

Waltham City Council
Minutes of the Meeting of
October 13, 2020

President Brasco called the meeting to order at 7:30 p.m.

Call of the Roll

Present: Councillors Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley, Vidal and Brasco.

Absent: None

The City Clerk recited the Council Prayer followed by President Brasco leading all present in the Pledge of Allegiance. Councillor LeBlanc asked for a moment of silence for all our military that have served past and present.

Councillor McLaughlin moved approval of the minutes of the meeting of 9/28/2020. The motion was adopted on a voice vote and the minutes were approved.

The City Clerk read Rule 86.

First public hearing: 17-25 at 235 Bear Hill Road

Philip McCourt, 15 Church St., Waltham, MA representing the petitioner Dakota Partners, Inc. spoke in favor of the petition. One person stood in favor of the petition. With no one else in support and no one else in opposition and no one else in a neutral position on the petition, President Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors LaFauci, LeBlanc, and McLaughlin asked questions. Stephen Vanaria, 1040 Trapelo Road, Waltham answered questions. Councillor LaFauci moved to suspend the rules and act on the matter without committee reference. The motion was adopted on a voice vote and the matter was approved. Councillor LaFauci moved approval of the 17-25. The motion was adopted on a voice vote and the matter was approved.

Second public hearing: 17-25 at Trapelo Road and Nancy Lane

Councillor LeBlanc recused himself. Brett Francis, 10 Hammer Street, Waltham, representing the petitioner spoke in favor of the petition. With no one else in support and no one else in opposition and no one else in a neutral position on the petition, President Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Darcy, LaFauci, Vidal and McMenimen asked questions. Ciro Zottola, 82 Forest Street, Waltham, the petitioner, answered questions. Councillor Darcy moved to suspend the rules and act on the matter without committee reference. The motion was adopted on a voice vote and the matter was approved. Councillor Darcy moved approval of the 17-25. The motion was adopted on a voice vote and the matter was approved.

Third public hearing: 17-25 at intersection of Bacon Street & Emery Street

Mary Mulrone, 201 Rivermoor St., West Roxbury, MA, representing the petitioner, Nationalgrid spoke in favor of the petition. With no one else in support and no one else in opposition and no one else in a neutral position on the petition, President Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor LeBlanc asked questions. Councillor Durkee moved to suspend the rules and act on the matter without committee reference. The motion was adopted on a voice vote and the matter was approved. Councillor Durkee moved approval of the 17-25. The motion was adopted on a voice vote and the matter was approved.

Communications from the Mayor

1. The Mayor respectfully requests a transfer in the amount of \$3,451 to purchase a computer with sufficient capability to run the AutoCAD, GIS and other applications required by the Engineering Department. Referred to the Finance Committee
2. The Mayor respectfully requests approval of the acceptance of a grant through the Community Development Block Grant program under the CARES Act in the amount of \$622,149. Referred to the Finance Committee
3. The Mayor respectfully requests the acceptance of the First Responder Naloxone Grant in the amount of \$5,000 from the Commonwealth of Massachusetts Department of Public Health. Referred to the Finance Committee
4. The Mayor respectfully requests a transfer in the amount of \$6,790 for a new snowplow attachment for one of the existing trackless sidewalk plows. Referred to the Finance Committee

Applications and Licenses

All licenses and application were referred to the Licenses and Franchises Committee

- Class 2 vehicle renewal – 103 Felton Street – Sideris Automotive Services, Inc.
- Class 2 vehicle renewal – 255 Newton Street – Newton St. Service, Inc.
- Class 2 vehicle renewal – 935 R Main Street – Pilicy Auto & Yacht Inc.
- Class 2 vehicle renewal – 196 High Street – JJJ Auto Retailers Inc.
- Class 2 vehicle renewal – 251 Lexington Street – Boston Muffler & Brake Co., Inc.
- Class 2 vehicle renewal – 712 Moody Street- DW Enterprise, Inc.
- Class 2 vehicle renewal – 185 Prospect Street – Colvin's, Inc.

