



# City of Malden

Malden City Hall  
110 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final City Council

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Tuesday, January 23, 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:** 8 - Neal Anderson, Paul Condon, Peg Crowe, John P. Matheson, Barbara Murphy, Ryan O'Malley, Stephen Winslow and Deborah DeMaria

**Absent - Councillors:** 3 - David Camell, Jadeane Sica and Craig Spadafora

### 4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Malden Reads appeared before the City Council to give a presentation.

Chris Webb, Director of the PIPs Department, and Robert Knox, Director of the DPW appeared before the City Council to discuss the recent snow storms, and the newly revised snow removal ordinance.

### 5. APPROVAL OF MINUTES

[24-18](#) Minutes of the meeting of January 9, 2018.

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

[25-18](#) Minutes of the meeting of January 16, 2018.

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

### 6. APPOINTMENTS & ELECTIONS

[26-18](#) Mayor's Re-appointment: Mark Joseph Snider, 103 Boardman Ave., Melrose, MA 02176 as a constable, said term to expire January 11, 2021. (Confirmation not required)

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

[27-18](#) Mayor's Appointment: Kathleen Fitzgerald, 90 Cedar St., Malden, as a member of the Malden Local Historic District Study Committee, said term

to expire upon presentation to the City Council of a final report with recommendations and ordinance for the proposed local district or districts.

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

[28-18](#)

Mayor's Appointment: John King, 67 Upham St., Malden, as a member of the Malden Local Historic District Study Committee, said term to expire upon presentation to the City Council of a final report with recommendations and ordinance for the proposed local district or districts.

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

[29-18](#)

Mayor's Appointment: Jessica Slavin Connelly, 17 Corey Rd., Malden, as a member of the Malden Local Historic District Study Committee, said term to expire upon presentation to the City Council of a final report with recommendations and ordinance for the proposed local district or districts.

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

[30-18](#)

Mayor's Appointment: Kathryn Hriczo, 13 Garden St., Malden, as a member of the Malden Local Historic District Study Committee, said term to expire upon presentation to the City Council of a final report with recommendations and ordinance for the proposed local district or districts.

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

[31-18](#)

Mayor's Appointment: David Hancock, 5 Ridgewood Rd., Malden, as a member of the Malden Local Historic District Study Committee, said term to expire upon presentation to the City Council of a final report with recommendations and ordinance for the proposed local district or districts.

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

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

[32-18](#)

Class II: Quality Auto Sales, 856 Eastern Ave. 0 Cars (Renewal)

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

[33-18](#)

Class II: Top Cars Auto Mall, Inc., 259 Main St. 35 Cars (Renewal)

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

[34-18](#)

Class II: C & P Imports, 595 Broadway, 0 Cars (Renewal)

**A motion was made by Councillor Anderson that the Petition be referred to the**

License Committee. The motion carried by a unanimous vote.

[35-18](#)

Class II: Smart Buy Auto Group Inc., 497 Broadway, 27 Cars (Renewal)

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

[36-18](#)

Class II: L & L Sales + Service, 11 Bow St., 15 Cars (Renewal)

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

[37-18](#)

Taxi Cab: Taxi Time, 67 Porter St. (1 cab)

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

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

[38-18](#)

Order: That Section 9.16(D) of Chapter 9 of the R.O. of 1991 be amended relative to Dog Licenses.

**Sponsors:** Ryan O'Malley

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

[39-18](#)

Order: That the Mayor be authorized to borrow the sum of \$8,875,719 to pay the cost of making energy efficiency improvements at various City facilities

**Sponsors:** Paul Condon

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

## **9. COMMUNICATIONS**

[40-18](#)

Communication from the Mayor re: the Malden Hospital Site.

A motion was made by Councillor Matheson that the Communication be referred to the Malden Hospital Site Development Committee. The motion carried by a unanimous vote.

