



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Agenda - Final City Council

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Tuesday, September 2, 2014

7:00 PM

City Council Chambers

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

### **3. ROLL CALL**

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

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

[379-14](#) Minutes of the meeting of June 24, 2014

[380-14](#) Minutes of the meeting of July 15, 2014

[381-14](#) Minutes of the meeting of August 19, 2014

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

#### **Mayor's Appointment: Bethany Rosa, Director of Community Development as ADA Outreach Coordinator**

[383-14](#) Mayor's Appointment: Hans W. Martin, 11 Playstead Road, Malden as Constable (Confirmation not required)

Dear Member of the Council:

Under the provisions of MGL C. 41, Sec. 91B, I hereby appoint Hans W. Martin of 11 Playstead Road, Malden, Massachusetts as a constable to serve process in the City of Malden effective August 5, 2014, said term to expire August 5, 2017.

Sincerely,

GARY CHRISTENSON, Mayor

[384-14](#) Mayor's Reappointment: John Russell as City Engineer for a term expiring March 1, 2017 (Confirmation required)

[385-14](#) Mayor's Reappointment: Anthony Rodriguez as Information Technology Director for term expiring March 1, 2017 (Confirmation required)

[386-14](#) Mayor's Reappointment: John Tramondozzi as member of the Historic Commission for a term expiring September 1, 2017 (Confirmation not required)

Dear Members of the Council:

Pursuant to the provisions of law, I hereby reappoint John Tramondozzi of 276 Charles Street, Malden, Massachusetts as a member of the Malden Historical Commission, said term to expire on September 1, 2017.

If you have any questions, please do not hesitate to contact me. Thank you.

Very truly yours,  
GARY CHRISTENSON  
Mayor

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

[387-14](#) Petition: Comcast of Southern New England, Inc. to lay and maintain underground conduits from Bickford Rd. to 480 Main St.  
(HEARING REQUIRED)

[388-14](#)

Petition: Of MATV for waiver of Senior Center Use Policy for their annual meeting on September 18, 2014

Dear Councillors,

I am writing this letter to ask the City Councilors for a waiver of the Senior Center rental charges for the use of each of rooms sought for our Annual Celebration and Meeting scheduled for Thursday, September 18, 2014. I acknowledge that I would need the approval of the Malden City Council for this to happen.

In consideration of this waiver, MATV agrees to provide a \$300 security deposit and in the event that there is a cost involved in the removal and replacement of the divider, the security deposit will be used towards payment of that cost and any additional costs not covered by the security deposit.

Of course, this provision would not waive our obligations under the rules and regulations regarding any other damages caused during our use of the facility.

As most of the City Councilor know, MATV has a special relationship with the Senior Community Center that began when we provided the funding in 2007 for the creation of the multi-media auditorium (cameras, screen and projector) and the control room which enables each production to be recorded and cablecast on one of our channels "live".

Over the last 16 years, we have provided support for the Senior Community Center in fixing the projector when it's down or the system when it failed, as well as assisting the center in integrating the PAL system to allow the playing of the Chines format in the auditorium. In fact, we have always been available to troubleshoot any problem that has arisen over the years.

This doesn't include future ideas such as creating a special "Senior Television Workshop" that would encourage seniors to produce their own programs and teaching others how to use the control room.

It is my hope that like last year, the City Council will approve this waiver and allow us to have our Annual Meeting which is free and open to the public on September 19, 2014.

Sincerely yours,

Ron Cox, Executive Director

MATV, Malden's Media Center

[389-14](#)

Petition: Irish American, 177 West St., Change of Date for Bingo Night

- [390-14](#) Taxi Driver: Solomon Sengendo, 1 Main St. Park, Malden
- [391-14](#) Taxi Driver: Valentin Tchaly, 92 Devir St. #408
- [392-14](#) Taxi Driver: Bryan D. Scharn, 56 W Wyoming Ave. #17, Melrose
- [393-14](#) Taxi Driver: (Renewal) John Walters, 5 Hancock St. #11, Everett
- [394-14](#) Livery Driver: Mauricio A. Urrea, 342 Medford St. #2
- [395-14](#) Second Hand Dealer: Transfer of License , Art Carl Jewelers from 126 Pleasant St. to 56 Pleasant St.
- [396-14](#) Pawnbroker: Transfer of A.C. Loan license from 126 Pleasant St. to 56 Pleasant St.
- [397-14](#) Class II: MAEP Inc., dba Mike's AutoBody 251 Broadway
- [398-14](#) Class II: Michael Noonan dba A1 Garage, 269 Broadway

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

### **RECONSIDERATION**

- [366-14](#) Ordered: That \$395,716.10 be transferred from various accounts to Various salary accounts
- Sponsors:** Steven Ultrino
- [399-14](#) Be it ordained that Section 9.15 of the Revised Ordinances of 1991 be amended relative to Nicotine Delivery Systems
- Sponsors:** Peg Crowe
- [400-14](#) Be it ordained that Section 10.12 of R.O. 1991 be amended relative to parking restrictions on private ways.
- Sponsors:** Peg Crowe

[401-14](#) Be it hereby ordained by the Malden City Council that Section 8.42.2 of R.O 1991 be further amended (Corrective Change)

**Sponsors:** Peg Crowe

[402-14](#) Be it Ordained that Section 3.35.3 of R.O. 1991 be amended relative to the composition of the Sign Design Review Committee

**Sponsors:** Craig Spadafora

[403-14](#) Ordered: That the city submit to the Massachusetts Legislature for passage An Act Amending the Composition of the Stadium and Athletic Field Commission in the City of Malden.

