



# City of Malden

Malden City Hall  
110 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final City Council

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Tuesday, September 25, 2018

7:00 PM

John & Christina Markey Community Center,  
7 Washington St.

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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:** 10 - Neal Anderson, David Camell, Paul Condon, Peg Crowe, John P. Matheson, Barbara Murphy, Ryan O'Malley, Jadeane Sica, Stephen Winslow and Deborah DeMaria

**Absent - Councillors:** 1 - Craig Spadafora

### 4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

The Community Preservation Committee appeared before the Council.

### 5. PUBLIC COMMENT

### 6. APPROVAL OF MINUTES

[379-18](#) Minutes of the meeting of September 11, 2018.

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

[380-18](#) Minutes of the meeting of September 18, 2018.

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

[399-18](#) Committee Report: Rules & Ordinance (Paper #362-18 Order: That the Mayor and the City Council approve the following consolidation of the City Charter for publication to residents and for use as the basis of prospective charter revision.)

**This Committee Report was received and filed A motion was made that this document is the consolidated charter to be further developed.**

[362-18](#) Ordered: That the Mayor and the City Council approve the following consolidation of the City Charter for publication to residents and for use as the basis of prospective charter revision: (See Attached)

**Sponsors:** Ryan O'Malley and Deborah DeMaria

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

**Yea:** 10 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Winslow and DeMaria

## **7. APPOINTMENTS & ELECTIONS**

[381-18](#)

Mayor's Re-Appointment: Alan M. Bishop, 42 Loomis St., #215A, Malden, as a constable, term to expire September 22, 2021. (Confirmation Required)

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

[382-18](#)

Council Re-Appointment: Vincent Miraglia, 40 Willard St., Malden, as a member of the Board of Trustees of the Cemetery, term to expire March 1, 2023. (CONFIRMATION NOT REQUIRED).

**A motion was made by Councillor Crowe that the Appointment be placed on file. The motion carried by a unanimous vote.**

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

[383-18](#)

Outdoor Parking: Motel Realty Co., Inc., 735 Broadway, Malden, 19 spaces (New)

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

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

[384-18](#)

Order: That, in accordance with M.G.L. Ch. 44 Sec. 53A, the City of Malden accept a gift of funds from Roseland Property Company for Overlook Ridge LLC/Roseland, A Mack-Cali Company, pursuant to the Site Plan Review Determination dated August 27, 2018 to be used as ordered for traffic and safety improvements in the immediate and surrounding project area, including bus lanes in Linden Square.

**Sponsors:** Jadeane Sica

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

[385-18](#)

Order: That the City Council create a five member ad hoc committee to investigate the Condition and Safety of the Natural Gas Infrastructure in Malden. The committee shall be composed of three City Councillors, the DPW Director and the City Engineer, or their designees.

**Sponsors:** Ryan O'Malley and David Camell

**A motion was made by Councillor O'Malley that the Order be tabled for two weeks so that the full Council can hear from our DPW Director, Engineering**

Department, Board of Health, and a representative from National Grid. The motion carried by a unanimous vote.

[386-18](#)

Be it hereby Ordained that Section 4.41 of Chapter 4 of the R.O. of 1991 as amended, be further amended relative to the allowable uses of the expendable trust fund.

**Sponsors:** John P. Matheson

**A motion was made by Councillor Murphy, seconded by Councillor Winslow, that the Order be amended by adding the following "Related to approved activities under this section". The motion failed by the following vote:**

**Yea:** 5 - Anderson, Camell, Matheson, Murphy and Winslow

**Nay:** 5 - Condon, Crowe, O'Malley, Sica and DeMaria

**A motion was made by Councillor O'Malley, seconded by Councillor Condon, that the Order be amended by striking "Residential Communications". The motion carried by the following vote:**

**Yea:** 8 - Camell, Condon, Crowe, Murphy, O'Malley, Sica, Winslow and DeMaria

**Nay:** 2 - Anderson and Matheson

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

**Yea:** 10 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Winslow and DeMaria

## **10. COMMUNICATIONS**

[387-18](#)

Communication from Council President, Debbie DeMaria, Re: Forestry Review Committee.

**A motion was made by Council President DeMaria that the Communication be received and filed. The motion carried by a unanimous vote.**

[388-18](#)

Communication from Council President, Debbie DeMaria, Re: Parking Review Committee.

**A motion was made by Council President DeMaria that the Communication be received and filed. The motion carried by a unanimous vote.**

## **11. CLAIMS**

## **12. COMMITTEE REPORTS**

[389-18](#)

Committee Report: Personnel/Appointments (Paper #324-18 Council Appointment of Anthony G. Palmieri, 5 Murray Hill Road, Malden as a member of the Advisory Commission on Forestry.)