[41-18](#)

Communication from Planning Board re: CCP #461-17 (To amend Use Regulations for Hotels-Motels)

A motion was made by Councillor O'Malley that the Communication be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

[42-18](#)

Communication from Planning Board re: CCP #467-17 (Dimensional Controls for Allowed Uses in Central Business zoning district)

A motion was made by Councillor O'Malley that the Communication be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

- [43-18](#) Communication from Planning Board re: CCP #468-17 (Height Requirements)  
**A motion was made by Councillor O'Malley that the Communication be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.**
- [44-18](#) Communication from Planning Board re: CCP #469-17 (To Eliminate Residential Incentive Overlay and Residential Incentive Overlay-B zoning districts; Use Regulations and Site Plan Review Regulations)  
**A motion was made by Councillor O'Malley that the Communication be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.**
- [45-18](#) Communication from Planning Board re: CCP #470-17 (To Eliminate Rowe's Quarry Reclamation & Redevelopment District)  
**A motion was made by Councillor O'Malley that the Communication be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.**
- [46-18](#) Communication from Planning Board re: CCP #471-17 (Use Regulations for Multifamily Dwellings; Multifamily Dwellings, 6 to 12 stories; and Multifamily Dwellings, more than 12 stories)  
**A motion was made by Councillor O'Malley that the Communication be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.**
- [47-18](#) Communication from Planning Board re: CCP #472-17 (To Amend Use Regulations for All Structures More Than Six Stories)  
**A motion was made by Councillor O'Malley that the Communication be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.**
- [48-18](#) Communication from Planning Board re: CCP #473-17 (To Amend Lot Area and Frontage for Single and Two-Family Dwellings)  
**A motion was made by Councillor O'Malley that the Communication be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.**

## **10. CLAIMS**

- [49-18](#) Claim: Beatrice Angelo, 240-242 West St. Malden, MA 02148.  
**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**

- [50-18](#) Committee Report: Finance (Paper #13-18 Order that the sum of Ten Thousand Dollars (\$10,000) be and the same is hereby transferred from Revenue Reserve (0010-997-5725) to Board of Health Salaries (0010-510-5110).  
**A motion was made by Councillor Condon that the Committee Report be**

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

[13-18](#)

Order: That the sum of Ten Thousand Dollars (\$10,000) be and the same is hereby transferred from Revenue Reserve (0010-997-5725) to Board of Health Salaries (0010-510-5110).

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

**Yea:** 8 - Anderson, Condon, Crowe, Matheson, Murphy, O'Malley, Winslow and DeMaria

[51-18](#)

Committee Report: Finance (Paper #14-18 Order that the sum of Two Hundred Forty One Thousand Seven Hundred Eighty Five Dollars (\$241,785) be and the same is here by transferred from Salary Reserve (0010-996-5725) to Police Labor Salaries (0010-210-5120).

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

[14-18](#)

Order: That the sum of Two Hundred Forty One Thousand Seven Hundred Eighty Five Dollars (\$241,785) be and the same is hereby transferred from Salary Reserve (0010-996-5725 to Police Labor Salaries (0010-210-5120).

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

**Yea:** 8 - Anderson, Condon, Crowe, Matheson, Murphy, O'Malley, Winslow and DeMaria

[52-18](#)

Committee Report: Finance (Paper #15-18 Order that the sum of Four Hundred Fifty Nine Thousand Five Hundred Sixty Five Dollars(\$459,565) be and the same is hereby transferred from Salary Reserve (0010-996-5725) to Fire Labor Salaries (0010-220-5120).

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

[15-18](#)

Order: That the sum of Four Hundred Fifty Nine Thousand Five Hundred Sixty Five Dollars (\$459,565) be and the same is hereby transferred from Salary Reserve (0010-996-5725) to Fire Labor Salaries (0010-220-5120).

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

**Yea:** 8 - Anderson, Condon, Crowe, Matheson, Murphy, O'Malley, Winslow and DeMaria

[53-18](#)

Committee Report: Finance (Paper # 16-18 order that the sum of Thirty Six Thousand Fifty Dollars (\$36,050) be and the same is hereby transferred from Department of Public Works Labor Salaries (0010-421-5120) to Department of Public Works Operating Costs (0010-421-5725).

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

[16-18](#)

Order: That the sum of Thirty Six Thousand Fifty Dollars (\$36,050) be and

the same is hereby transferred from Department of Public Works Labor Salaries (0010-421-5120) to Department of Public Works Operating Costs (0010-421-5725).