**Sponsors:** Peg Crowe

[404-14](#) Ordered: That the City adopt regulations for the Switchbox Beautification Program

**Sponsors:** Deborah DeMaria and Neal Anderson

[405-14](#) Ordered: That the Finance Committee meet with the Assessor to investigate the impact of increasing the present 30% residential exemption.

**Sponsors:** Steven Ultrino

[406-14](#) Ordered: That the ordinance committee investigate and make recommendations for an ordinance or legislation to require that landlords provide relocation assistance to tenants in illegal apartments.

**Sponsors:** Craig Spadafora

[407-14](#) Ordered: That the Ordinance Committee investigate and make recommendations for an ordinance or legislation to permit the city to assess landlords for the cost of city services provided to residents of illegal apartments.

**Sponsors:** Craig Spadafora

## **9. COMMUNICATIONS**

[408-14](#)

From Mayor Christenson relative to the city's response to the FY2013 Management Letter

Dear Members of the City Council:

I am submitting for your review the Fiscal Year 2013 Management Letter which includes a report of the audit conducted by Roselli, Clark & Associates. The City's responses are highlighted in blue and follow each recommendation contained within the report.

Overall, the report indicates that in Fiscal Year 2013 we continued the trend of positive economic performance. Specifically, the report references the stringent budget controls and improved financial procedures which allowed us to maintain minimum reserve levels as required by City policy. This in turn led to a double step increase in our bond rating to AA which was the first time this rating was achieved in the City's history.

The report also points out that Malden is in the top 10 communities in all of Massachusetts who report free cash. Additionally, our 10 year new growth average is about \$1 million and we continue to address delinquent taxes which are now contributing significantly to the City's revenues on an annual basis.

Finally, we continue to focus on strengthening our operating efficiency and have initiated corrective action in response to the findings contained in this report and in prior year management letters. We have already met with Department Heads impacted by the report and many of the recommendations were being implemented prior to the report's release.

I would welcome the opportunity to discuss the Management Letter and the City's responses with you. In the meantime, this information will be available on the City's website for dissemination to the community. Thank you.

Sincerely,  
GARY CHRISTENSON, Mayor

## **10. CLAIMS**

[409-14](#)

Claim: Michelle Monteiro, 90 Essex St. Apt. #2, Malden

- [410-14](#) Claim: David Barbaro 79 Assunta Rd., Revere
- [411-14](#) Claim: Luis Rodriguez, 54 Alden St., Malden
- [412-14](#) Claim: Michael Giordiano, 40 Maynard St.
- [413-14](#) Claim: Laura DeBenedictis 9 Old County Road, Saugus

## **11. COMMITTEE REPORTS**

## **12. TABLED PAPERS**

### **Tabled Indefinitely**

- [307-14](#) Be it ordained that the R. O. 1991 be amended to provide for oversight and control of school custodians by the Department of Public Facilities.
- Sponsors:** Neil C. Kinnon, James M. Nestor and David D'Arcangelo
- [349-14](#) Order: That the City take by eminent domain a temporary partial easement at 452 Pleasant St. for the public purpose of making infrastructure improvements to the intersection of Pleasant St., Elm Street and Highland Ave.
- Sponsors:** John P. Matheson
- [352-14](#) Order: That the City submit to the legislature for passage An Act Reconfiguring Certain Park Land in the city of Malden commonly known as Harris Delta.
- Sponsors:** John P. Matheson
- [351-14](#) Order: That the City re-take public property for purposes compliance with federal regulations regarding public improvements in accordance with the Safe Routes to School Infrastructure Project on Pleasant St., Elm Street and Highland Ave.
- Sponsors:** John P. Matheson
- [350-14](#) Order: That the City award damages under MGL Chapter 79 for a temporary partial easement taken at 452 Pleasant St.
- Sponsors:** John P. Matheson

[348-14](#) Order: That the Mayor be authorized to act behalf of the city on Mass DOT Project #607446 (Infrastructure improvements to the intersection of Highland Ave., Pleasant St. and Elm St.)

**Sponsors:** John P. Matheson

[371-14](#) Order: That the City of Malden comply with the provisions of Massachusetts General Laws Chapter 87 relative to the care and maintenance of public shade trees.

**Sponsors:** John P. Matheson

[367-14](#) Amending Section 8.35-8.38 of R.O. 1991 relative to non-union salary schedules.

**Sponsors:** Peg Crowe

### **13. PERSONAL PRIVILEGE**

[414-14](#) Ordered: That the City Council meet in Executive Session with Assistant City Solicitor John McNaught to discuss settlement negotiations and salary policy.

### **14. ADJOURNMENT**

**KAREN ANDERSON, CITY CLERK**