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

[324-18](#) Council Appointment: Anthony G. Palmieri, 5 Murray Hill Pk., Malden, MA, as a member of the Advisory Committee on Forestry.

**A motion was made by Councillor Crowe that the Appointment be confirmed. The motion carried by a unanimous vote.**

[390-18](#) Committee Report: Personnel/Appointments (Paper #325-18 Council appointment of Alexander R. Stein, 453 Medford Street, Malden be appointed as a member of the Advisory Committee on Forestry.)

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

[325-18](#) Council Appointment: Alexander R. Stein, 453 Medford St., Malden, MA as a member of the Advisory Committee on Forestry.

**A motion was made by Councillor Crowe that the Appointment be confirmed. The motion carried by a unanimous vote.**

[391-18](#) Committee Report: Personnel/Appointments (Paper #294-18 Council confirmation Mayoral re-appointment of Joseph Cesario, Jr., 296 Charles Street, Malden be appointed as a member of the Historical Commission, said term to expire on July 16, 2021.)

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

[294-18](#) Mayor's Re-appointment: Joseph Cesario, Jr., 296 Charles St., Malden, as a member of the Historical Commission, term to expire July 16, 2021. (Confirmation Required)

**A motion was made by Councillor Crowe that the Appointment be confirmed. The motion carried by a unanimous vote.**

[392-18](#) Committee Report: Personnel/Appointments (Paper #292-18 Council confirmation of Mayoral re-appointment of Peter Jani, 122 Franklin Street, Malden as a member of the Council on Aging, said term to expire June 1, 2021.)

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

[292-18](#) Mayor's Re-appointment: Peter Jani, 122 Franklin St, Malden, as a member of the Council on Aging, term to expire June 1, 2021. (Confirmation Required)

**A motion was made by Councillor Crowe that the Appointment be confirmed. The motion carried by a unanimous vote.**

[393-18](#) Committee Report: Personnel/Appointments (Paper #287-18 Council confirmation Mayoral re-appointment of Virginia Doherty, 144 Malden Street, Malden, MA as a member of the Council on Aging, said term to expire June 1, 2021).

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

[287-18](#)

Mayor's Appointment: Virginia Doherty, 144 Malden St., Malden, as a member of the Council on Aging, term to expire June 1, 2021.  
(Confirmation Required)

**A motion was made by Councillor Crowe that the Appointment be confirmed. The motion carried by a unanimous vote.**

[394-18](#)

Committee Report: Personnel/Appointments (Paper #288-18 Council confirmation Mayoral re-appointment of Shu Lain Cho, 47 Madison Street, Malden, MA as a member of the Council on Aging, said term to expire June 1, 2021).

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

[288-18](#)

Mayor's Appointment: Shu Lain Cho, 47 Madison St., Malden, as a member of the Council on Aging, term to expire June 1, 2021.  
(Confirmation Required)

**A motion was made by Councillor Crowe that the Appointment be confirmed. The motion carried by a unanimous vote.**

[395-18](#)

Committee Report: Personnel/Appointments (Paper #236-18 Council confirmation Mayoral re-appointment of Kevin Alkins, 10 Hillside Road, Tewksbury, Ma as Inspector of Animals, said term to expire April 30, 2019.)

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

[236-18](#)

Mayor's Re-appointment: Kevin Alkins, 10 Hillside Rd., Tewksbury, MA 01876, as the Inspector of Animals, term to expire April 30, 2019.

**A motion was made by Councillor Crowe that the Appointment be confirmed. The motion carried by a unanimous vote.**

[396-18](#)

Committee Report: Personnel/Appointments (Paper #293-18 Council confirmation Mayoral re-appointment of Robert P. Knox, Jr., 54 Davis Street, Malden as Director of Public Works, said term to expire on July 1, 2021.)

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

[293-18](#)

Mayor's Re-appointment: Robert P. Knox Jr., 54 Davis St., Malden, as Director of Public Works, term to expire July 1, 2021. (Confirmation Required)

