



# City of Malden

Malden City Hall  
200 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final City Council

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Tuesday, April 12, 2016

7:00 PM

City Council Chambers

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### 1. CALL TO ORDER

The meeting was called to order at 7:22 p.m. by Acting Council President Neal Anderson.

### PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE IN HONOR OF SERVICEMEN AND WOMEN

### 3. ROLL CALL

**Present - Councillors:** 8 - Neal Anderson, Peg Crowe, Paul Condon, David D'Arcangelo, Deborah DeMaria, John P. Matheson, Ryan O'Malley and Jadeane Sica

**Absent - Councillors:** 3 - Neil C. Kinnon, Craig Spadafora and Barbara Murphy

### 4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

### 5. APPROVAL OF MINUTES

[226-16](#)

Minutes of the meeting of March 29, 2016

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

### 6. APPOINTMENTS & ELECTIONS

[194-16](#)

Council President's Appointments: Municipal Building Committee for City Hall.

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

[227-16](#)

Council Re-Appointment: Kathleen French as a member of the Board of Assessors for a term expiring March 1, 2019.

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

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

[195-16](#)

Taxi Driver: Carlos F. Vargas, 123 W. Wyoming Ave. #2, Melrose

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

- [196-16](#) Lodging House: Mitoan, LLC , 52 Maple St. (Renewal)  
**A motion was made by Councillor Crowe that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [198-16](#) Lodging House: 155 Clifton St. Trust, 155 Clifton St. (Renewal)  
**A motion was made by Councillor Crowe that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [199-16](#) Lodging House: Cedar House LLL, 116-118 Cedar St. (Renewal)  
**A motion was made by Councillor Crowe that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [200-16](#) Lodging House: Lawrence French 98 Laurel St. (Renewal)  
**A motion was made by Councillor Crowe that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [201-16](#) Outdoor Parking: 54-57 Summer St. LLC, 66 Summer St. (Elks)  
(Renewal)  
**A motion was made by Councillor Crowe that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [202-16](#) Outdoor Parking: American Legion Post 69, 368 Pleasant St. (Renewal)  
**A motion was made by Councillor Crowe that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [203-16](#) Outdoor Parking: Malden Middlesex Motors Sales Inc., 35 Charles St.  
(Renewal)  
**A motion was made by Councillor Crowe that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [204-16](#) Outdoor Parking: Malden Auto Brokers, Inc., 160 Eastern Ave.  
(Renewal)  
**A motion was made by Councillor Crowe that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [205-16](#) Pool Tables: Town Line Ten Pin Corp. 665 Broadway (Renewal)  
**A motion was made by Councillor Crowe that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [206-16](#) Pool Table: AOH Div 12, 259 Charles St. (Renewal)  
**A motion was made by Councillor Crowe that the Petition be referred to the License Committee. The motion carried by a unanimous vote.**
- [207-16](#) Pool Table: American Legion Post #69, 368 Pleasant St. (Renewal)

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

[208-16](#)

Pool Table: ITAM War Vets Post 16, 40 Oakland St. (Renewal)

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

[210-16](#)

Bowling Alley: Town Line Ten Pin Corp. 664 Broadway (Renewal)

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

[211-16](#)

Bowling Alley: Ryan Family Amusements, 11 Charles St. (Renewal)

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

Yea: 8 - Anderson, Crowe, Condon, D'Arcangelo, DeMaria, Matheson, O'Malley and Sica

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

[213-16](#)

Ordered: That \$72,541.47 is appropriated from available free cash to fund the Malden Firefighters Union, Local 902, American Arbitration Association Case #11-20-1400-0344 award against the City of Malden

A motion was made by Councillor D'Arcangelo that the Petition be referred to the Finance Committee. The motion carried by a unanimous vote.

[217-16](#)

Order: That \$16,217.49 is appropriated from available free cash to fund the Malden Firefighters Union, Local 902, American Arbitration Association Case #01-0001-0565 award against the City of Malden.

A motion was made by Councillor D'Arcangelo that the Petition be referred to the Finance Committee. The motion carried by a unanimous vote.

[219-16](#)

Order: That \$5,250.00 be transferred from Legal Professional Services to Legal Salaries to compensate a temporary part time employee for the remainder of the year

A motion was made by Councillor D'Arcangelo that the Petition be referred to the Finance Committee. The motion carried by a unanimous vote.

[220-16](#)

Be it ordained that Section 9.40.1 of the Revised Ordinances of 1991 be amended by to require contact information for all units subject to Rental Unit Inspection

**Sponsors:** Craig Spadafora

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.