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

**Yea:** 8 - Anderson, Condon, Crowe, Matheson, Murphy, O'Malley, Winslow and DeMaria

[54-18](#) Committee Report: License (Various License renewals for Class I, II, III)

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

[503-17](#) Class II: Bay State Auto Gallery, LLC, 616 Broadway, 30 cars (Renewal)

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

[538-17](#) Class II: Metro Auto Collision & Sales , Inc., 55 Madison St., 6 cars (Renewal)

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

[539-17](#) Class II: Malden Middlesex Motor Sales, Inc., 129 Charles St., 25 Cars (Renewal)

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

[540-17](#) Class II: Prestige Motors of Malden, Inc., 600 Broadway, 67 cars (Renewal)

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

[542-17](#) Class II: Wentworth Auto Sales, 730 Eastern Ave., 15 cars (Renewal)

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

[543-17](#) Class II: Malden Auto Sales, 147 Ferry St., 25 cars (Renewal)

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

[544-17](#) Class II: Super Auto Sales, 1176 Eastern Ave., 15 cars (Renewal)

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

[4-18](#) Class II: Absolute Auto Rental and Sales Inc., 495 Broadway, 16 Cars (Renewal)

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

[545-17](#)

Class III: Malden Middlesex Motor Sales, Inc., 129 Charles St. (Renewal)

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

[55-18](#)

Committee Report: License (Various License renewals for Amusement Machines, Extended Hours, and Taxi driver)

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

[547-17](#)

Amusement Machine: Dockside Restaurant, 229 Centre St., 5 machines (Renewal)

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

[548-17](#)

Amusement Machine: GLS Associates, Inc., 50 Holden St., 9 machines (Renewal)

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

[5-18](#)

Amusement Machine: Patrick's, 36-40 Lebanon St., 3 machines (Renewal)

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

[6-18](#)

Amusement Machine: Malden Veterans of Irish Ancestry, Inc., 177 West St., 4 machines (Renewal)

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

[549-17](#)

Extended Hours: Honey Dew Donuts, 691 Eastern Ave., Hours: 7days-5am to 9pm (Renewal)

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

[7-18](#)

Extended Hours: Walgreens, 185 Centre St., Hours: 24/7 (Renewal)

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

[528-17](#)

Taxi Driver: Calvin Lawrence, 36 Sear St., Revere, MA 02151 (New)

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

[56-18](#)

Committee Report: Rules & Ordinance (Paper #21-18 Recommendation)

on amending City Council Rule 46.01)

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

[21-18](#)

Recommendation: That Rule 46.01 be amended by the following recommendation: the following Standing Committees: Public Safety, Public Works, Public Property, and Cemetery will be reduced to consist of a membership of three (3).

**Sponsors:** Deborah DeMaria

**A motion was made by Councillor O'Malley that the Council Item be adopted. The motion carried by a unanimous vote.**

[57-18](#)

Committee Report: MPL Trustees (Meeting of January 11, 2018)

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

## **12. TABLED PAPERS**

[536-16](#)

Resolve: That the City Council support the Mayor's Complete Streets Policy.

**Sponsors:** Peg Crowe

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

**A motion was made by Councillor Murphy, seconded by Councillor Matheson, that the Resolution be tabled for two weeks. The motion carried by a unanimous vote.**

[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).

[458-17](#)

Mayor's Appointment: Brian Creamer, 49 Newman Rd., Malden, MA, as a member of the Conservation Commission, said term to expire November



1, 2019.

**13. PERSONAL PRIVILEGE**

[58-18](#)

City Council will vote as to whether to enter into Executive Session for the purposes of discussing strategy with respect to pending litigation, pursuant to M.G.L c. 30A Section 21(a)(3), public discussion of which may have a detrimental effect on the litigating position of the City, and to admit Maria Luise, Special Assistant to the Mayor, and Attorney Laurence J. Donoghue, legal counsel for the City of Malden in the pending litigation.

**A motion was made by Councillor Murphy that the City Council recess into Executive Session. The motion carried by the following vote:**

**Yea:** 8 - Anderson, Condon, Crowe, Matheson, Murphy, O'Malley, Winslow and DeMaria

**A motion was made by Councillor Murphy that Maria Luise and attorney Donoghue be admitted into executive session. The motion carried by the following vote:**

**Yea:** 8 - Anderson, Condon, Crowe, Matheson, Murphy, O'Malley, Winslow and DeMaria

**14. ADJOURNMENT**

**A motion was made by Councillor Stephen Winslow that this meeting be adjourned. The motion carried unanimously.**

**THOMAS E. BRENNAN, CITY CLERK**