**A motion was made by Councillor Crowe that the Appointment be confirmed. The motion carried by a unanimous vote.**

- [397-18](#) Committee Report: Personnel/Appointments (Paper #144-18 Council reappointment of James O'Brien, 6 Lockwood Road, Lynnfield, MA as Assessor, said term to expire March 1, 2021).
- A motion was made by Councillor Crowe that the Committee Report be received and filed. The motion carried by a unanimous vote.**
- [144-18](#) Council Re-Appointment: James O'Brien, 6 Lockwood Rd., Lynnfield, MA 01940, as Assessor, said term to expire March 1, 2021.
- A motion was made by Councillor Crowe that the Appointment be confirmed. The motion carried by a unanimous vote.**
- [398-18](#) Committee Report: Personnel/Appointments (Paper #145-18 Council re-appointment of Charles Ranaghan, 140 Oakland Street, Malden, MA as Controller, said term to expire Decemer 31, 2020).
- A motion was made by Councillor Crowe that the Committee Report be received and filed. The motion carried by a unanimous vote.**
- [145-18](#) Council Re-Appointment: Charles Ranaghan, 140 Oakland St., Malden, as Controller, said term to expire December 31, 2020.
- A motion was made by Councillor Crowe that the Appointment be confirmed. The motion carried by a unanimous vote.**
- [400-18](#) Committee Report: Rules & Ordinance (Paper #365-18 Be it hereby Ordained that Chapter 8 of the R.O. of 1991 be amended to add a new Section 8.42.9 relative to DPW Supervisors Salary Schedule.)
- A motion was made by Councillor O'Malley that the Committee Report be received and filed. The motion carried by a unanimous vote.**
- [365-18](#) Be it hereby Ordained that Chapter 8 of the R.O. of 1991 be amended to add a new Section 8.42.9 relative to DPW Supervisors Salary Schedule.
- Sponsors:** Ryan O'Malley
- A motion was made by Councillor O'Malley that the Ordinance be enrolled. The motion carried by the following vote:**
- Yea:** 10 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Winslow and DeMaria
- A motion was made by Councillor O'Malley, seconded by Councillor Anderson, that the Ordinance be rules suspended. The motion carried by a unanimous vote.**
- A motion was made by Councillor O'Malley that the Ordinance be ordained. The motion carried by the following vote:**
- Yea:** 10 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Winslow and DeMaria
- [401-18](#) Committee Report: Rules & Ordinance (Paper #366-18 Be it hereby Ordained that Section 8.35 of Chapter 8 of the R.O. of 1991 be amended relative to the Officers Salary Schedule.)

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

[366-18](#)

Be it hereby Ordained that Section 8.35 of Chapter 8 of the R.O. of 1991 be amended relative to the Officers Salary Schedule.

**Sponsors:** Ryan O'Malley

**A motion was made by Councillor O'Malley that the Ordinance be enrolled. The motion carried by the following vote:**

**Yea:** 10 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Winslow and DeMaria

**A motion was made by Councillor O'Malley that the Ordinance be rules suspended. The motion carried by a unanimous vote.**

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

**Yea:** 10 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Winslow and DeMaria

[402-18](#)

Committee Report: Rules & Ordinance (Paper #367-18 Be it hereby Ordained that Section 8.36 of Chapter 8 of the R.O. of 1991 be amended relative to the Specialists Salary Schedule.)

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

[367-18](#)

Be it hereby Ordained that Section 8.36 of Chapter 8 of the R.O. of 1991 be amended relative to the Specialists Salary Schedule.

**Sponsors:** Ryan O'Malley

**A motion was made by Councillor O'Malley that the Ordinance be enrolled. The motion carried by the following vote:**

**Yea:** 10 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Winslow and DeMaria

**A motion was made by Councillor O'Malley that the Ordinance be rules suspended. The motion carried by a unanimous vote.**

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

**Yea:** 10 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Winslow and DeMaria

[403-18](#)

Committee Report: Rules & Ordinance (Paper #368-18 Be it hereby Ordained that Section 8.37 of Chapter 8 of the R.O. of 1991 be amended relative to the Clerks Salary Schedule.)

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

[368-18](#)

Be it hereby Ordained that Section 8.37 of Chapter 8 of the R.O. of 1991 be amended relative to the Clerks Salary Schedule.

**Sponsors:** Ryan O'Malley

**A motion was made by Councillor O'Malley that the Ordinance be enrolled. The motion carried by the following vote:**

**Yea:** 10 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Winslow and DeMaria

**A motion was made by Councillor O'Malley that the Ordinance be rules suspended. The motion carried by a unanimous vote.**

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

**Yea:** 10 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Winslow and DeMaria

[404-18](#)

Committee Report: Rules & Ordinance (Paper #369-18 Be it hereby Ordained that Section 8.38 of Chapter 8 of the R.O. of 1991 be amended relative to the Unclassified Salary Schedule.)

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

[369-18](#)

Be it hereby Ordained that Section 8.38 of Chapter 8 of the R.O. of 1991 be amended relative to the Unclassified Salary Schedule.