## **9. COMMUNICATIONS**

**10. CLAIMS**[221-16](#)

Claim: Dante DiSerio, 1 Fellsway East, Malden

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

**11. COMMITTEE REPORTS**[222-16](#)

Committee Report: License (Various Livery, Taxi, Pool Table and Outdoor parking License)

The Standing Committee on License to whom was referred Paper #112-114, and #176-178 Series of 2016, having considered the same make the following report: Committee recommends that these licenses be granted.

Councillor Anderson for the Committee

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

[112-16](#)

Taxi Driver: Bryan Scharn 56 W. Wyoming Ave. #17, Melrose (Renewal)

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

[113-16](#)

Livery: Malachi Mamo 15 Granville Ave., Malden (Renewal)

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

[114-16](#)

Livery: Samson Assefa, 47 2nd St., Malden (Renewal)

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

[176-16](#)

Pool Table: Loyal Order of Moose #1910, 562 Broadway (Renewal)

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

[177-16](#)

Outdoor Parking: T. J. Automotive, 315 Pleasant St. (Renewal)

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

[178-16](#)

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

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

[223-16](#)

Committee Report: License Taxi Driver Licenses

The Standing Committee on License to whom was referred paper #142 & 175 Series of 2016, having considered the same make the following report: Committee recommends that these licenses be granted Councillor Anderson for the Committee

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

[175-16](#)

Taxi Driver: Charles E. Steele Jr. 50 Water St. #28, Medford

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

[142-16](#)

Taxi Driver: Robert J. Young, 15 Lewis St., Medford (New)

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

[224-16](#)

Committee Report: License (Taxi License)

.The Standing Committee on License to whom was referred paper #512 Series of 2016, having considered the same, make the following report: Committee recommends that this license be denied. Councillor Anderson for the Committee

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

[512-15](#)

Taxi Driver: Brian C. Mortellite 47 Elwell St., Malden (Malden Trans. Inc.)

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

[225-16](#)

Committee Report: Appointments (#135-16 Appointment of Virginie Nogara, 11 Lowell Ave. as a member of the Board of Appeal)

The Standing Committee on Compliance/Appointments, to whom was referred Paper #135 Series of 2016, having considered the same make the following report: Committee recommends that this appointment be confirmed.

COUNCILLOR MATHESON FOR THE COMMITTEE

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

[135-16](#)

Mayor's Appointment: Virginie Nogara, 11 Lowell Avenue, Malden as builder/Architect member of the Zoning Board of Appeal

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

## 12. TABLED PAPERS

[209-16](#)

Order: The Treasurer be authorized to borrow the sum of \$6,780,000 under Mass General Laws Chapter 44 Section 7 (5) & (6) for resurfacing of roads

**A motion was made by Councillor Matheson that the Order be taken from the table. The motion carried by a unanimous vote.**

**Yea:** 8 - Anderson, Crowe, Condon, D'Arcangelo, DeMaria, Matheson, O'Malley and Sica

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

**Yea:** 8 - Anderson, Crowe, Condon, D'Arcangelo, DeMaria, Matheson, O'Malley and Sica

[212-16](#)

Order: That \$2,000,000 of available water sewer enterprise fund free cash is appropriated for the purpose of reconstructing streets involved in the water main replacement program

**A motion was made by Councillor Matheson that the Order be taken from the table. The motion carried by a unanimous vote.**

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

**A motion was made by Councillor D'Arcangelo, seconded by Councillor O'Malley, that the Order be amended to add "including the following seven streets, for which the city has received bids: Ashland St, Julia St, Cushing Rd, Kernwood St, Clement St, Woodrow Ave, and Crescent Ave. The motion carried by the following vote:**

**Yea:** 8 - Anderson, Crowe, Condon, D'Arcangelo, DeMaria, Matheson, O'Malley and Sica

**A motion was made by Councillor Condon, seconded by Councillor Crowe, that the Order be further amended to add: and provided that the Director of Public Works will work with CDM Smith to reduce the scope of work on those streets without impacting the validity of the bids and will move forward on exploring a reduced scope of work on the following streets: Plymouth Road, Fairview Ave, Nevada Ave., Noble St., Reserve St., Field St., Granite St., Mills St., Stearns St. The motion carried by the following vote:**

**Yea:** 8 - Anderson, Crowe, Condon, D'Arcangelo, DeMaria, Matheson, O'Malley and Sica

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

**Yea:** 8 - Anderson, Crowe, Condon, D'Arcangelo, DeMaria, Matheson, O'Malley and Sica

## 13. PERSONAL PRIVILEGE

## 14. ADJOURNMENT

**At 9:15 p.m., a motion was made by Councillor D'Arcangelo that the meeting be adjourned. The motion carried by a unanimous vote.**

**KAREN ANDERSON, CITY CLERK**