



# City of Malden

Malden City Hall  
200 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final City Council

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Tuesday, October 20, 2015

7:00 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:** 9 - Peg Crowe, David D'Arcangelo, Deborah DeMaria, Neil C. Kinnon, Barbara Murphy, James M. Nestor, Jadeane Sica, Steven Ultrino and John P. Matheson

**Absent - Councillors:** 2 - Neal Anderson and Craig Spadafora

### **4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS**

### **5. APPROVAL OF MINUTES**

[533-15](#) Minutes of the Meeting of October 6, 2015.

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

[534-15](#) Minutes of the Meeting of October 13, 2015

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

### **6. APPOINTMENTS & ELECTIONS**

[535-15](#) Mayor's Appointment: Anthony Chiccuarelli, 22 Wesmur Rd. as Director of Human Resources (Term Exp: 3/1/2018)

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

### **7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES**

[536-15](#) Class II: Malden Auto Sales, 147 Ferry St. (Transfer of License)

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

[537-15](#) Class II: Cityline Auto Brokers LTD., 497 Broadway, Malden (Amended)

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

[538-15](#)

Class II: Absolute Auto Rental & Sales Inc., 495 Broadway (New)

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

[539-15](#)

Livery: Hung N. Huynh, 29 Marshall Ave. (New)

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

## **8. MOTIONS, ORDERS AND RESOLUTIONS**

[540-15](#)

Be it ordained that Section 2.13A of the Revised Ordinances of 1991 be amended relative to monetization of all items negotiated with labor unions.

Be it ordained by the Malden City Council of the Revised Ordinances of 1991 be amended by adding after the last sentence of Section 2.13A the following new sentence:

Said contract shall assign an good faith estimate of the monetary value of each negotiated item.

**Sponsors:** David D'Arcangelo

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

[541-15](#)

Be it ordained that R.O. 1991 be amended to impose a moratorium on multi-family dwelling units.

**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.**

[542-15](#)

Be it ordained that Section 9.41 of the Revised Ordinances of 1991 be amended relative to Public Nuisances

**Sponsors:** David D'Arcangelo

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

[543-15](#)

Order: That the Assessor's Office be authorized to make salary adjustments to the Director of Assessing for services performed in FY2015

Ordered: That the Assessor's Office be allowed to pay the difference in salary between the Assistant Assessor (M1A/1) and the Director of Assessing (M2/3) for prior year salary (FY2015) to the current Director of Assessing for a 23 week period between January 19, 2015 through June 30, 2015.

**Sponsors:** Barbara Murphy and David D'Arcangelo

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

**Yea:** 9 - Crowe, D'Arcangelo, DeMaria, Kinnon, Murphy, Nestor, Sica, Ultrino and Matheson

## **9. COMMUNICATIONS**

[544-15](#)

Communication from the Mayor relative to Shortened Water Meter Billing Cycles

To: Malden City Council

From: Mayor Gary Christenson

CC: Public Works Commissioners

Date: October 16, 2015

Re: Shortened Water Meter Reads

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Currently, water meters are read on the 15th of each month which covers the prior 30 day period. For example, meters read on October 15th cover usage from September 16th through October 15th. The process of uploading the data, calculating bills and the preparation for mailing the information has the bills arriving to customers on or about December 1st. The end result is that 45 days have passed between when the meter is read to when the customer receives the actual bill.

One of the sections of a current bill serves to inform the customer of a potential water leak. These codes are generated when the meters sense an abnormal constant flow of water during various time periods. Shortening the time period between the reading and mailing will help to notify customers more quickly of leaks and therefore save customers cost overruns. At my recommendation and in consultation with the City Engineer and Treasurer Offices, the Public Works Commission voted on August 11th to shorten the billing window which will begin to address this problem.

In order to implement a shortened (30-day) read-to-billing cycle, it will be necessary for customers to receive a one-time bill containing 45 days of usage after which we would revert back to normal 30-day usage periods. Under the plan, rather than reading on the 15th of the month, meters would be read on the first of the month for the prior 30 days. However, the first bill would contain the extra 15 days usage. For example,

assuming we moved forward with this change effective November 1st, a meter read on November 1st would include usage from September 16th to November 1st. These bills would then be mailed on or about December 1st. Going forward readings would occur on the 1st of the month for the prior 30 days and be mailed approximately 30 days after the meter reading. The actual implementation date will be later to account for pre-notification as discussed later in this memorandum.

In shortening the reading/billing cycle, customers will potentially realize a reduction in the added cost that occurs when leaks are detected 45 days later. We believe this will also result in the Public Works Commissioners spending less time hearing abatement requests from customers with excessive usage resulting from leaks.

As you know, water and sewer usage is billed by tiers, a schedule of which is included below. To avoid customers being bumped into a higher tier during the crossover, we will adjust the tiers on a one-time basis for the extended billing cycle which will prevent taxpayers from being negatively impacted by the implementation.