**Sponsors:** Ryan O'Malley

**A motion was made by Councillor O'Malley that the Ordinance be enrolled. The motion carried by the following vote:**

**Yea:** 10 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Winslow and DeMaria

**A motion was made by Councillor O'Malley that the Ordinance be rules suspended. The motion carried by a unanimous vote.**

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

**Yea:** 10 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Sica, Winslow and DeMaria

[405-18](#)

Committee Report: License (Various License Renewals for Outdoor Parking & Class II)

**Outdoor Parking**

- Rigano's Inc., 1081 Fellsway, Malden, 20 spaces (Renewal)
- Rigano's Inc., 1152 Eastern Ave., Malden, 10 spaces (New)
- Emmanuel Baptist Church, 20 Madison Street, Malden, (27 spaces (New)
- 11 Charles Street Realty LLC, 25 spaces (New)

**Class II**

- Gary Gottschalk DBA Gary's Auto Sales, 160 Eastern Ave., 18 cars (New)

**A motion was made by Councillor Anderson that the Committee Report be**



received and filed. The motion carried by a unanimous vote.

[244-18](#)

Outdoor Parking: Rigano's Inc., 1081 Fellsway, Malden, 20 spaces (Renewal)

**A motion was made by Councillor Anderson that the Petition be granted. The motion carried by the following vote:**

**Yea:** 9 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Winslow and DeMaria

**Recused:** 1 - Sica

[245-18](#)

Outdoor Parking: Rigano's Inc., 1152 Eastern Ave., Malden, 10 spaces (New)

**A motion was made by Councillor Anderson that the Petition be granted. The motion carried by the following vote:**

**Yea:** 9 - Anderson, Camell, Condon, Crowe, Matheson, Murphy, O'Malley, Winslow and DeMaria

**Recused:** 1 - Sica

[326-18](#)

Outdoor Parking: Emmanuel Baptist Church, 20 Madison Street, Malden, MA 02148, 27 spaces (New).

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

[358-18](#)

Outdoor Parking: 11 Charles Street Realty LLC, 25 cars (New)

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

[327-18](#)

Class II: Gary Gottschalk DBA Gary's Auto Sales, 160 Eastern Ave., 18 cars (New)

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

[406-18](#)

Committee Report: License (License Denials of Papers #343-18 (Class II) & #359-18 (Livery))

Class II: Eli & Gary's Automotive, Inc. dba Eli's Garage, 12 Beach St., 15 cars (New)

Livery: Ideal Park Limousine Services, Inc., 61 High Rock Rd., 1 car (New)

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

[359-18](#)

Livery: Ideal Park Limousine Services, Inc., 61 High Rock Rd., Malden, MA. - 1 car.

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

[343-18](#) Class II: Eli & Gary's Automotive, Inc. dba Eli's Garage, 12 Beach St., 15 cars (New)

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

[407-18](#) Committee Report: Public Property (Paper #367-17 Ordered: That the City Council determine whether or not to grant to owners of properties numbered 19 through 43 of Gordon Street, totaling six parcels, non-exclusive, revocable easements to pass and repass over City owned land identified as parcels No. 091-776-612 and 106-776-615 on Goodwin Avenue, for the sole purpose of accessing their existing driveways, provided that said property owners agree to maintain said easements at their sole cost and expense.)

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

[367-17](#) Ordered: That the Mayor be authorized to sign the attached temporary easement in favor of Samuel Ruth and Sage Ruth for use of a portion of city land abutting the property known as and numbered 33 Gordon Street.

**Sponsors:** Barbara Murphy

**A motion was made by Councillor Murphy, seconded by Councillor Camell, that the Order be adopted. The motion carried by a unanimous vote.**

### **13. TABLED PAPERS**

[137-16](#) Petition: National Grid to replace existing 25 psig to LP 4" Regulator Station in the sidewalk area of 158 Washington St., Malden, MA

[379-17](#) Petition of National Grid and Verizon New England Inc. to install a jointly owned pole on Cross St approximately 200 feet from the intersection of Main St.  
(HEARING REQUIRED)

[380-17](#) Petition of Verizon Wireless to install Small Cell antenna on an existing utility pole on Glenwood St.  
(HEARING REQUIRED)

[411-17](#) National Grid and Verizon New England, Inc request permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: Bryant St. for service to new customer's Pad Mount transformer  
(HEARING REQUIRED).

[224-18](#) Order: The Fellsmere Housing Group and Friends of Fellsmere Heights to

present their proposal of a zoning overlay allowing clustered mixed of residential housing at the former Malden Hospital Site to the Rules & Ordinance Committee.

**14. PERSONAL PRIVILEGE**

**15. ADJOURNMENT**

A motion was made by Councillor Jadeane Sica that this meeting was adjourned. The motion carried unanimously.

**THOMAS E. BRENNAN, CITY CLERK**