: 3/1/2019)

A motion was made by Councillor D'Arcangelo that Kourtney Nickerson of 20 Summer St. be appointed to the Board of Health for a term expiring March 1, 2019. The motion carried by a unanimous vote.

[396-16](#) Committee Report: License (Paper #342-16 Self Service Gas Station Renewal: King Petroleum, 324 Broadway)

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

[342-16](#) Self-Service Gas Station: (Renewal) King Petroleum, 324 Broadway

A motion was made by Councillor Anderson that the Petition be granted with the following condition: that the abandoned trailer be removed from the property and Compliance Officers be notified when it has been removed. The motion carried by a unanimous vote.

[397-16](#) Committee Report: License (Paper #367-16 Taxi Driver: James Paulo, 6 Dighton St., Saugus)

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

[367-16](#) Taxi Driver: James Paulo 6 Dighton St., Saugus (New)

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

[398-16](#) Committee Report: Ordinance (Paper #336 -16 Amending Use Regulations for Adult Day Health Care)

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

[336-16](#) Be it Ordained that Chapter 12, Section 300.3 of R.O. 1991 be amended regarding Use Regulations for Adult Day Health Centers

Sponsors: Neal Anderson

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

Yea: 11 - Anderson, Crowe, Condon, D'Arcangelo, DeMaria, Kinnon, Matheson, O'Malley, Sica, Spadafora and Murphy

A motion was made by Councillor Spadafora that rules be suspended for the

purpose of ordaining. The motion carried by a unanimous vote.

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

Yea: 11 - Anderson, Crowe, Condon, D'Arcangelo, DeMaria, Kinnon, Matheson, O'Malley, Sica, Spadafora and Murphy

[399-16](#)

Committee Report: Ordinance (Paper #337 -16 Amending Chapter 12 relative to Asphalt, Brick, Concrete and Soil Recycling)

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

[337-16](#)

Be it Ordained that Chapter 12 Section 800.6.2.7 be amended relative to Asphalt, Brick, Concrete and Soil Recycling

Sponsors: Craig Spadafora

A motion was made by Councillor Spadafora that the Ordinance be amended by adding the following language: 1. All materials must be used on site; and 2. Activity may only be by a licensed contractor with proper insurance. The motion carried by a unanimous vote.

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

Yea: 11 - Anderson, Crowe, Condon, D'Arcangelo, DeMaria, Kinnon, Matheson, O'Malley, Sica, Spadafora and Murphy

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

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

Yea: 11 - Anderson, Crowe, Condon, D'Arcangelo, DeMaria, Kinnon, Matheson, O'Malley, Sica, Spadafora and Murphy

[400-16](#)

Committee Report: Ordinance (Paper #334 Be it ordained that Chapter 12 of R.O. 1991 be amended relative to parking, open space, special permits and development mitigation)

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

[334-16](#)

Be it Ordained that Chapter 12 of the Revised Ordinances of 1991 be amended relative to parking and open space, special permits and development mitigation

Sponsors: Craig Spadafora

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

Yea: 11 - Anderson, Crowe, Condon, D'Arcangelo, DeMaria, Kinnon, Matheson, O'Malley, Sica, Spadafora and Murphy

13. PERSONAL PRIVILEGE

Meeting Reconvened

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

[392-16](#)

Order: That the City Council meet with the City Solicitor in Executive Session to provide a status update on pending litigation and ongoing investigations.

Sponsors: Deborah DeMaria

The Council President declared that open discussion would be detrimental to the City's negotiating and/or investigative position.

The open meeting was recessed and Executive Session convened at 8:30 p.m.

The open meeting was reconvened at 10:00 p.m.

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

Yea: 11 - Anderson, Crowe, Condon, D'Arcangelo, DeMaria, Kinnon, Matheson, O'Malley, Sica, Spadafora and Murphy

14. ADJOURNMENT

At 10:00 p.m., a motion was made by Councillor Anderson that the meeting be adjourned. The motion carried by a unanimous vote.

KAREN ANDERSON, CITY CLERK