Orders, Ordinances & Resolutions

- Feed The People Resolution

The City Clerk read the Resolution. Councillors Paz, Dunn & O'Brien spoke on the Resolution. President Brasco referred the matter to the Economic and Community Development Committee.

Committee Reports

Licenses and Franchises

1. The Licenses and Franchises Committee recommends the fuel storage license at 790 Main Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

Committee of the Whole

1. The Committee of the Whole recommends the City Council Paper Packets Resolution be filed. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
2. The Committee of the Whole recommends the confirmation of the appointment of Matthew Deveaux, 182 Harrington Road, Waltham as a member of the Conservation Commission be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. A vote was taken by a call of the roll.
In Favor: Darcy, Dunn, Durkee, Harris, Lacava, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.
Absent: None
Presiding: Brasco
Matter approved 14-0.

3. The Committee of the Whole recommends the confirmation of the appointment of Wayne Keefner, 40 Summit Street, Waltham as a member of the Board of Survey & Planning be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. A vote was taken by a call of the roll.

In Favor: Darcy, Dunn, Durkee, Harris, Lacava, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Absent: None

Presiding: Brasco

Matter approved 14-0.

Public Works and Public Safety

1. The Public Works and Public Safety Committee recommends the Flagg Circle Resurfacing Petition be filed. Councillor LeBlanc moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the Resolution was filed.

2. The Public Works and Public Safety Committee recommends 17-25 at 520 Main Street be approved. Councillor LeBlanc moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the Resolution was filed.

Ordinances and Rules

1. The Ordinances and Rules Committee recommends the zoning amendment for Affordable Housing be approved for a second reading. Councillor McLaughlin moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved. Councillor McLaughlin moved to table the matter. The motion was adopted by a voice vote and the matter was tabled on the Council floor.

2. The Ordinances and Rules Committee recommends the modification of the Special Permit #25762 at Bishops Forest be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. A vote was taken by a call of the roll.

In Favor: Darcy, Dunn, Harris, LaCava, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: Durkee

Absent: None

Presiding: Brasco.

Matter approved 13-1.

Finance

1. The Finance Committee recommends the acceptance of a gift certificate in the amount of \$250 to Despensa Familiar from Michael Connors, Esq. be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

Unfinished Business & Other Business

- Minor modification & Time extension to Special Permit #31913 at 470,494, 500 Totten Pond Road
President Brasco referred the matter to the Ordinances and Rules Committee.
- CPC recommendation for an allocation of CPA funds totaling 1,500,000.00 for property at 49 Pleasant Street
President Brasco referred the matter to the Long Term Debt & Capital Planning Committee.
- Time extension for Special Permit #34679 at 185 Willow Street
President Brasco referred the matter to the Ordinances and Rules Committee.
- Time extension for Special Permit #34680 at 140 Fourth Avenue
President Brasco referred the matter to the Ordinances and Rules Committee.
- Minor modification on Special Permit #34680 at 140 Fourth Avenue
President Brasco referred the matter to the Ordinances and Rules Committee.

Councillor McLaughlin moved to accept a late filed communication for a time extension on the Special Permit application at 71 Second Ave. The motion was adopted by a voice vote and the matter was approved. Councillor LeBlanc recused himself. Councillor McLaughlin moved to suspend the rules and act on the matter without Committee reference. The motion was adopted by a voice vote and the matter was approved. Councillor McLaughlin moved approval. A vote was taken by a call of the roll.

In Favor: Darcy, Dunn, Durkee, Harris, Lacava, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None

Absent: None.

Presiding: Brasco

Matter approved 14-0.

Tabled Items

- Open Meeting Law Complaint, 3-23-2020 Docket

Councillor LaCava moved to adjourn. The motion was adopted on a voice vote. Council President Brasco declared the meeting adjourned at 8:25 p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant to the City Clerk

October 15, 2020