Customers will be notified of the one-time billing change through at least two inserts mailed with the monthly water and sewer bills starting two months before the 45-day billing takes place. Notification will also be published on the City website as well.

We are sensitive to concerns that may exist over these changes and ask that you forward your input and concerns to Mark Good prior to November 1st. In addition, if you would prefer, the members of the Public Works Commission, City Engineer Jack Russell and Treasurer Mark Good are available to meet with you to discuss this change prior to implementation. If there are no concerns expressed that call for further dialogue, we will look to move forward beginning with the monthly inserts prior to implementation and will be sure to keep you informed along the way.

#### Malden Water Tiered Water and Sewer Rates

1st Step	0 to 50 cubic feet	\$6.00
2nd Step	51 to 800 cubic feet	\$9.76
3rd Step	801-12,000 cubic feet	\$20.24
4th Step	over 12,000 cubic feet	\$25.25

#### Proposed Tier Multiplier One-time Implementation Schedule

1st Step	0 to 75 cubic feet	\$6.00
2nd Step	76 to 1,200 cubic feet	\$9.76
3rd Step	1,201-18,000 cubic feet	\$20.24
4th Step	over 18,000 cubic feet	\$25.25

cc: Public Works Commission  
Mark Good, Treasurer  
Jack Russell, City Engineer

**A motion was made that the Communication be placed on file. The motion carried by the following vote:**

## **10. CLAIMS**

## **11. COMMITTEE REPORTS**

### [545-15](#)

Committee Report (Ordinance): Paper #516-15 amending rules relative to appointments.

The Standing Committee on Ordinance, to whom was referred Paper #516 Series of 2015, having considered the same make the following report: Committee recommends that this paper be reported out favorably with the following amendment: That the last sentence of the first paragraph be stricken and the following inserted in place thereof: The Appointments Committee shall, as part of its review, receive a resume, background information and application materials, if any, on any initial appointment and shall meet with all nominees prior to recommendation.

Councillor D'Arcangelo for the Committee

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

### [516-15](#)

Order: That the Rules and Orders of the Malden City Council be amended relative to Appointments

**Sponsors:** John P. Matheson

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

**Yea:** 9 - Crowe, D'Arcangelo, DeMaria, Kinnon, Murphy, Nestor, Sica, Ultrino and Matheson

### [547-15](#)

Committee Report (Finance): Paper #518-15 That \$449,000 be appropriated from the Expendable Trust Fund to various Development Mitigation Accounts and that a revolving fund be created for parking related expenses.

The Standing Committee on Finance, to whom was referred Paper #512 Series of 2015, having considered the same make the following report:

Committee recommends that so much of this paper as relates to appropriate of funds be adopted and remaining portions remain in committee for further investigation and discussion.

Councillor Murphy for the Committee

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

[518-15](#)

Ordered: That \$449,000 be appropriated from the Expendable Trust Fund to the citywide mitigation funds for installation of parking meters and to various ward funds for purposes allowable under Section 4.41 of R.O. 1991 and that a resolving fund be established for parking related expenses.

**Sponsors:** Barbara Murphy

**A motion was made by Councillor Murphy, seconded by Councillor Kinnon, that the Order be amended in accordance with the committee report. The motion carried by a unanimous vote.**

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

**Yea:** 9 - Crowe, D'Arcangelo, DeMaria, Kinnon, Murphy, Nestor, Sica, Ultrino and Matheson

## **12. TABLED PAPERS**

[224-14](#)

Amending Section 9.28 to reduce fees for collection of solid waste to \$1.00/bag

**Sponsors:** David D'Arcangelo

**A motion was made by Councillor D'Arcangelo that the Ordinance be taken from the table. The motion carried by the following vote:**

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

**Yea:** 5 - D'Arcangelo, Kinnon, Murphy, Nestor and Matheson

**Nay:** 4 - Crowe, DeMaria, Sica and Ultrino

[546-15](#)

Be it ordained that Section 8.3 of R.O. 1991 be amended relative to the composition of the Salary Review Committee

**Sponsors:** David D'Arcangelo

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

**A motion was made by Councillor D'Arcangelo that the Ordinance be referred. The motion carried by the following vote:**

## **13. PERSONAL PRIVILEGE**

*Meeting went into Recess*

*Meeting Reconvened*

[548-15](#)

Order: That the Council meet with the City Solicitor in Executive Session for the purpose of receiving a status update on pending litigation.

**Sponsors:** David D'Arcangelo

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

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

**Yea:** 9 - Crowe, D'Arcangelo, DeMaria, Kinnon, Murphy, Nestor, Sica, Ultrino and Matheson

The open meeting was recessed and Executive Session convened at 8:00 p.m.

Executive Session was adjourned and the open meeting reconvened at 9:20 p.m.

#### **14. ADJOURNMENT**

**At 9:21 p.m., a motion was made by Councillor Sica that the meeting be adjourned. The motion carried by a unanimous vote.**

**KAREN ANDERSON, CITY CLERK**